

# Notice of meeting and agenda

## Development Management Sub-Committee of the Planning Committee

**10:00am, Wednesday 7 March 2018**

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

This is a public meeting and members of the public are welcome to attend.

### **Contacts:**

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## 1. Order of business

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- 1.1 Including any notices of motion, hearing requests from ward councillors and any other items of business submitted as urgent for consideration at the meeting.
- 1.2 Any member of the Council can request a Hearing if an item raises a local issue affecting their ward. Members of the Sub-Committee can request a presentation on any item in part 4 of the agenda. Members must advise Committee Services of their request by no later than **10.00am on Monday 5 March 2018** (see contact details in the further information section at the end of this agenda).
- 1.3 If a member of the Council has submitted a written request for a hearing to be held on an application that raises a local issue affecting their ward, the Development Management Sub-Committee will decide after receiving a presentation on the application whether or not to hold a hearing based on the information submitted. All requests for hearings will be notified to members prior to the meeting.

## 2. Declaration of interests

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- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

## 3. Minutes

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- 3.1 None.

## 4. General Applications and Miscellaneous Business

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**The recommendation by the Chief Planning Officer or other Chief Officers detailed in their reports will be approved without debate unless the Clerk to the meeting indicates otherwise during “Order of Business” at item 1 above.**

- 4.1 4 East Suffolk Road, Edinburgh (Former St Margaret's School) - Conversion of pre-school nursery to 6 dwellings with new vehicle access, car parking and bin store - application no 17/04787/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **REFUSED**.

- 4.2 587 Ferry Road, Edinburgh - Display of two internally illuminated digital 48 sheet advertisements in landscape orientation – application no 17/05602/ADV – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 4.3 72-74 Niddrie Mains Road, Edinburgh - Internally illuminated LED digital advertisement hoarding - application no 17/04879/ADV – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 4.4 6 North Park Terrace, Edinburgh - Single storey extensions to side and rear of property, as amended - application no 17/04959/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 4.5 51 Whitehouse Loan, Edinburgh (James Gillespie's Primary) – Demolition of existing temporary unit to west of site. Area will become additional play area for the school. New unit to be placed in existing play area is a limited life building – application no 17/05934/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 4.6 172 Whitehouse Loan, Edinburgh – Single storey, flat roofed kitchen extension to east of 172 Whitehouse Loan. Extension to use materials to match existing property. Introduction of new service door to east elevation to serve garage. Remove second floor balcony by pulling existing glazing forward (as amended) – application no 17/05035/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

## **5. Returning Applications**

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**These applications have been discussed previously by the Sub-Committee. A decision to grant, refuse or continue consideration will be made following a presentation by the Chief Planning Officer and discussion on each item.**

- 5.1 None.

## **6. Applications for Hearing**

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**The Chief Planning Officer has identified the following applications as meeting the criteria for Hearings. The protocol note by the Head of Strategy and Insight sets out the procedure for the hearing.**

- 6.1 None.

## **7. Applications for Detailed Presentation**

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**The Chief Planning Officer has identified the following applications for detailed presentation to the Sub-Committee. A decision to grant, refuse or continue consideration will be made following the presentation and discussion on each item.**

- 7.1 543 Gorgie Road, Edinburgh – Demolition of Existing Buildings and Erection of 23 residential properties, with Associated Access Roads, Landscaping and Boundary Treatments (as amended) – application no 17/00392/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 7.2 59 Curriehill Road, Currie (Currie Primary School) – Construction of a new educational building with 8 (eight) classrooms and ancillary accommodation, within the grounds of Currie Primary School – application no 17/05182/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **REFUSED**.

- 7.3 18-20 King's Stables Road, Edinburgh – Erection of 11 residential flats (as amended) – application no 17/03596/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 7.4 Saltire Street, Edinburgh (Land 80 Metres West and East of) – Proposed residential development and associated infrastructure (as amended) – application no 17/02477/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 7.5(a) 2 Dewar Place, Edinburgh – Planning permission in principle for hotel(s) (Class 7), office (Class 4), retail (Class 1), restaurant(s) (Class 3), pedestrian deck, bridge link and accesses from Western Approach road, Dewar Place and Canning Street. Detailed approval for siting, maximum height and limits of deviation of proposed buildings, partial demolition and refurbishment of façade of former electricity station (as amended) - application no 17/02227/PPP – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 7.5(b) 2 Dewar Place, Edinburgh – Demolition of rear part of original electricity generating station, partial demolition, refurbishment and integration of retained façade into proposed hotel building (as amended) – application no 17/02228/LBC – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 7.5(c) 2 Dewar Place, Edinburgh – Complete demolition in a conservation area of electricity transformers and switch room building – application no 17/02229/CON – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

## **8. Returning Applications Following Site Visit**

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**These applications have been discussed at a previous meeting of the Sub-Committee and were continued to allow members to visit the sites. A decision to grant, refuse or continue consideration will be made following a presentation by the Chief Planning Officer and discussion on each item.**

8.1 None.

## **9. Pre-Application Reports**

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**No decisions will be taken on these applications at this meeting. Following a presentation by the Chief Planning Officer, members will have the opportunity to ask questions and indicate key issues they would like the applicants to consider in their eventual application/s. Members will not Express a view on the merits of the proposal/s.**

- 9.1 3 Burdiehouse Crescent, Edinburgh (site 117 Metres Northeast of) – Forthcoming application by City of Edinburgh Council for the erection of a new-build school for children with additional support needs including all associated hard and soft landscaping, external stores, boundary fencing, car parking with drop off areas and upgrading of existing access road - application no 18/00237/PAN - report by the Chief Planning Officer (circulated)
- 9.2 181,183,185,187,198,191,193-195, St John's Road, Edinburgh – Forthcoming application by Mactaggart And Mickel Commercial Development Ltd for mixed used development (Class 9 and sui generis flats) together with commercial space (including class 1, 2 and 3) and hot food takeaway (sui generis), car parking and associated works – application no 17/06066/PAN – report by the Chief Planning Officer (circulated)
- 9.3 Old Dalkeith Road Edinburgh (South East Wedge Development Site) – Forthcoming application by Springfield Properties PLC for a residential development of approximately 500 dwellings, landscaping works and associated ancillary works - application no 18/00456/PAN - report by the Chief Planning Officer (circulated)

### **Laurence Rockey**

Head of Strategy and Insight

### **Committee Members**

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Councillors Gardiner (Convener), Booth, Child, Dixon, Gordon, Graczyk, Griffiths, Mitchell, Mowat, Osler and Staniforth.

## **Information about the Development Management Sub-Committee**

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The Development Management Sub-Committee consists of 11 Councillors and usually meets twice a month. The Sub-Committee usually meets in the Dean of Guild Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

### **Further information**

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A summary of the recommendations on each planning application is shown on the agenda. Please refer to the circulated reports by the Chief Planning Officer or other Chief Officers for full details. Online Services – planning applications can be viewed online by going to <http://www.edinburgh.gov.uk/cpol> – this includes letters of comments received.

The items shown in part 6 on this agenda are to be considered as a hearing. The list of organisations invited to speak at this meeting are detailed in the relevant Protocol Note. The Development Management Sub-Committee does not hear deputations.

The Sub-Committee will only make recommendations to the full Council on these applications as they are major applications which are significantly contrary to the Development Plan.

If you have any questions about the agenda or meeting arrangements, please contact Committee Services, City of Edinburgh Council, Business Centre 2:1, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG, 0131 529 4210, email [committee.services@edinburgh.gov.uk](mailto:committee.services@edinburgh.gov.uk).

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to <http://www.edinburgh.gov.uk/cpol>.

### **Webcasting of Council Meetings**

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Generally the public seating areas will not be filmed. However, by entering the Dean of Guild Court Room and using the public seating area, you are consenting to being filmed and to the use and storage of those images and sound recordings and any information pertaining to you contained in them for web casting and training purposes and for the purpose of keeping historical records and making those records available to the public.

Any information presented by you at a meeting, in a deputation or otherwise, in addition to forming part of a webcast that will be held as a historical record, will also be held and used by the Council in connection with the relevant matter until that matter is decided or otherwise resolved (including any potential appeals and other connected processes). Thereafter, that information will continue to be held as part of the historical record in accordance with the paragraphs above.

If you have any queries regarding this, and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact Committee Services on 0131 529 4210.

# Development Management Sub Committee

Wednesday 7 March 2018

**Application for Planning Permission 17/04787/FUL  
At Former St Margaret's School, 4 East Suffolk Road,  
Edinburgh  
Conversion of pre-school nursery to 6 dwellings with new  
vehicle access, car parking and bin store.**

<b>Item number</b>	4.1
<b>Report number</b>	
<b>Wards</b>	B15 - Southside/Newington

## Summary

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The application fails to comply with Local Development Plan policies Env 6, Env 12, Hou 3, Hou 4, Hou 5, and Tra 4. The proposals would result in a sub-standard environment for future occupiers, and would adversely affect the character and appearance of the Craigmillar Park Conservation Area. There are no material considerations which outweigh this conclusion.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LDPP, LHOU05, LDES03, LDES05, LEN06, LEN12, LHOU01, LHOU02, LHOU03, LHOU04, LTRA04, LEMP09, NSG, NSGD02, NSLBCA, CRPCMP, LTRA02, LTRA03,
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# Report

## **Application for Planning Permission 17/04787/FUL At Former St Margaret's School, 4 East Suffolk Road, Edinburgh Conversion of pre-school nursery to 6 dwellings with new vehicle access, car parking and bin store.**

### **Recommendations**

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1.1 It is recommended that this application be Refused for the reasons below.

### **Background**

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#### **2.1 Site description**

The site is a two-storey, sandstone building located on the south side of East Suffolk Road at its junction with East Suffolk Park.

This application site is located within the Craigmillar Park Conservation Area.

#### **2.2 Site History**

1 September 2011 - Application granted for a pre-school nursery with part change of use and sub-division of part of the first floor to form two flats with a separate entrance. Flat one to be used by the owners of the Nursery, with car parking and ancillary buildings. Erect solar panels on the existing flat roof (application number 11/01819/FUL).

15 December 2014 - Planning permission was granted to erect 4 residential units, car parking and associated landscaping. (application number 14/04188/FUL).

16 February 2015 - Conservation Area Consent was granted to demolish two existing single-storey classroom buildings (application number 14/04189/CON).

10 December 2015 - Planning permission was granted for the conversion of attic space to one self contained flat with external works and landscaping (application number 15/03246/FUL).

21 September 2016 - Planning permission was granted for part conversion of existing pre-school nursery to ground floor flat (application number 16/01295/FUL).

29 September 2017 - Planning permission was refused for conversion of pre-school nursery to 6 dwellings with car parking, bin store and landscaping (application number 17/03472/FUL). This application was refused on the grounds of failure to comply with policies Hou 3, Hou 4, Hou 5 and Tra 3 of the LDP. No appeal was submitted.

## **Main report**

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### **3.1 Description Of The Proposal**

The application proposes the conversion of an existing nursery school (Class 10) to form six flatted dwellings (Sui Generis), and associated alterations, including the formation of vehicular access, parking spaces and bin stores.

### **3.2 Determining Issues**

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

Do the proposals comply with the development plan?

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

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

### **3.3 Assessment**

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

- a) The proposed use is appropriate in the location;
- b) The proposals would have an acceptable impact on the character and appearance of the Craigmillar Park Conservation Area;
- c) The design and density is acceptable;
- d) An adequate environment would be provided for future occupiers;
- e) Any adverse impact on neighbouring amenity would be resultant from the proposals;
- f) Road safety has been addressed;
- g) Any developer contributions are required;
- h) There are any flooding issues on site; and
- i) Any matters raised in representations have been addressed.

a) Principle

Local Development Plan (LDP) policy Hou 5 states that "Planning permission will be granted for the change of use of existing buildings in non-residential use to housing, provided:

- a) a satisfactory residential environment can be achieved;
- b) housing would be compatible with nearby uses;
- c) appropriate open space, amenity and car and cycle parking standards are met;  
and
- d) the change of use is acceptable having regard to other policies in this plan including those that seek to safeguard or provide for important or vulnerable uses."

The surrounding area is predominantly residential, with partially constructed new build housing within the site and other parts of the building being converted to residential uses. The site is appropriate for housing in principle, subject to the provision of a satisfactory residential environment and compliance with other policies in the plan.

The loss of the existing business premises complies with LDP policy Emp 9 as conversion to residential would not prejudice the activities of any nearby employment uses.

b) Impact on the conservation area

*The Craigmillar Park Conservation Area Character Appraisal emphasises the predominance of high quality stone-built Victorian architecture of limited height which provides homogeneity through building lines, heights, massing and the use of traditional materials, and the predominant residential use. The architectural character is generally uniform, with buildings of two and three storey. The front gardens are enclosed with low walls, railings and hedges.*

The alterations which would alter the character of the property in the conservation area to the greatest extent are the provision of a new vehicular access, parking spaces and the erection of bin stores. There are limited alterations proposed to the external appearance of the existing building.

The application proposes alterations to form a new access and parking area on the main entrance to the building facing East Suffolk Road where there is an existing pedestrian access. The proposed access would be 5.8 metres wide, with engineering works required to lower the existing garden ground level. The area would be hard surfaced, although no details of proposed materials have been submitted.

This aspect of the proposals would result in the loss of 3.7 metres of original low stone boundary wall, which is a traditional characteristic feature of properties in the area. The proposed parking area would also result in the loss of two trees. No consideration has been given to the value of these trees in the supporting information submitted by the applicant. These trees have a significant impact on the character of the site in the conservation area, especially as a number of mature trees have been removed from the site in recent years.

The proposed alterations in the curtilage of the building, particularly the loss of the part of the front boundary wall, fail to comply with LDP policy Env 6 and would fail to preserve or enhance the character and appearance of the Craigmillar Park Conservation Area. The loss of the existing protected trees in the front garden fails to comply with LDP policy Env 12.

#### c) Design and density

The proposed alterations to form six new flats on this site would bring the total number of units, within the red line boundary, to fourteen. This would bring the total density of the site to 70 dwellings/hectare.

LDP policy Hou 4 states that "The Council will seek an appropriate density of development on each site. Higher densities will be appropriate within the City Centre and other areas where a good level of public transport accessibility exists or is to be provided. In established residential areas, proposals will not be permitted which would result in unacceptable damage to local character, environmental quality or residential amenity."

The proposals would result in a density of development significantly higher than other residential properties in the street. This level of density has not been adequately justified in the application. It is acknowledged that the site is located in a highly accessible area, and is close to main public transport corridors. However, the proposed density is not characteristic of residential properties and the street, and this density of development would fail to provide an adequate level of amenity for future occupiers as assessed in section 3.3d. On this basis the application fails to meet LDP policy Hou 4 and would introduce an inappropriate density of development to the site.

#### d) Amenity provision for future occupiers

LDP policy Hou 3 states that "Planning permission will be granted for development which makes adequate provision for green space to meet the needs of future residents." The submitted plans show proposed areas of private garden ground for ground floor flats and for an area of shared garden space to the front. On the basis of the drawings submitted, the application meets the requirements of Hou 3 in providing 10 square metres of open space per flat.

However, Committee should note that should they be minded to approve the application, the layout of the proposals would have implications on other previous permissions on the site which have been taken up, or are under construction. The area of proposed private garden ground for flat GF4 to the rear of the building has previously been shown as garden space for flats approved under previous applications, and currently under construction, notably 14/04188/FUL. As such, the only space for use by the flats proposed in the current application is the existing nursery playground to the front of the property. This area is north facing, and receives little direct sunlight. The area is currently astroturfed, which constitutes a hard surface, and the plans show no intention to introduce soft landscaping to this area. Given that this space is at the front of the property, the open space is not properly screened from traffic and has a low amenity value. On this basis, the proposals fail to meet LDP policy Hou 3 in terms of the provision of private open space for future occupiers.

In terms of the provision of daylight to the proposed units, the front elevation of the property benefits from large windows and would clearly meet minimum standards. Proposed unit GF4 shows a window to bedroom 3 on the submitted floor plan, which is not shown on the proposed elevations. The existing small window at this location would provide inadequate daylight to this room. In addition, proposed unit Flat 6 shows a new windows opening at bedroom 1 on the proposed elevation, but this is not shown on the plan form. This unit also appears to have discrepancies in the proposed floor plan, as existing window levels do not match the proposed single level floor plan of the unit. A new floor level which is visible externally across the existing large stairwell window would adversely impact on the appearance of the property.

For the above reasons, the proposal fails to comply with LDP policies Hou 3 and Hou 5 and the Edinburgh Design Guidance, and is of an inappropriate design which would not provide a suitable environment for future occupiers.

#### e) Impact on neighbouring amenity

The proposals will not have a significant adverse impact on neighbouring residential amenity, through loss of privacy, daylight or sunlight.

#### f) Transport issues

The application proposes the formation of three new off street car parking spaces to the new parking area accessed from East Suffolk Road, and two new car parking spaces from East Suffolk Park. The proposed parking spaces are shown as 4.9 metres deep x 2.2 metres wide. This size of bay would be of insufficient size to accommodate any larger family cars and would not provide adequate usability of the parking areas. Minimum dimensions of parking bays are found in other non-statutory guidance.

In addition, although provision is made for private cycle parking within the development, this is of a design which would inhibit usability. Proposed flat GF3 is accessed via the northern side of the building. However, the proposed cycle storage area associated with this property can only be accessed on the eastern side of the building through two sets of doors. The distance between the proposed cycle store and the entrance of the flat is not considered to be an acceptable design solution.

On this basis, the proposal fails to comply with LDP policy Tra 4 and is of an inappropriate design.

Again, the proposals, if recommended for approval, this would have the effect of nullifying previous consents on the site which would create issues for the land owner. The new parking spaces on the East Suffolk Park elevation (east) are proposed to be located within an area which houses the proposed bin store and raised planter associated with planning application 14/04188/FUL. In addition, the new bin store associated with the proposals would be located on an existing parking space as associated with an existing residential property in the attic of the building.

Given that planning permissions are mutually exclusive, and run with the land, not the ownership of the site, the proposals should not interfere with existing schemes as granted and under implementation as this would prejudice the ability to complete these schemes in accordance with the approved plans.

#### g) Developer contributions

As the current application is for only six dwellings, no developer contributions are applicable as this does not meet this minimum threshold. The site will not provide any affordable housing provision.

#### h) Flooding

The applicant has submitted flooding details including a surface water management plan. It was found that the proposals would not significantly increase flood risk in the local area.

#### i) Representations

Seventeen letters of support, and 5 objections were received relating to the proposals.

### **Material issues of Support**

- Proposed conversion is sympathetic to the building (addressed in section 3.3b);
- Proposed residential use in keeping with character of the area (addressed in section 3.3a);
- Reduction in traffic in the area (addressed in section 3.3f);
- Plenty of garden space for new residents (addressed in section 3.3d);
- Complies with policies Hou2, Hou3, Hou4 and Hou5 of Edinburgh local development plan (addressed in section 3.3d); and
- Cycle parking provided which satisfies policy Tra 3 (addressed in section 3.3f).

### **Material issues of Objection**

- Loss of existing employment provider (addressed in section 3.3a);
- The area to the rear of the building shown as garden ground is too narrow and overshadowed to provide any useable amenity space (addressed in section 3.3d);
- Density will be significantly higher than surrounding properties (addressed in section 3.3c);

- Existing windows on the west elevation of the building do not align with the proposed floor plans (addressed in section 3.3d); and
- Site is already overdeveloped (addressed in section 3.3c).

### **Non-material issues of Support**

- Appropriate re-use of an old building;
- Street is already busy;
- Lack of housing supply in the area; and
- Existing shortage of affordable housing.

### **Non-material issues of Objection**

- Loss of existing off street parking spaces; and
- Lack of nursery places in the area.

### **Grange/Prestonfield Community Council**

The community council have objected to the application on the following grounds:

- This application is substantially the same as 17/03472/FUL which was refused planning consent on 17th September 2017.
- No objection in principle to the conversion to housing of that part of the site and building currently used for the pre-school nursery, subject to compliance with policies in the LDP and CEC Guidance and respect for the character of the Craigmillar Park Conservation Area.
- The proposals would be in conflict with the Local Development Plan, specifically Policies Des 1, Hou 3, Hou 4, and Env 6, as well as the CEC Design Guidance and that for Conservation Areas.
- Externally there is to be no overall increase in shared garden space areas.
- Inappropriate positioning of bin store.
- Excess provision of off street parking in a highly accessible area.
- Loss of protected birch tree.
- No details of surface water runoff.
- No landscaping details for shared space to the north of the flats.
- Density will be significantly higher than the character of the surrounding area.

### **Conclusion**

The proposal is one of a succession of recent applications for the site, which have resulted in a piecemeal approach to the development of housing. The application shows a misleading approach to land allocations on the site, and attempts to amend the layouts of existing planning consents without linking these into any prior applications. The proposed change of use to form six additional units would result in an adverse impact on the character and appearance of the Craigmillar Park Conservation Area, would result in an inappropriate density of development on the site, with a sub-standard environment for future occupiers and would have inappropriately designed cycle and car parking. The proposed alterations fail to comply with policies Env 6, Env 12, Hou 3, Hou 4, Hou 5, and Tra 4 of the Local Development Plan. There are no material considerations which would justify approval of this application.

It is recommended that this application be Refused for the reasons below.

### **3.4 Conditions/reasons/informatives**

#### **Reasons:-**

1. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development and Env 12 in respect of trees, as the formation of the proposed parking areas would result in the loss of traditional boundary features, and loss of protected trees, which would adversely impact on the character and appearance of the property in the Craigmillar Park Conservation Area.
2. The application fails to comply with Local Development Plan policies Hou 3, Hou 4 and Hou 5 in respect of the provision of green space, density and conversion to housing as the proposals would not result in a satisfactory environment for future occupiers and would not provide appropriate open space and amenity space.
3. The proposal fails to comply with Local Development Plan policy Tra 4 in respect of the design of off street car and cycle parking as the proposals would not provide an appropriate design solution for the provision of car and cycle parking which would limit the usability of these areas for future occupiers.

### **Financial impact**

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#### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

### **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

### **Equalities impact**

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#### **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**

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#### **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**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

Seventeen letters of support, and 5 objections were received relating to the proposals. These included comments from the Grange and Prestonfield Community Council.

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

### **Background reading/external references**

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- 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**

LDP - Craigmillar Park Conservation Area.

**Date registered**

16 October 2017

**Drawing numbers/Scheme**

01-11,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Rachel Webster, Planning Officer

E-mail: [rachel.webster@edinburgh.gov.uk](mailto:rachel.webster@edinburgh.gov.uk) Tel: 0131 529 3442

**Links - Policies**

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**Relevant Policies:**

**Relevant policies of the Local Development Plan.**

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

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

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

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 Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

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 Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

LDP Policy Emp 9 (Employment Sites and Premises) sets out criteria for development proposals affecting business and industrial sites and premises.

### **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, parking, streets 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 Craigmillar Park Conservation Area Character Appraisal emphasises the predominance of high quality stone-built Victorian architecture of limited height which provides homogeneity through building lines, heights, massing and the use of traditional materials, and the predominant residential use.

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 Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

# Appendix 1

**Application for Planning Permission 17/04787/FUL  
At Former St Margaret's School, 4 East Suffolk Road,  
Edinburgh  
Conversion of pre-school nursery to 6 dwellings with new  
vehicle access, car parking and bin store.**

## Consultations

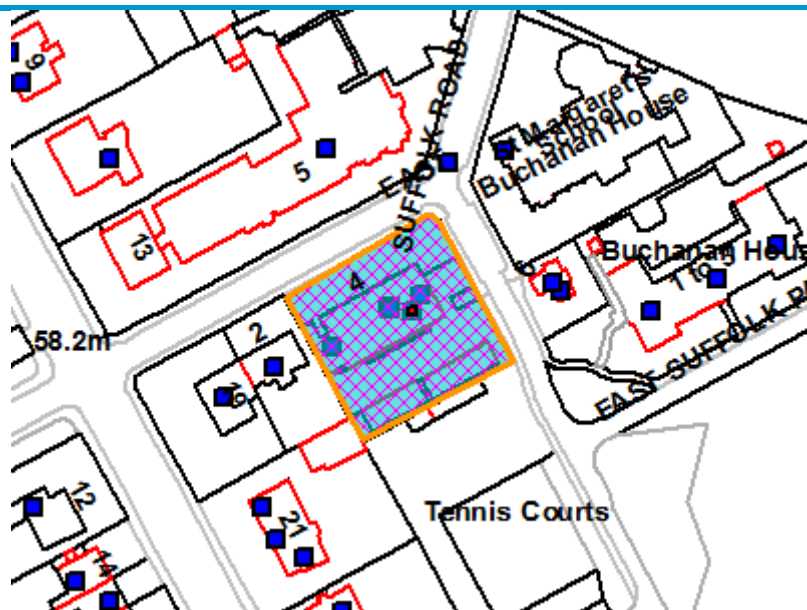
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### Flood Planning

No flooding issues identified.

### Location Plan

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**END**

# Development Management Sub Committee

Wednesday 7 March 2018

**Application for Advert Consent 17/05602/ADV  
At 587 Ferry Road, Edinburgh,  
Display of two internally illuminated digital 48 sheet  
advertisements in landscape orientation.**

<b>Item number</b>	4.2
<b>Report number</b>	
<b>Wards</b>	B05 - Inverleith

## Summary

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The proposal does not raise any issues in respect of amenity or public safety. The proposal complies with Regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and it is recommended that express consent for the proposal is granted.

## Links

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[Policies and guidance for this application](#) LDPP, NSADSP,

# Report

## **Application for Advert Consent 17/05602/ADV At 587 Ferry Road, Edinburgh, Display of two internally illuminated digital 48 sheet advertisements in landscape orientation.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application site is located on the southern side of Ferry Road close to the fire station. There are existing advertisement hoardings along this side of the road. These are internally lit; one is a 96 sheet board which faces towards the pedestrian bridge and the other a 48 sheet board located next to the access road for the fire station. The hoardings are located on an embankment, elevated from the pavement and are located opposite a large office building.

#### **2.2 Site History**

26th September 2007 - planning permission was granted for a roadside advertisement display (internally illuminated) (07/03595/ADV).

### **Main report**

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#### **3.1 Description Of The Proposal**

The proposal is for the erection of two internally illuminated digital 48 sheet advertisements in landscape orientation. The new digital advertisements will replace the existing internally illuminated 96 and 48 sheet hoardings. Full use will be made of the existing supporting structure for the 48 sheet advertisement and the existing structure for the 96 sheet advertisement will be cut back to fit the new smaller digital display. The new screens will display static images with no movement or animation.

The replacement hoardings will measure 6.4 metres in length by 3.45 metres in height.

#### **Supporting Statement**

The applicant has submitted a supporting statement stating:

- a) This would represent a 34% reduction in advertising display area.
- b) Screens will display static images with no movement or animation.

- c) There will be no increase in the overall luminance, which will be controlled by sensor and within the recommended levels set by the Institute of Lighting Engineers.

### **3.2 Determining Issues**

Do the proposals affect the amenity of the locality? In the determination of the suitability of the site for the display of advertisements, the Planning Authority shall have regard to the general characteristics of the locality including the presence of any feature of historical, architectural, cultural or similar interest. The authority may disregard any advertisements displayed in the locality.

Do the proposals affect public safety? The Planning Authority shall in particular consider whether any such display is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal, or aid to navigation by water or air.

### **3.3 Assessment**

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

- a) the proposals are contrary to the interests of amenity;
- b) the proposals are contrary to the interest of public safety; and
- c) any impacts on equalities and human rights are acceptable.

#### **a) Amenity**

Regulation 4(1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 states that advertisement control shall be exercisable only in the interests of (a) amenity and (b) public safety.

When assessing amenity, Regulation 4(2)(a) determines the suitability of the use of the site for displaying advertisements in light of the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest; and when assessing the general characteristics of the locality the authority "may disregard any advertisements being displayed therein."

The proposal site has a history and is currently used for advertising hoardings. There is an advertisement hoarding with a digital display (similar to those proposed) sited to the north west of the site. The surrounding area consists of a large office building opposite the site, a fire station to the rear of the site and is on a busy road.

Set within the context of the surrounding streetscape, the advertisements form acceptable features and do not have a detrimental impact on the amenity of the surrounding area.

## b) Public Safety

The advertisements do not obscure or hinder the ready interpretation of any road traffic sign or interfere with the sight lines of drivers using Ferry Road. The illumination levels of the digital display is to be no brighter than the internal illumination of the existing hoardings and are not to be moving or animated so will not be a distraction to drivers using Ferry Road.

There will be no adverse impact on pedestrian movement along the pavement and therefore do not raise any issues in respect of public safety.

## c) Equalities and Human Rights

The proposal has been assessed and does not raise any issues in respect of equalities and human rights.

## Conclusion

In conclusion, the proposal does not raise any issues in respect of public safety and will have no adverse impact on amenity. Therefore, the proposal complies with Regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

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

## **3.4 Conditions/reasons/informatives**

### **Conditions:-**

1. Consent is granted for a period of five years from the date of consent.
2. The intensity of illumination of the advertisement display shall be restricted to 75 candelas per square metre during night time hours, these hours being 30 minutes after sunset to 30 minutes before sunrise each day.
3. Advertisements shall be static images only.

### **Reasons:-**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to ensure that the level of illumination is appropriately restricted so as not to be detrimental to the amenity of the area.
3. To safeguard public safety.

### **Informatives**

It should be noted that:



1.
  - a. All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Planning Authority.
  - b. Any hoarding or similar structure, or any sign, placard, board, or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Planning Authority.
  - c. Where any advertisement is required under the Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Planning Authority.
  - d. Before an advertisement is displayed on land, the permission of the owner of that land or other person entitled to grant permission shall be obtained.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **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**

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### **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**

No representations were received. The application was advertised on the weekly list on the 18 December 2017.

## Background reading/external references

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- 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 property is in the Urban Area designated in the Edinburgh Local Development Plan. There are no special designations on the site.

### **Date registered**

30 November 2017

### **Drawing numbers/Scheme**

1-3,

Scheme 1

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Sheila Bernard, Planning Officer

E-mail: [sheila.bernard@edinburgh.gov.uk](mailto:sheila.bernard@edinburgh.gov.uk) Tel:

## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

**Non-statutory guidelines** 'ADVERTISEMENTS, SPONSORSHIP AND CITY DRESSING' Provides guidance on proposals for advertisements, imposing restrictions on adverts on street furniture, hoardings, and at the roadside, and outlining the circumstances in which sponsorship, city dressing, banners and adverts on scaffolding should be acceptable.

# Appendix 1

## **Application for Advert Consent 17/05602/ADV At 587 Ferry Road, Edinburgh, Display of two internally illuminated digital 48 sheet advertisements in landscape orientation.**

### **Consultations**

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#### TRANSPORT

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

#### LARGE FORMAT ADVERTISING SIGNS

Note:

1. This location has been assessed as low risk;  
2. As outlined in the council's report to planning committee 27 February 2014 for the control of digital forms of advertising, this advert will be expected to comply in full with the Outdoor Media Centre (OMC) voluntary code for digital large format roadside advertising (published in January 2011). The code reflects planning regulations in place throughout the UK. This states that:

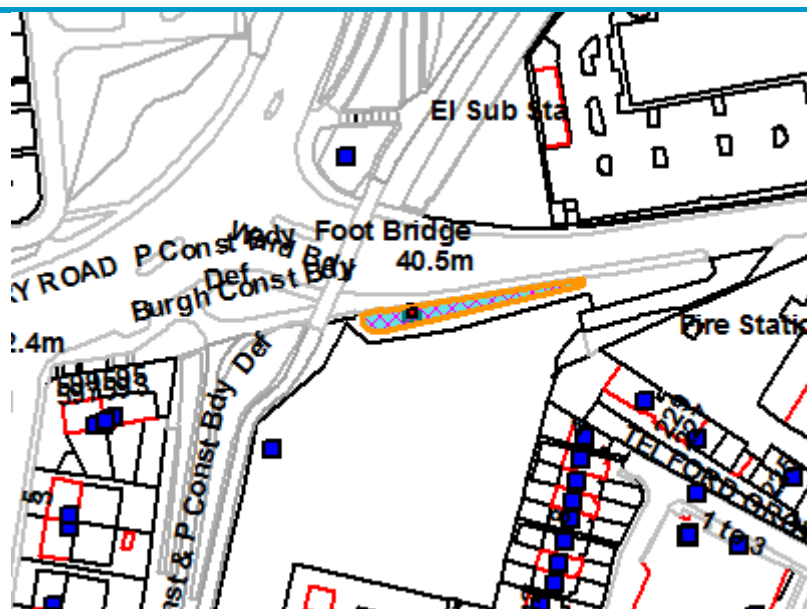
- a) there shall be no moving images, animation, video or full motion images displayed unless consent has been granted for such displays;
- b) digital roadside billboards/hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays;
- c) the luminance level of a digital roadside billboards shall comply with the Institute of Lighting Engineers Technical Report No's 5 (2003);
- d) Roadside digital displays will [in Scotland] conform to the 5 'Standard Conditions' specified in Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

With respect to item

- a) above images, animation, video or full motion images are not permitted and with respect to item
- b) above a maximum change rate of one static advert every 15 seconds will be permitted at this location (i.e. 4 adverts a minute). If either of these conditions is not adhered to it is likely that the Council, in its capacity as roads authority, will take appropriate action under Section 93 of the Roads (Scotland) Act 1984. This may include isolation of the power supply to the unit;
- 3. Adverts must not contain moving images or sequencing of images over more than one advert;
- 4. Drivers should only be able to see the details of a roadside digital advertisement on one screen or a pair of synchronised screens at a time. This is to ensure that multiple images do not change at different times;

5. There should be no message sequencing where a message is spread across more than one screen;
6. Phone numbers, web addresses details etc should be avoided;
7. It is recommended that the speed of change of image should be set to be in effect instantaneous;
8. Where the advert is visible in the same view as traffic signals, the timing of the signals should where possible be taken into account when calculating the message display time;
9. Adverts should not resemble existing traffic signs or provide directional advice;
10. Night time levels of luminance should be based on the luminance of other signs and surfaces in the area. Typical values in urban areas would be in the range of 75-300Cd/m<sup>2</sup>;
11. Day time levels of luminance may need to be higher, this should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output is within acceptable limits;
12. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to disconnect and disable the sign, or take any other steps, required to ensure that any display on the sign which constitutes a danger to road users is removed or screened. The Council will seek to recover their costs for undertaking such action and the applicant should note that the display of any moving images (ref note 4 above) is likely to result in immediate action under Section 93.

## Location Plan



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**END**

# Development Management Sub Committee

Wednesday 7 March 2018

**Application for Advert Consent 17/04879/ADV  
At 72 - 74 Niddrie Mains Road, Edinburgh, EH16 4BG  
Internally illuminated LED digital advertisement hoarding.**

<b>Item number</b>	4.3
<b>Report number</b>	
<b>Wards</b>	B17 - Portobello/Craigmillar

## Summary

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The proposal will have an acceptable impact on the amenity of the location and on public safety. The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), taking account of the Council's guidance on Advertisements, Sponsorship and City Dressing. A grant of express consent is recommended. There are no material considerations which outweigh this conclusion as advertisement control shall be exercisable only in the interests of amenity and public safety.

## Links

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[Policies and guidance for this application](#) NSADSP,

# Report

## **Application for Advert Consent 17/04879/ADV At 72 - 74 Niddrie Mains Road, Edinburgh, EH16 4BG Internally illuminated LED digital advertisement hoarding.**

### **Recommendations**

---

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

### **Background**

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#### **2.1 Site description**

This application site is located on the south side of Niddrie Mains Road on the eastern elevation of an existing shop front which forms part of the boundary of the existing Tesco car park. The site is currently the location of an existing internally illuminated scrolling 48 sheet display.

#### **2.2 Site History**

10 May 2006 - Express consent was granted for an application (06/01946/ADV) for a 48 sheet advertising hoarding with scroller display unit.

### **Main report**

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#### **3.1 Description Of The Proposal**

The proposal is for the removal of the existing display and its replacement with a digital screen of the same dimensions (6.25m by 3.5m). It is proposed that the screen will display static images with no movement or animation. There is to be no increase in overall luminance, which will be controlled by sensor and within the recommended levels set by the Institute of Lighting engineers.

#### **3.2 Determining Issues**

Do the proposals affect the amenity of the locality? In the determination of the suitability of the site for the display of advertisements, the Planning Authority shall have regard to the general characteristics of the locality including the presence of any feature of historical, architectural, cultural or similar interest. The authority may disregard any advertisements displayed in the locality.

Do the proposals affect public safety? The Planning Authority shall in particular consider whether any such display is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal, or aid to navigation by water or air.

### 3.3 Assessment

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

- a) The proposal will harm amenity;
- b) The proposal will harm road or public safety;
- c) the proposal would have any equalities or human rights impacts; and
- d) Comments raised have been addressed.

#### a) Amenity

The display faces east towards the existing Tesco store and the East Neighbourhood Centre. There are no residential properties present that will be affected by the proposal. There are no features of historical, architectural, cultural or similar interest within the vicinity.

The proposal is in accordance with the Council's guidance on Advertisements, Sponsorship and City Dressing.

The proposal will have an acceptable impact on the amenity or the location in accordance with Regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

#### b) Road and Public Safety

The advertisement would not be likely to obscure, or hinder the ready interpretation of any road traffic sign. It would not obscure, or hinder the ready interpretation of any railway signal, or aid navigation by water or air.

Subject to the images being static only, as is proposed, the advertisement would be acceptable with regard to public safety.

The frequency of change of any images is not a matter that can be controlled under the Advertisement Regulations. With respect to road safety, more appropriate controls exist under section 93 of the Road (Scotland) Act 1984 as amended.

The proposal will have an acceptable impact on public safety, in accordance with Regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

#### c) Equalities and Human Rights

This application was assessed in terms of potential impacts on human rights and equalities. There were no impacts found.

#### d) Comments

No representations have been received.



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

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. Consent is granted for a period of five years from the date of consent.
2. The intensity of illumination of the advertisement display shall be restricted to 75 candelas per square metre during night time hours, these hours being 30 minutes after sunset to 30 minutes before sunrise each day.
3. Advertisements shall be static images only.

#### **Reasons:-**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard the amenity of neighbouring residents and other occupiers.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.

### **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

No representations have been received.

### **Background reading/external references**

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- 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**

Express Consent under Advert Regulations.

**Date registered**

19 October 2017

**Drawing numbers/Scheme**

01-02,

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Keith Miller, Senior Planning Officer

E-mail:keith.miller@edinburgh.gov.uk Tel:0131 469 3665

**Links - Policies**

---

**Relevant Policies:**

**Non-statutory guidelines** 'ADVERTISEMENTS, SPONSORSHIP AND CITY DRESSING' Provides guidance on proposals for advertisements, imposing restrictions on adverts on street furniture, hoardings, and at the roadside, and outlining the circumstances in which sponsorship, city dressing, banners and adverts on scaffolding should be acceptable.

# Appendix 1

## **Application for Advert Consent 17/04879/ADV At 72 - 74 Niddrie Mains Road, Edinburgh, EH16 4BG Internally illuminated LED digital advertisement hoarding.**

### **Consultations**

---

Roads Authority

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

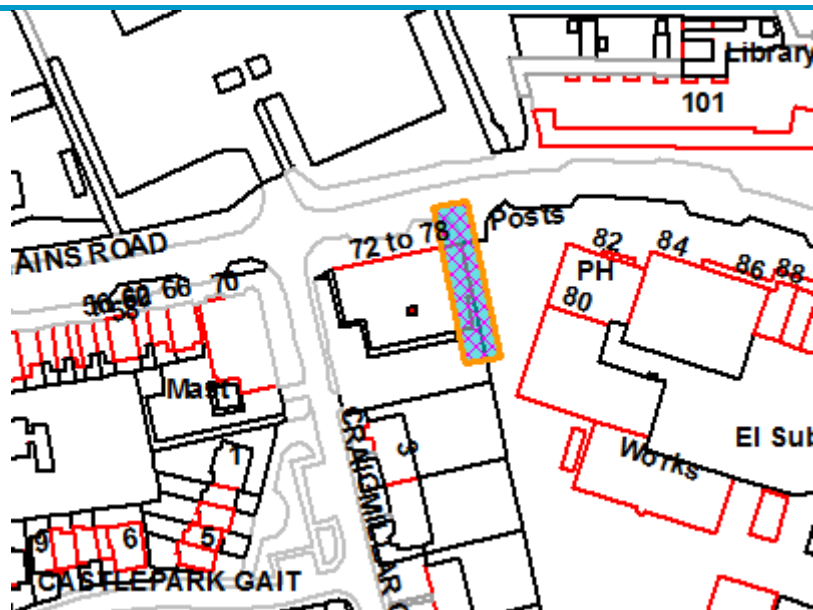
#### **LARGE FORMAT ADVERTISING SIGNS**

Note:

1. This location has been assessed as low risk;
2. As outlined in the council's report to planning committee 27 February 2014 for the control of digital forms of advertising, this advert will be expected to comply in full with the Outdoor Media Centre (OMC) voluntary code for digital large format roadside advertising (published in January 2011). The code reflects planning regulations in place throughout the UK. This states that:
  - a) there shall be no moving images, animation, video or full motion images displayed unless consent has been granted for such displays;
  - b) digital roadside billboards/hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays;
  - c) the luminance level of a digital roadside billboards shall comply with the Institute of Lighting Engineers Technical Report No's 5 (2003);
  - d) Roadside digital displays will [in Scotland] conform to the 5 'Standard Conditions' specified in Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984.With respect to item a) above images, animation, video or full motion images are not permitted and with respect to item b) above a maximum change rate of one static advert every 15 seconds will be permitted at this location (i.e. 4 adverts a minute). If either of these conditions is not adhered to it is likely that the Council, in its capacity as roads authority, will take appropriate action under Section 93 of the Roads (Scotland) Act 1984. This may include isolation of the power supply to the unit;
3. Adverts must not contain moving images or sequencing of images over more than one advert;
4. Drivers should only be able to see the details of a roadside digital advertisement on one screen or a pair of synchronised screens at a time. This is to ensure that multiple images do not change at different times;
5. There should be no message sequencing where a message is spread across more than one screen;
6. Phone numbers, web addresses details etc should be avoided;
7. It is recommended that the speed of change of image should be set to be in effect instantaneous;

8. Where the advert is visible in the same view as traffic signals, the timing of the signals should where possible be taken into account when calculating the message display time;
9. Adverts should not resemble existing traffic signs or provide directional advice;
10. Night time levels of luminance should be based on the luminance of other signs and surfaces in the area. Typical values in urban areas would be in the range of 75-300Cd/m<sup>2</sup>;
11. Day time levels of luminance may need to be higher, this should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output is within acceptable limits;
12. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to disconnect and disable the sign, or take any other steps, required to ensure that any display on the sign which constitutes a danger to road users is removed or screened. The Council will seek to recover their costs for undertaking such action and the applicant should note that the display of any moving images (ref note 4 above) is likely to result in immediate action under Section 93.

## Location Plan



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**END**

# Development Management Sub Committee

Wednesday 7 March 2018

**Application for Planning Permission 17/04959/FUL  
At 6 North Park Terrace, Edinburgh, EH4 1DP  
Single storey extensions to side and rear of property, as amended.**

<b>Item number</b>	4.4
<b>Report number</b>	
<b>Wards</b>	B05 - Inverleith

## Summary

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The proposal is in accordance with Edinburgh Local Development Plan Policies Des 1, Des 12 and Env 6. It would not have a detrimental impact on the character and appearance of the Inverleith Conservation Area. A minor infringement of the non-statutory "Guidance for Householders" with respect to overshadowing of a neighbouring property is acceptable. The proposal is of an acceptable scale, form and design, accords with neighbourhood character and would not result in an unacceptable loss of neighbouring amenity. No impact on equalities or human rights has been identified. There are no material planning considerations which would justify refusal.

## Links

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<a href="#">Policies and guidance for this application</a>	LDES12, LEN06, CRPINV, NSHOU, NSLBCA, LDES01,
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# Report

## **Application for Planning Permission 17/04959/FUL At 6 North Park Terrace, Edinburgh, EH4 1DP Single storey extensions to side and rear of property, as amended.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application site is a two-storey (with attic dormers) end terrace, stone -built dwellinghouse on North Park Terrace, Edinburgh. North Park Terrace is a cul-de-sac north of Comely Bank Road, with houses on the west side only. The terrace is not continuous or uniform, being formed in four distinct groupings which become more architecturally elaborate going northwards. The rear elevations contain historic outshoots, mostly single-storey.

Inverleith Park lies to the north and the property faces east onto the Edinburgh Academicals rugby and cricket grounds.

There is a small front garden and a larger rear garden backing onto the rear gardens of a similar terrace on East Fettes Avenue, to the west. St Stephen's Comely Bank Church and Church Halls lie to the south west, with an adjoining terrace of stone built houses on Comely Bank Road leading to North Park Terrace.

The property is not a listed building.

This application site is located within the Inverleith Conservation Area.

#### **2.2 Site History**

6 North Park Terrace:

30 May 2013- planning permission was granted for removal of the existing outshoot and the construction of a single-storey, flat roofed rear extension (application number 13/01140/FUL). This was to be larger than the existing outshoot, at 7.1 metres by 7.2 metres and 2.9 metres high. Glazed sliding doors to the rear, a single glazed window panel and door on the south elevation were proposed. Materials were to be vertical timber clad walls, timber windows and doors and EPDM roofing. This permission has not been implemented.

Other recent relevant applications on North Park Terrace:

30 September 2016 planning permission was refused for a new single storey rear conservatory (in addition to the existing outshoot) at 7 North Park Terrace (application number 16/03537/FUL); the proposed plan form and use of uPVC would not allow the extension to sympathetically integrate with the host building.

09 January 2017 planning permission was granted for a works including a new rear extension at 9 North Park Terrace, (application number 16/04474/FUL). The pitched roof single-storey rear extension would be built against the adjoining outshoot and extend across the width of the rear elevation of the property.

12 January 2017 planning permission granted for a proposed single storey, flat roofed rear extension at 8 North Park Terrace, (application number 16/04478/FUL). This extension would be built against the adjoining outshoot and extend out from the rear elevation by 3.9 metres.

01 February 2017 planning permission was refused for a new single storey rear conservatory at 7 North Park Terrace, (application number 16/05926/FUL); the proposed plan form and use of reconstituted stone would not integrate sympathetically with the form and appearance of the host building.

28 September 2017 planning permission was approved for a two-storey rear extension at 4 North Park Terrace (application number 17/02974/FUL). This would have an asymmetrical form, with sandstone and timber clad walls and a zinc roof.

## **Main report**

---

### **3.1 Description Of The Proposal**

The application proposes the erection of a single-storey, flat roofed rear extension to replace the existing historic outshoot. It would project out from the rear elevation by 6.65 metres and be 6.3 metres wide and 3.5 metres high. A single-storey, flat roofed side extension would be formed on the southern gable, 6.9 metres long and 3.6 metres high, behind the existing wooden gate.

The proposed materials are vertical larch cladding, aluminium windows and single ply membrane roofing. The side extension would have a dressed ashlar wall onto the neighbour to the south.

The rear extension would have a full length glazed window on its southern elevation, with full length glazed sliding doors on the corner of the south and west elevations plus a rooflight. The side extension would have a glazed door to the rear plus rooflights.

Scheme 2 amends the original submission by pulling the proposed side extension away from the wall of the neighbouring property and back into the curtilage of the application property. It also reduces the proposed height of the side extension, from 3.9 metres to 3.6 metres and reduces the height of the rear extension by 10 cm. Amended drawings also show the difference in heights between the rear gardens of Numbers 5 and 6 North Park Terrace.



## 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 proposal will preserve or enhance the character or appearance of the conservation area;
- (b) The proposal is of an acceptable scale, form and design and accords with neighbourhood character;
- (c) The proposal will result in an unreasonable loss of neighbouring amenity;
- (d) Any impacts on equalities or human rights are acceptable; and
- (e) Any public comments raised have been addressed.

### (a) Conservation Area character and appearance

The Inverleith Conservation Area Character Appraisal (ICACA) notes that the area was developed first as a Georgian suburb of villas and terraces to the north of the New Town. It lies on a south facing slope between Ferry Road and the Water of Leith and includes a number of important Victorian institutions set in extensive grounds. Large Victorian villas set in generous garden grounds also predominate, especially in the west of the conservation area. Extensive blocks of public and private open space (including the Botanical Gardens) form the essential elements of character, with key views southwards to the city providing a distinctive setting. The street layout follows a loose grid pattern with some of the streets being very wide and this, with the prevalence of significant areas of open space and garden ground to the houses, emphasises the spaciousness of the area.

The terrace of properties on North Park Terrace are not uniform on their principal (east) elevations or their rear (west) elevations. A number of properties share flat roofed historic rear extensions but the outshoots at numbers 8 and 9 and numbers 5 and 6 differ in form from others, having a higher element joining the outshoot to the rear elevation. The principle of a modern rear extension has been accepted previously both here and for other properties in the terrace (and in the conservation area). A rear extension virtually the full width of the rear elevation has been granted at numbers 6 and 8 North Park Terrace and there are a variety of forms of modern rear extensions to the west on East Fettes Avenue. The proposed rear extension is not readily publicly visible from East Fettes Avenue or in views south from Inverleith Park. There would be very limited visibility in the short gap between the church and houses on Comely Bank Road. The proposals would have no impact on any key views. The ICACA notes that high quality, innovative modern design and materials are not precluded and the simple modern lines and materials provide an appropriate contrast to the existing building, rather than a "pastiche" of an original form, and demonstrate a respect for this building and the area.

The proposal therefore preserves the character and appearance of the conservation area, complying with Local Development Plan (LDP) policies Env 6 Conservation Areas - Development and Des 1 - Design Quality and Context.

(b) Scale, form and design and neighbourhood character

The proposed new rear extension, whilst of a different form, continues the line where the existing outshoot (and that of its neighbour) meets the rear elevation. Part of the existing outshoot is already the proposed height of the new rear extension. As a flat-roofed, single-storey addition to a two-storey structure (with attic accommodation and dormers) it is not disproportionate in size and remains subservient to the host building. The proposed footprint is larger than the existing outshoot but, at 21% of the rear garden area, retains an adequate amount of amenity space, meeting this criterion in the non-statutory "Guidance for Householders". The gaps along this terrace may be an important element in its character but there are existing fences and structures within these. The side extension will be pulled back from the neighbouring gable, and a ground floor extension behind an enclosure would not have the effect of totally closing the gap between numbers 5 and 6 North Park Terrace, either horizontally or vertically. The form and materials read as a modern, contemporary intervention to the host building, with a definite and acceptable distinction between new and old elements. The fenestration details are modern and are of a similar form and amount of glazing as other recently approved extensions in the terrace.

The design, form and positioning of the proposal are compatible with the character of the host building and of this residential area, complying with local development plan policies Des 1 and Des 12.

(c) Neighbouring amenity

Using the methodology in the non-statutory "Guidance for Householders", the proposed side and rear extensions would have no effect on levels of daylight to any neighbouring windows. With respect to sunlight (or overshadowing), the orientation to its neighbour to the south is such that no part of the proposal would have any additional impact. For the neighbour to the north (No. 7), there would be a very small additional element of overshadowing (around 0.3 square metres) but this is insufficient to justify refusal of the application and the rear extension only projects 30 cm beyond the outshoot to that property. In relation to privacy, fully glazed windows/doors on the south elevation would not meet the 9 metre to boundary criterion. However, the neighbouring rear garden is at a lower elevation where a 2.14 metre high stone boundary wall affords a more than adequate privacy screen within that property. The existing rear outshoots in both numbers 5 and 6 already are in a gable to gable relationship in any case.

There would be no unreasonable loss of neighbouring amenity.

(d) Equalities and human rights

There would be no impacts on equalities or human rights.

(e) Representations

The public representations can be summarised and addressed as follows:

**Material planning considerations**

**Objections**

- The proposals would not preserve or enhance the character or appearance of the Inverleith Conservation Area and would not comply with LDP policies Env 6 or Des 1. This is addressed in Section 3.3 (a).
- The scale of the proposal, particularly the height of the rear extension would appear overbearing from a neighbouring property. This is addressed in Section 3.3 (b) and (c).
- Amenity - neighbours would suffer loss of privacy, natural light and be overshadowed; there is no scope to adjust boundary heights to provide adequate screening. This is addressed in Section 3.3 (c).
- The mix of modern materials and scale of fenestration are unsympathetic to the character of the terrace and conservation area. This is addressed in Section 3.3 (a) and (b).
- North Park Terrace is not continuous or uniform, being four separate terrace with different designs and scales with gaps as important punctuation points; the proposed side extension would erode this composition. This is addressed in Section 3.3 (b).

- Revised plans note the use of "square random rubble coursed" stone but do not state whether this would be natural or reconstituted stone. A condition has been included to cover this aspect.
- A large proportion of the site would be built on/paved over, causing run-off problems in a flood sensitive area. This is addressed in Section 3.3 (b) and the LDP does not identify the application site as a flood sensitive area.
- Lack of a north elevation makes it difficult to assess the impact on that neighbouring property. This is addressed in Section 3.3 (b) and (c).

## **Support**

- The proposal is not excessive or obtrusive, compared to the size of the building; it is in keeping with other extensions approved in the area and would be a positive addition to the building and the neighbourhood. This is addressed in Section 3.3(b).
- The modern, clean and contemporary style accords with Council guidelines and integrates well with the existing building. This is addressed in Section 3.3 (a) and (b).
- It would cause no loss of light or view to neighbouring properties. This is addressed in Section 3.3 (c).
- The rear extension erodes the garden area slightly but does not overpower the space. This is addressed in Section 3.3 (b).
- The side extension is set back from the road, behind an existing gate, and will not be overly visible or dominant and would not impact on the principal elevation. This is addressed in Section 3.3 (b).

## **Non-material considerations**

### **Objections**

- Detailed queries about the revised drawings. A new East Elevation is provided and corrections made to drawing descriptions.
- What is the rationale for the photographs submitted. This is to indicate context.
- The height of the rear extension should be reduced to the 2.9 metres previously approved. The Council must assess the application before it.
- The side extension extends beyond the site which the applicant has control of. This was addressed in the revised drawings, Scheme 2.

- The proposal does not comply with LDP Policies Des 4 or Des 5. The LDP specifically states that these apply to all new development of one or more buildings; their use for extensions and alterations to existing houses is not appropriate.
- Major internal and external re-structuring works will affect a neighbouring property - the internal alterations do not require the benefit of planning permission and this is more properly the remit of the Building Warrant regime.
- Noise and disruption. This is not controlled by planning legislation.
- The passageway at the side of number 6 affords access to the rear of the terrace (emergency access and works to services) and is probably an old Right of Way. This is a civil matter, not controlled by planning legislation and the Council is not aware that it is an asserted Right of Way.
- The extension will extend the noise of family activities into the garden, disturbing neighbours - planning legislation cannot regulate activities associated with residential use, within a residential property or its curtilage.
- Due to increased land taxes, families are proposing additions to existing houses, rather than moving - this is not a matter controlled by planning legislation.
- Effect on neighbouring ability to make repairs to boundary walls. This is a civil, rather than a planning matter.
- The existing dwelling is already large enough and there is no need to extend it - this is not a matter for planning legislation.
- Discrepancies, inaccuracies and omissions in the drawings submitted. These have been addressed in revised and additional drawings.
- The side extension would deny small fauna access to rear gardens. These are already enclosed by stone walls.

## **Support**

- Will enable adaptation of a house for a young family, supporting the local community. The issue to be determined is the acceptability of the structure in terms of planning legislation.
- Planning permission has previously been granted for a similar extension. The Council must determine the acceptability of this structure in terms of planning legislation.

## Conclusion

The proposal is in accordance with Edinburgh Local Development Plan Policies Des 1, Des 12 and Env 6. It would not have a detrimental impact on the character and appearance of the Inverleith Conservation Area. A minor infringement to the non-statutory "Guidance for Householders" with respect to overshadowing of a neighbouring property is acceptable. The proposal is of an acceptable scale, form and design, accords with neighbourhood character and would not result in an unacceptable loss of neighbouring amenity. No impact on equalities or human rights has been identified. There are no material planning considerations which would justify refusal.

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 development, details of the square random rubble ashlar for the side extension shall be submitted to, and agreed by, the planning authority.

#### **Reasons:-**

1. To protect the character of the host building and the character and appearance of the conservation area.

#### **Informatives**

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **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**

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### **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**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

Ten representations (nine from members of the public and one from a Community Council) have been received which raise objections to the application.

Sixteen representations (from members of the public) have been received which express support for the application.

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

## **Background reading/external references**

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- 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 identified as being within the urban area and a conservation area in the adopted Edinburgh Local Development Plan 2016.

### **Date registered**

24 October 2017

### **Drawing numbers/Scheme**

01A, 02-04, 05A-09A, 10B, 11, 12A, 13 and 14.,

Scheme 2

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Val Malone, Senior Planning Officer

E-mail:val.malone@edinburgh.gov.uk Tel:0131 529 3485

## **Links - Policies**

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### **Relevant Policies:**

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.

**The Inverleith Conservation Area Character Appraisal** emphasises the predominance of Georgian, Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of public and private open space. The villa streets are complemented by a 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.

**Non-statutory guidelines 'GUIDANCE FOR HOUSEHOLDERS'** provides guidance for proposals to alter or extend houses or flats.



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

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

# Appendix 1

**Application for Planning Permission 17/04959/FUL  
At 6 North Park Terrace, Edinburgh, EH4 1DP  
Single storey extensions to side and rear of property, as amended.**

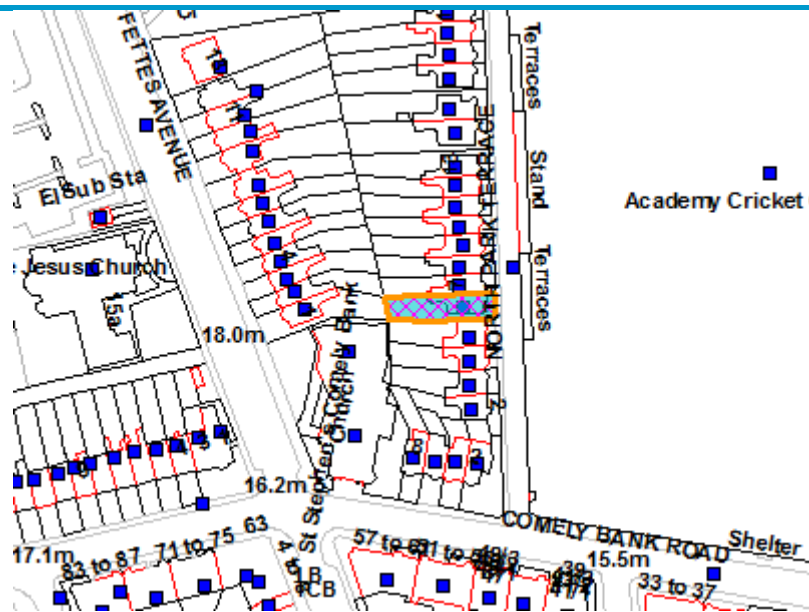
## Consultations

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No consultations undertaken.

## Location Plan

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**END**

# Development Management Sub Committee

Wednesday 7 March 2018

**Application for Planning Permission 17/05934/FUL  
At James Gillespie's Primary, 51 Whitehouse Loan,  
Edinburgh**

**Demolition of existing temporary unit to west of site. Area will become additional play area for the school. New unit to be placed in existing play area is a limited life building.**

<b>Item number</b>	4.5
<b>Report number</b>	
<b>Wards</b>	B10 - Morningside

## Summary

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The proposal complies with the development plan and the Council's Edinburgh Design Guidance. The proposal is acceptable in principle, will protect the character and appearance of the conservation area and the setting of the adjacent listed building, is of suitable quality in terms of design and form, choice of materials and positioning. The proposal will not result in any unreasonable loss of residential amenity, and will not have any detrimental impact on the neighbourhood character. No impact on equalities and human rights was identified.

## Links

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<a href="#">Policies and guidance for this application</a>	LDPP, LDEL01, LEN06, LDES01, LDES04, NSG, NSGD02, NSLBCA, OTH, CRPMAR,
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# Report

## **Application for Planning Permission 17/05934/FUL At James Gillespie's Primary, 51 Whitehouse Loan, Edinburgh**

**Demolition of existing temporary unit to west of site. Area will become additional play area for the school. New unit to be placed in existing play area is a limited life building.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The site lies on the east side of Whitehouse Loan and to the south of Warrender Park Road. It is enclosed by a stone boundary wall.

The site is occupied by James Gillespie's Primary School and is bounded on the north by residential tenemental properties and on the west by Bruntsfield Links. To the immediate east and south are the buildings pertaining to James Gillespie's High School, with residential properties beyond.

The site is enclosed on the north and west sides by a listed boundary wall. This wall is associated with Bruntsfield House which sits to the south of the site (all Category A, listed on 14th July 1966, LB number: 30530). Bruntsfield House currently forms the administrative and music teaching block of the high school. The primary school buildings are excluded from this listing.

The site benefits from an extensive number of trees, particularly along Warrender Park Road. There are further groupings of trees within the site that relate to the 1960s high school buildings and to the previous landscaped garden relating to Bruntsfield House.

The existing primary school is a mix of architectural styles and characters after having been extended and altered incrementally over previous years. The building ranges from 2 to 3 storeys in height and there is a mix of pitched and flat roofs. The external play space is contained at the north east area of the site.

This application site is located within the Marchmont, Meadows and Bruntsfield Conservation Area.

## **2.2 Site History**

22 February 2012 - planning permission granted for the alteration and extension of existing James Gillespie's Primary School and associated works including erection of new school gym/assembly hall, nursery, internal addition of two classrooms, removal of temporary decant buildings, demolition of existing nursery and gymnasium building (application number 11/02585/FUL).

28 March 2012 - listed building consent granted for the alteration and extension of existing James Gillespie's Primary School and associated works including erection of new school gym/assembly hall, nursery, internal addition of two classrooms, removal of temporary decant buildings, demolition of existing nursery and gymnasium building (application number 11/02585/LBC).

21 November 2013 - planning permission granted for the construction of temporary decant buildings for the purpose of school dining (application number 13/04129/FUL).

6 November 2014 - planning permission not required for demolition of a shed in a Conservation Area (application number 14/04600/CON).

19 January 2015 - planning permission was granted for the erection of a two-storey educational building (4 classrooms) and ancillary accommodation within the grounds of James Gillespie's Primary School (application number 14/04588/FUL).

29 June 2016 - A Certificate of Lawfulness (Proposed) was granted for the erection of a 3.7m x 9.5m single storey metal storage shed (application number 16/02605/CLP).

## **Main report**

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### **3.1 Description Of The Proposal**

The proposal is to demolish an existing temporary unit to the west of the main school building which will allow additional play area for the school. It is also proposed to erect a two storey unit to provide 4 additional classrooms. The unit would measure 18.5 metres wide, 9.8 metres deep and 7 metres high. It would be finished in modern building materials in a colour to complement the existing buildings.

It would be positioned within the playground to the east of the site adjacent to an existing separate building.

The new unit is to provide additional capacity to James Gillespie Primary School to meet requirements for 2018/19 school year. The unit is proposed to be temporary as a new school is proposed to be completed within the area by August 2020. Therefore the proposed life of the building is 2 years.

### **Supporting Information**

The following information has been submitted in support of the application:

- A Design and Access Statement

The document can be viewed in 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 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 proposal is acceptable in principle;
- b) the proposal will protect and enhance the character and appearance of the conservation area;
- c) the proposal will retain the setting of the listed building;
- d) the proposal will be of a suitable quality in terms of design;
- e) the proposal will result in an unreasonable loss of residential amenity;
- f) the proposals affect road safety and car parking;
- g) the proposals will affect archaeology;
- h) the proposal will have any detrimental impact on equalities and human rights;
- i) comments raised have been addressed; and
- j) other material considerations.

#### **a) Principle**

The site that is well is established for school development and the proposal is for additional classrooms in keeping with this use.

The proposal is acceptable in principle.

#### b) Character and Appearance of the Conservation Area

The site lies within Marchmont, Meadows and Bruntsfield Conservation Area. This part of the conservation area is characterised by the *"open parkland of Meadows and Bruntsfield Links flanked by Victorian tenemental properties"*.

The proposal is to demolish the existing temporary unit located at the school side entrance from Whitehouse Loan. This unit is of modern style and uses modern building materials. The site is characterised by a variety of school buildings each of a different architectural style all located to the rear of a high stone wall so is not clearly visible from public view. The loss of the building will not adversely affect the character and appearance of the conservation area. The new unit is located to the rear of a separate modern building within the school playground to the east of the main school building. Although two storey in height, it does not compete with the existing buildings and the proposed materials are compatible with the character of existing buildings. Given its size and positioning within the site it would not significantly detract from the overall character and appearance of the conservation area.

The proposal complies with LDP Policy Env 6.

The proposals will retain the character and appearance of the conservation area.

#### c) Listed Building

The site is enclosed on the north and west sides by a listed stone boundary wall associated with Bruntsfield House (Category A listed building) lying to the south of the site. The new building would be positioned in such a manner within the playground that it would not adversely affect the setting of this listed building.

#### d) Design, Form, Materials and Positioning

The proposal is of a contemporary and functional design, and is of a style and scale which will not compete with the character of the existing school building.

The specific colour of the wall finish is to be finalised. Accordingly, it is proposed to make the submission of samples of cladding materials a condition to ensure a suitable finish.

The proposal complies with LDP policies Des 1 and Des 4.

#### e) Residential Amenity

All the new face windows from the unit would face onto the playground and other school buildings and would lie more than 9 metres from the boundary. There are no overlooking issues.

The proposal will not result in an unreasonable loss of residential amenity.

#### f) Road Safety and Car Parking

There are no changes to the existing access and car parking arrangements.

The proposal is acceptable in terms of road safety and car parking.

g) Archaeology

The Archaeologist has confirmed that although the site lies within an area of historic interest, due to the development history of the site, it is considered that the impact of this scheme will not be significant in terms of buried archaeological remains. Accordingly it has been concluded that there are no known archaeological implications in regards to this application.

The proposal is acceptable in terms of archaeology.

h) Equalities and Human Rights Impacts

This application was assessed in terms of equalities and human rights. No impact was identified. An Equality and Rights Impact Assessment Summary is available to view on Planning and Building Standards online services.

i) Other Material Considerations

The new unit is to provide additional capacity to James Gillespie Primary School to meet requirements for the 2018/19 school year. The unit is proposed to be temporary as a new school is proposed to be completed within the area by August 2020. As this is a temporary structure, a temporary consent is considered appropriate in this case. Accordingly it is recommended a condition is attached to restrict the permission for a limited period.

j) Public Comments

No comments have been received.

Conclusion

The proposal complies with the development plan and the Council's Edinburgh Design Guidance. The proposal is acceptable in principle, preserves the character and appearance of the conservation area and the setting of the adjacent listed building, is of suitable quality in terms of design and form, choice of materials and positioning. The proposal will not result in any unreasonable loss of residential amenity, and will not have any detrimental impact on neighbourhood character. No impact on equalities and human rights was identified.

As this application relates to development proposals affecting the school estate, a Committee decision is required.

It is recommended that the Committee approves this application, subject to the recommended conditions concerning materials and restricting the consent to a limited period.

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



### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. A full schedule of all of the external cladding finishes and colours to be used, including suitable sample sections, shall be submitted to and approved in writing by the Council as Planning Authority. Those details shall be submitted prior to commencement of development and all works shall be carried out in accordance with that agreed schedule.
2. Permission is granted for a limited period of 3 years. The development hereby approved shall be removed prior to or on the date of expiry of the limited period of consent and any land or buildings restored to their previous condition within 3 months of the removal of the development.

#### **Reasons:-**

1. In order to enable the Head of Planning to consider this/these matter/s in detail.
2. Due to the temporary nature of the proposed development.

### **Financial impact**

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#### **4.1 The financial impact has been assessed as follows:**

The Council is the applicant for the proposal and there are financial implications in terms of delivery of the school programme.

### **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

### **Equalities impact**

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#### **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**

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#### **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**

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#### **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 15 January 2018 and no representations were received.

### Background reading/external references

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- 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 site lies within the urban area of the Edinburgh Local Development Plan.

### **Date registered**

19 December 2017

### **Drawing numbers/Scheme**

1-3,

Scheme 1

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Jennifer Zochowska, Senior Planning Officer

E-mail:jennifer.zochowska@edinburgh.gov.uk Tel:0131 529 3793

## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

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

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 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

## **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, parking, streets 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.

## **Other Relevant policy guidance**

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal emphasises the well proportioned Victorian tenemental perimeter blocks with Baronial detailing and the substantial area of the open parkland formed by the Meadows and Bruntsfield Links.

# Appendix 1

**Application for Planning Permission 17/05934/FUL  
At James Gillespie's Primary, 51 Whitehouse Loan,  
Edinburgh  
Demolition of existing temporary unit to west of site. Area  
will become additional play area for the school. New unit to  
be placed in existing play area is a limited life building.**

## Consultations

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### Archaeology

*Further to your consultation request I would like to make the following comments and recommendations concerning this application to demolish existing temporary unit to west of site and construction of new unit to be placed in existing play area.*

*James Gillespie's School is centred upon the historic 16th century Brunstfield House and occupies much of its formal post-medieval historic gardens/landscape. Brunstfield House has probably been the centre of an estate since the early 12th century with the earliest recorded owner being the 14th century King's Steward of the Burgh Muir Richard Broune. The Estates passed in 1381 to the Lauder family who owned the site until 1603 when it passed to John Fairlie of Braid. The estate passed through various owners with the last being the Warrender Family who passed to the Council in the 1935.*

*Based on the historical and archaeological evidence the site have been identified as occurring within an area of potential archaeological significance. Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP) and Historic Environment Scotland Policy Statement (HESPS) 2016 and CEC's Edinburgh Local Development Plan (2016) Policy ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

*Archaeological work undertaken by AOC as part of the Secondary School and Primary School's redevelopment has demonstrated that significant archaeological remains relating to the development of Brunstfield House do survive in patches across school grounds, though none were found below the current temporary unit. Given the overall history of the site and the location of this new unit closer to the historic house, it is considered that this scheme is regarded as having a low-moderate archaeological impact.*

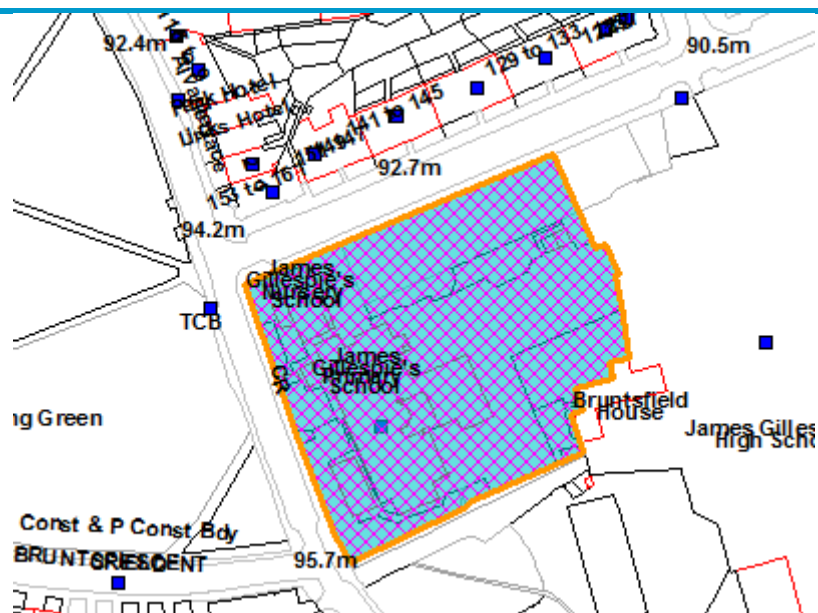
*It is therefore considered essential that an appropriate programme of archaeological works is undertaken prior to/during development in order to fully excavate, record and analysis any significant buried remains affected by ground breaking works. Accordingly, it is recommended that that the following condition is attached to this consent to ensure that this programme of archaeological works is undertaken prior to construction.*

*'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, reporting and analysis & publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'*

*The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.*

*Please contact me if you require any further information.*

## Location Plan



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**END**

# Development Management Sub Committee

Wednesday 7 March 2018

**Application for Planning Permission 17/05035/FUL  
At 172 Whitehouse Loan, Edinburgh, EH9 2EZ  
Single storey, flat roofed kitchen extension to east of 172  
Whitehouse Loan. Extension to use materials to match  
existing property. Introduction of new service door to east  
elevation to serve garage. Remove second floor balcony by  
pulling existing glazing forward (as amended).**

<b>Item number</b>	4.6
<b>Report number</b>	
<b>Wards</b>	B15 - Southside/Newington

## Summary

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The proposal would be a compatible addition to the side elevation of the host property and would be acceptable in scale, form and design. It would not have an unacceptable impact on neighbouring amenity and it would not detract from the character and appearance of the Merchiston & Greenhill Conservation Area. The proposal complies with Planning Policy Des 12 and Env 6 in the adopted Edinburgh Local Development Plan, non-statutory guidance for Listed Buildings and Conservation Areas and the non-statutory Guidance for Householders.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LEN06, LDES12, NSHOU, CRPMER, NSLBCA, NSHOU,
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# Report

**Application for Planning Permission 17/05035/FUL  
At 172 Whitehouse Loan, Edinburgh, EH9 2EZ  
Single storey, flat roofed kitchen extension to east of 172  
Whitehouse Loan. Extension to use materials to match  
existing property. Introduction of new service door to east  
elevation to serve garage. Remove second floor balcony by  
pulling existing glazing forward (as amended).**

## Recommendations

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

## Background

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### 2.1 Site description

The property is a modern three-storey end terrace residential dwelling with private parking to the front and a garden to the rear. It forms part of a small development, largely set behind a traditional stone wall. It is located at the junction between Whitehouse Loan and Newbattle Terrace.

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

### 2.2 Site History

19.12.2016 - Erection of new single storey extension to rear of existing dwelling. Install new Photovoltaic panels to roof of extension - application withdrawn (16/05298/FUL).

## Main report

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### 3.1 Description Of The Proposal

The proposal is for a single storey, flat roof, side extension on the eastern elevation of the property. The materials would be contemporary, with extensive areas of glazing.

The proposal also includes the formation of a door on the eastern elevation and the removal of the second floor balcony by forming glazing, flush with the building's south facade.

The changes proposed to the balcony do not constitute development as defined under Section 26 of Town and Country Planning (Scotland) Act 1997. No further assessment is made of this element of the application.



### 3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

Do the proposals comply with the development plan?

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

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

### 3.3 Assessment

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

- a) the proposed scale, design and materials are acceptable;
- b) the proposal is detrimental to the amenity of neighbours;
- c) the proposals have any equalities or human rights impacts; and
- d) any public representations are addressed.

#### a) Scale, form and design

*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.*

The proposed extension is of a modern design that would sit comfortably within the context of the building and its neighbours. When viewed from Whitehouse Loan, the development would be well-screened from the public realm, being situated behind a stone boundary wall. The layout and scale of the proposal would respect the spatial pattern of the overall development, forming a modest and sympathetic addition to the building. It would not represent overdevelopment and would sit comfortably on the gable elevation. The proposed materials and fenestration design would provide a lightweight addition to the original building and are acceptable in this location.

The proposal accords with local development plan policy Des 12, Env 6, the non-statutory Guidance for Householders and the non-statutory Listed Building and Conservation Area guidance. The proposal would not detract from the architectural integrity of the building or the character and appearance of the Merchiston and Greenhill Conservation Area.

b) Neighbouring amenity

The application was assessed in relation to neighbouring amenity. The proposed single storey extension would have no impact on overshadowing or sunlight by virtue of it being situated on the eastern elevation of the host property which is detached from neighbouring properties and is enclosed by a large stone boundary wall. Any loss of sunlight would be within the curtilage of the application site. The proposal satisfies the criteria set out in the non-statutory Guidance for Householders and will not cause any loss of neighbouring amenity.

c) Equalities or human rights impacts

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

d) Public comments

Thirteen letters of representation were received:

**Material representations - Objection**

- The extension would be inappropriate by virtue of its size, scale and design; this is addressed in section a).
- The removal of the balcony would be inappropriate by virtue of its impact on the host property and character and appearance of the conservation area; this is not development.
- The proposal would have an impact upon neighbouring amenity and blocking light into other residential dwellings; this is addressed in section b).

**Non-material representations - Objection**

- Issues during construction; this is not a material planning consideration.
- Potential to set a precedent; this is not a material planning consideration.
- Personal issues between neighbours; this is not a material planning consideration.
- Potential to impact upon this is not a material planning consideration.
- Potential damage to vehicles; this is not a material planning consideration.

## Conclusion

The proposal is in accordance with Planning Policy Des 12 and Env 6 in the adopted Edinburgh Local Development Plan, non-statutory guidance for Listed Buildings and Conservation Areas and the non-statutory Guidance for Householders. It would not have an adverse impact upon the character and appearance of the Merchiston and Greenhill Conservation Area, neighbouring amenity, equalities or human rights and all public comments have been addressed.

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 works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
3. 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.

## Financial impact

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### 4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

## Risk, Policy, compliance and governance impact

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## Equalities impact

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### 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**

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### **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**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

Thirteen letters of objection were received from members of the public.

## **Background reading/external references**

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- 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 Local Development Plan; Urban Area.  
Policy Env 6; Conservation Area - Development.

### Date registered

31 October 2017

### Drawing numbers/Scheme

01,02,03a,

Scheme 2

## David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Conor MacGreevy, Planning Officer

E-mail:conor.macgreevy@edinburgh.gov.uk Tel:0131 469 3743

## Links - Policies

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### Relevant Policies:

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

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

**Non-statutory guidelines** 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

**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.

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

**Non-statutory guidelines 'GUIDANCE FOR HOUSEHOLDERS'** provides guidance for proposals to alter or extend houses or flats.

# Appendix 1

**Application for Planning Permission 17/05035/FUL  
At 172 Whitehouse Loan, Edinburgh, EH9 2EZ  
Single storey, flat roofed kitchen extension to east of 172  
Whitehouse Loan. Extension to use materials to match  
existing property. Introduction of new service door to east  
elevation to serve garage. Remove second floor balcony by  
pulling existing glazing forward (as amended).**

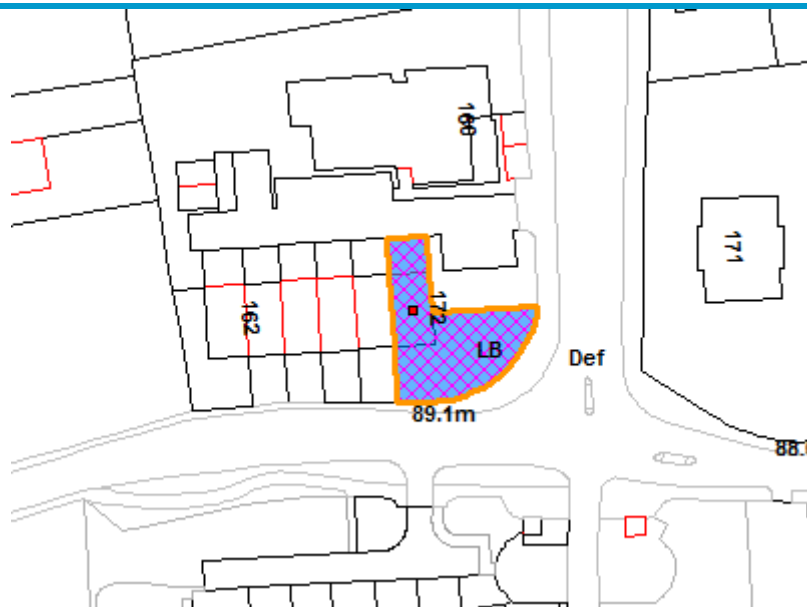
## Consultations

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No consultations undertaken.

## Location Plan

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**END**

# Development Management Sub Committee

Wednesday 7 March 2018

## Application for Planning Permission 17/00392/FUL At 543 Gorgie Road, Edinburgh, Demolition of Existing Buildings and Erection of 23 residential properties, with Associated Access Roads, Landscaping and Boundary Treatments. (As amended)

Item number	7.1
Report number	
Wards	A09 - Fountainbridge/Craiglockhart (Pre May 20

### Summary

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The proposal is acceptable in principle and the density, layout, scale, form and design is appropriate within this sustainable location. The proposal will achieve an acceptable environment for future occupiers and will not have an adverse impact on the amenity of neighbouring properties. The proposal will not have a detrimental impact on road safety, traffic, drainage, archaeology, air quality or biodiversity. The proposal complies with the Development Plan and non-statutory guidance. The proposal is acceptable and there are no material considerations which outweigh this conclusion.

### Links

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<a href="#">Policies and guidance for this application</a>	LDPP, LHOU01, LHOU04, LHOU02, LHOU03, LDES01, LDES04, LDES06, LDES07, LDES08, LDES05, LEN03, LEN16, LEN21, LTRA02, LTRA03, LHOU06, LRS06, LDEL01, NSG, NSGD02,
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# Report

## **Application for Planning Permission 17/00392/FUL At 543 Gorgie Road, Edinburgh, Demolition of Existing Buildings and Erection of 23 residential properties, with Associated Access Roads, Landscaping and Boundary Treatments. (As amended)**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application site is within the Gorgie/Chesser area of Edinburgh approximately 3.5 miles west of the City Centre. Gorgie Road itself forms a main arterial route with the site lying on the southern side just beyond its junction with Chesser Avenue.

The site covers 0.5 hectares and is a disused yard/ commercial premises. There is currently an advert hoarding along part of the elevation to Gorgie Road.

The surrounding area is mixed use in nature with the site being immediately west of Stenhouse-Saughton Parish Church and wrapping around a traditional showroom building with an interconnected warehouse to the rear. The site is bounded to the west by the Water of Leith, beyond which lies ELS House comprising a five storey, flat roofed, brick built office on a sloping site where the ground floor had previously been in separate ownership and represents a vacant former car showroom. A four storey residential development lies diagonally opposite with the northern side of Gorgie Road.

The majority of the buildings in the vicinity are residential in nature comprising largely two and three storey properties together with a four storey more modern brick built development fronting Gorgie Road on its southern side. The wider area has witnessed a degree of regeneration and incorporates traditional period two- storey and attic semi-detached, ex-local authority housing together with a series of more modern development such as that at New Mart Crescent.

Stenhouse-Saughton Church (Church of Scotland) - Category B Listed - Listed 26 October 1989 - Listing Number 30211.

The Water of Leith is a Local Nature Conservation Site.

#### **2.2 Site History**

There is no relevant planning history for this site.

## **Main report**

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### **3.1 Description Of The Proposal**

Planning permission is sought for the erection of 23 residential properties. There are 17 semi-detached and terraced townhouse style properties and a block of affordable flats located to the northern boundary of the site. In general the townhouses are four bedroom properties with an integrated garage. There are 38 car parking spaces across the site and an area for visitor cycles. Access is via Gorgie Road to the north and Chesser Grove to the south.

The properties have private garden grounds which are enclosed by 1.8 metre high walls.

The affordable housing is located to the north of the site and is provided in a block of six flats. All of these properties have two bedrooms and have a floor area of 66.8 square metres. An integrated bin and cycle storage is provided in the block.

A landscaping strip is provided along the western edge of the site along the boundary with the Water of Leith.

#### **Scheme 1**

The original submission proposed the erection of 19 townhouses with a commuted sum to affordable housing.

The applicant has submitted the following documents in support of the application, which are available to view on the Planning and Building Online Services:

- Demolition Statement;
- Design Statement;
- Suds Strategy;
- Archaeology Report;
- Extended Phase 1 Habitat Survey;
- Noise Report;
- Tree Report;
- Transport Assessment;
- Flood Risk Assessment; and
- Bat Survey.

### **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 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 proposed development is acceptable;
- b) the proposal is of an appropriate density, layout, scale, mix and design;
- c) there is any impact on the setting of adjacent listed buildings;
- d) the proposal raises any issues in terms of neighbouring amenity;
- e) the proposal raises any issues in terms of residential amenity for the occupiers of the development;
- f) the proposal raises issues in terms of traffic, parking or road safety;
- g) is acceptable in relation to other relevant material considerations;
- h) the proposal is acceptable in respect of affordable housing and infrastructure;
- i) any impacts on equalities or human rights are acceptable; and
- j) comments raised have been addressed.

#### a) Principle

The application site is located in the Urban Area as designated by the Edinburgh Local Development Plan (LDP), and is previously developed.

LDP Policy Hou 1 (Housing Development) supports new housing development on suitable sites within the urban area, subject to compliance with other relevant policies in the LDP.

The site is in a sustainable location within easy walking distance of amenities including Chesser Local Centre and Chesser Avenue Local Centre. There are also good bus route linkages along Gorgie Road.

Policy EMP 9 Employment Sites and Premises seeks to ensure that employment land is given a degree of protection from development. The development of the site for housing is compatible with the adjacent uses and the site is less than one hectare.

The proposal is acceptable in principle.

## b) Layout, Scale, Mix and Design

### **Layout and Scale**

Policy Hou 4 of the LDP provides guidance on the density of development and seeks to ensure that developments respect the characteristics of the surrounding area, create an attractive environment, have good accessibility and support local facilities.

The spatial character of the area is mixed. Generally higher densities and larger built form and footprints exist along the northern side of Gorgie Road with the modern flatted development. The spatial relationship for this site is with the properties to the south in the four in a block and semi-detached properties. The proposed townhouse developments each with private gardens reflect the spatial character of this section of Gorgie Road. The flatted block located within the north west of the site is of an appropriate scale for the site. This block will provide a frontage addressing Gorgie Road with a good amenity to the Water of Leith.

The layout addresses both Gorgie Road and Chesser Grove with accesses provided onto both these streets. A footpath provides a direct link through this site, improving the access to Gorgie Road and its services for the existing residents on Chesser Grove. A woodland strip and path is provided along the western edge of the development site further enhancing the layout and amenity of the site.

### **Mix and Design**

The proposal comprises a mix of four bedroom townhouses and two bedroom flats, all of which exceed the minimum internal floor area requirements set out in the Edinburgh Design Guidance.

The Edinburgh Design Guidance states that in developments over 12 units, 20% of the total number of units should be designed for growing families comprising three bedrooms and good access to private gardens or safe play areas for children. The proposal satisfies this requirement through the provision of the townhouses which all have access to private garden spaces. The flats also have access to an area of open space to the west of the block with good amenity onto the Water of Leith.

The mix of units proposed is acceptable.

The existing buildings on the site are utilitarian in form and appearance, and make a minimal contribution to the wider townscape. Whilst the use of the site for industrial use is established, bringing it into residential use presents the opportunity to create a greater sense of place.

The proposed development has a contemporary design, with the predominant materials being glazing, render and brick. A mix of contemporary, post war and traditional building styles exist in the wider area in addition to the use of stone, render and cladding. The design and materials proposed are appropriate within the site's context. A condition has been added requesting further details of materials.

The design of the proposal is acceptable.

## Conclusion

The proposal is of an acceptable density, layout, scale, mix and design and responds appropriately to its location. The proposal will make a positive contribution to the wider townscape and will create a positive linkage to the existing properties to the south in Chesser Grove.

The proposal complies with LDP policies Des 1 (Design Quality and Context), Des 4 (Development Design - Impact on Setting), Des 6 (Sustainable Buildings), Des 7 (Layout Design), Hou 2 (Housing Mix), Hou 3 (Private Green Space in Housing Development), Hou 4 (Housing Density) and the Council's Edinburgh Design Guidance.

### c) Impact on Listed Buildings

Policy Env 3 of the LDP seeks to ensure that any new development does not impact on the setting of a listed building. The adjacent church of Stenhouse and Saughton is a category B listed building. The proposed development is located away from the main elevation of the church and will not impact on the main setting on this corner. The properties located on plots 7 and 8 will come further forward than the existing building line. However, this is still away from the main elevation. The new building will be closer to the church on the eastern elevation of the site but will not impact on the setting of the listed building or diminish its historical interest.

Concerns have been raised that there are windows which will overlook the church and the potential behaviour of occupiers of these properties. The windows relate to circulation spaces and will not result in any privacy issues. The behaviour of the occupants cannot be controlled through the planning process.

The proposed development is not considered to have an adverse impact on the setting of the listed building and complies with policy ENV 3 of the LDP.

### d) Neighbouring Amenity

The proposed use of the site is compatible with the surrounding area which comprises a mix of residential and commercial uses.

The proposed blocks will be located at sufficient distances from site boundaries and existing residential properties to ensure that requirements regarding privacy, daylighting, outlook and overshadowing, as set out in the Edinburgh Design Guidance, are met.

Environmental Protection does not raise any concerns with regard to the impact of the development on neighbouring amenity, the removal of the existing units are considered to enhance the amenity of the existing residents.

The proposal is acceptable from the perspective of protecting existing neighbouring amenity and complies with LDP Policy Des 5 (Development Design - Amenity) and the Edinburgh Design Guidance.

#### e) Amenity of Occupiers

The layout of the proposal does not raise any concerns regarding the amenity of future residents in relation to privacy, daylight, outlook or overshadowing. The proposed flats have a good level of open space adjacent to the block which is in excess of 10 sq metres per property.

The floor areas for each unit comply with the Edinburgh Design Guidance, and all but one of the units will have a dual aspect.

Environmental Protection have expressed concern in relation to the proximity of the property to Gorgie Road due to the designated Air Quality Management Area (AQMA). The majority of the development proposals are positioned away from Gorgie Road and the site does not have a strong frontage along this elevation due to the existing retail unit retained on the northern boundary of the site. On balance due to the position of the site just within the AQMA development on this site is acceptable.

In addition concerns have been raised by Environmental Protection about potential noise generators such as the church. The adjacent uses are all those which would be considered not to have an adverse impact on residential amenity and are often found within residential areas including the adjacent church and retail unit.

Any issues relating to ground contamination can be address by means of condition.

On balance the proposal is acceptable from the perspective of protecting future residential amenity and complies with LDP Policy Des 5 (Development Design - Amenity) and the Edinburgh Design Guidance.

#### f) Traffic, Road Safety and Parking

The Roads Authority does not raise any concerns with regard to road safety, traffic impact and parking.

The proposal is acceptable from a traffic, road safety and parking perspective and complies with LDP policies Tra 2 (Private Car Parking) and Tra 3 (Private Cycle Parking) and the Council's Parking Standards.

#### g) Other Material Considerations

##### **Archaeology**

The Council's Archaeology Officer confirms that there is some interest in the structures on the site due to the industrial heritage, and construction works may uncover significant archaeological deposits. The buildings on site are unprotected in terms of planning legislation and a number have already been removed from the site under correct procedures for demolition. A condition can be attached to ensure appropriate recording of any remains on the site as part of the excavation works.

## **Biodiversity**

A Phase 1 Habitats Survey has been submitted in support of the application. A strong landscape edge has been provided along the western edge of the site to enhance the relationship between the site and the Water of Leith. The development of the site raises no issues for the Water of Leith Nature Conservation Site.

The Bat Survey confirms that no bats were recorded on site therefore no concerns are raised with regard to this protected species.

The proposal is acceptable from a biodiversity perspective and complies with LDP Policy Env 16 (Species Protection).

## **Flooding and Drainage**

A Flood Risk Assessment and Drainage and SUDS Strategy have been submitted in support of the application. These have been fully assessed and are considered acceptable. This is subject to a condition relating to confirmation of outfall details.

The proposal is acceptable in terms of flood risk, drainage and surface water management requirements and complies with LDP policies Env 21 (Flood Protection) and RS 6 (Water and Drainage).

### h) Affordable Housing and Infrastructure

#### **Affordable Housing**

LDP Policy Hou 6 (Affordable Housing) requires that residential development consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units proposed. For proposals of 20 or more dwellings, the provision should normally be on-site. The Council's non-statutory Guidance on Developer Contributions and Affordable Housing states that where affordable housing cannot be delivered on-site, the payment of a commuted sum may be acceptable.

Extensive discussions were held with the developer with regards to a commuted sum for the site as the original proposal fell below the 20 units. However, agreement could not be reached on a level of contribution for the site. The developer has amended to scheme to include a development of six flats within the development. The provision of on-site affordable housing is to be welcome. However, concerns have been raised by Affordable Housing that they cannot support this as the mix of units is not reflective of the overall units on the site.

The small number of units on the site limits the options for the delivery of affordable housing and whilst it is acknowledged that the proposed onsite provision does not replicate the townhouses on the rest of the site this is balanced by the actual provision of units. The market value of the proposed townhouses exceeds the maximum value of an affordable housing unit. The units will have good amenity with access to services on Gorgie Road, public transport corridors and open space adjacent to the Water of Leith. On balance it is considered that the provision of the six units on site for affordable housing is acceptable.

A legal agreement is required in order to secure the provision of the affordable units on site and agree the delivery model to ensure that the units are retained as affordable units.

## **Education**

Communities and Families confirm that the site is located with the Tynecastle Education Contribution Zone. An infrastructure contribution is therefore required for the development of this site. Subject to the conclusion of a legal agreement for £103,154 there are no objections from Communities and Families.

### i) Equalities and Human Rights

There are no issues of concern with regard to equalities and human rights.

### j) Public Comments

## **Material Representations: Objections**

- Loss of sunlight- addressed in section 3.3c) of the assessment.
- Impact on privacy to the church- addressed in section 3.3c) of the assessment.
- Impact on B listed church building - addressed in section 3.3c) of the assessment.

## **Non-Material Representations**

- Land ownership and access rights issues. These are a civil matter.
- Damage to property during construction. This is a civil matter.
- Asbestos removal concerns.

## **Supporting Comments**

- Secondary access onto Chesser Grove.
- Reuse of urban land.
- Site could accommodate more development.

## **Conclusion**

The proposal is acceptable in principle and the density, layout, scale, form and design is appropriate within this sustainable location. The proposal will achieve an acceptable environment for future occupiers and will not have an adverse impact on the amenity of neighbouring properties. The proposal will not have a detrimental impact on road safety, traffic, drainage, archaeology, air quality or biodiversity.

The proposal complies with the Development Plan and non-statutory guidance. The proposal is acceptable and there are no material considerations which outweigh this conclusion.



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

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
3. Prior to the commencement of the development details of the outfall shall be submitted and approved by the Planning Authority. The design of the outfall should follow SEPA best practice design and discharge into the watercourse at a 45° angle. A level of CAR Authorisation may be required by the contractor for works within or adjacent to the watercourse.
4. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
5. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
6. i) Prior to the commencement of construction works on site:
  - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
  - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

#### **Reasons:-**

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to safeguard the interests of archaeological heritage.

3. In order to enable the Planning Authority to consider this/these matter/s in detail.
4. In order to enable the Planning Authority to consider this/these matter/s in detail.
5. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
6. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

## **Informatives**

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded to make a financial contribution to Communities and Families of £103,154 (indexed) to alleviate accommodation pressures in the local catchment area.

Delivery of on-site affordable housing.

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.
  - a. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
  - b. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;

c. 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 Council 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 but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.

## **Financial impact**

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### **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**

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### **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**

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### **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**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

A total of 3 letters of representation and one late representation have been submitted. All objected to the application. The matters raised are addressed in the assessment section.

## **Background reading/external references**

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- 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 site is located within the urban area.

### **Date registered**

6 February 2017

### **Drawing numbers/Scheme**

01-02, 03A, 04A, 05-12,

Scheme 2

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Elaine Campbell, Team Manager

E-mail: [elaine.campbell@edinburgh.gov.uk](mailto:elaine.campbell@edinburgh.gov.uk) Tel: 0131 529 3612

## **Links - Policies**

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

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

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 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 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

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

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 16 (Species Protection) sets out species protection requirements for new development.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

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 Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

LDP Policy RS 6 (Water and Drainage) sets a presumption against development where the water supply and sewerage is inadequate.

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

### **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, parking, streets and landscape, in Edinburgh.

# Appendix 1

## **Application for Planning Permission 17/00392/FUL At 543 Gorgie Road, Edinburgh, Demolition of Existing Buildings and Erection of 23 residential properties, with Associated Access Roads, Landscaping and Boundary Treatments. (As amended)**

### **Consultations**

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#### Communities and Families

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (January 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2018).

Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the draft Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery'.

#### Assessment and Contribution Requirements

Assessment based on:

6 Flats

17 Houses

This site falls within Sub-Area T-2 of the 'Queensferry Education Contribution Zone'.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.

The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed. The proposed development is therefore required to make a contribution towards the delivery of these actions.

The application is for planning permission in principle. The required contribution should be based on the established 'per house' and 'per flat' contribution figures set out below and secured through a legal agreement

If the appropriate infrastructure and land contribution is provided by the developer, as set out below, Communities and Families does not object to the application.

Total infrastructure contribution required:

£103,154

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

### Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning the above application for the demolition of existing buildings and erection of 19 three-storey townhouses with associated access roads, landscaping and boundary treatments.

As described in AOC's DBA (AOC23693) accompanying this application is occupied by a range of industrial/commercial buildings dating back to the late 19th century, the earliest being the Midlothian Laundry. Prior to this 18th-19th century maps indicate that the site was farm land, though medieval occupation is known centred on the opposite bank on Stenhouse House.

Accordingly, these buildings are regarded as being of local archaeological and historic significance and the site having potential for unrecorded buried remains. Therefore, this application must be considered therefore under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh City Local Plan (2010) policy ENV9.

The proposed development will require the complete demolition of the existing historic industrial buildings including the late Victorian Midlothian Laundry. As such this scheme is considered to have a significant but low archaeological impact. It is recommended therefore that a programme archaeological historic building survey (level 2) is undertaken prior to development (annotated plans/elevations, photographic and written survey) in order to provide a permanent record of these locally important structures.

In addition, construction work may uncover significant archaeological deposits dating back to the medieval period. It essential therefore that in conjunction with the historic building survey work that a programme of archaeological work is undertaken prior to/during development to record, analysis and report upon any buried remains that may be disturbed.

It is recommended that that the following condition is attached to this consent to ensure that a programme of archaeological works is undertaken prior to construction.

'No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (Historic building survey, excavation, analysis & reporting) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work would be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.



## Waste Management

### **Waste Management Responsibilities**

The Waste and Cleansing Services will be responsible for managing the waste from households and any Council premises only. I am assuming this would include this development.

Although it does not appear to be pertinent for this case, for completeness, it would be the responsibility of any third party commercial organisations using the site to source their own trade waste uplifts. Architects should however note the requirement for trade waste producers to comply with legislation, in particular the Waste (Scotland) Regulations which require the segregation of defined waste types to allow their recycling. This means there would need to be storage space off street for segregated waste streams arising from commercial activities.

Any appointed waste collection contractors, appointed to manage commercial waste, could be expected to have similar requirements to the Council in terms of their need to be able to safely access waste for collection.

### **Compliance with Waste Strategy (Domestic Waste Only)**

The provision of a full recycling service is mandatory in Scotland, so developers must make provision for the full range of bins (either individual containers for each property, or communal bins for multiple properties). These must be stored off street at all times, except on the day of collection (in the case of individual bins).

The waste collection teams will require safe and efficient access to these from the earliest occupation, and therefore cognisance must be taken of my comments below in relation to operational viability.

As these are low density properties, we would recommend individual kerbside collections. This provides each property with landfill (140 litres); mixed recycling (240 litres), glass box, food box and internal caddy. All of these must be presented on the day of collection before a specified time and removed thereafter. They must otherwise be stored off street at all times.

Developers can either source their own bins in line with our requirements, or can arrange for us to do so and recharge the cost - this will probably be most convenient for them.

### **Operational Viability**

Developers need to ensure that services are accessible so that our collection crews can provide the service in a safe and efficient manner, taking account of turning circles, length and width of vehicles, distance bins must be pulled, surfaces, slopes and so on. Obviously sufficient capacity must also be provided to allow successful collection of each segregated waste stream.

I am concerned about access for a refuse collection vehicle to the properties as the road appears particularly narrow in places. A swept path analysis will be required.

I would strongly recommend early contact with me to ensure adequate provision of segregated household waste bins include all of the above and suitable access for the refuse collectors is arranged.

#### b Transport Planning

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

1. *All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;*
2. *A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;*
3. *The applicant should ensure that the access road and associated accesses are large enough, and of a shape, to accommodate any vehicles which are likely to use it, in particular refuse collection and emergency service vehicles. The applicant should provide a swept-path diagram to demonstrate that a vehicle can enter and exit the development in a forward gear, in the interests of road safety;*
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 Council 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 but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;*

#### *Note:*

*The applicant proposes 38 parking provision and is considered acceptable based on the Council's current parking standards for zone 3a.*

#### **Affordable Housing**

*Housing and Regulatory Services have developed a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy (AHP) for the city.*

- o The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*

o *This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.*

## *2. Affordable Housing Provision*

*This application is for a development consisting of 23 homes and as such the AHP will apply. There is an AHP requirement for a minimum of 25% (5.75) of the homes to be approved affordable tenures.*

*The applicant has proposed that there will be six homes (25%) on site for affordable housing. The provision of on-site affordable housing is welcomed by the department, however the current proposals for the onsite affordable housing are not acceptable. This is because the affordable housing must provide a representative mix in relation to the provision of homes across the wider site and are required be identical in appearance to the market housing units, an approach often described as "tenure blind". As all the affordable homes proposed are flats and the market homes are all town houses, the affordable flats do not meet this requirement. We therefore recommend that this application be refused.*

## *3. Summary*

*The applicant is required to provide a 25% affordable housing contribution which meets requirements of the Developer Contributions and Affordable Housing Guidance. As the current application proposals for affordable housing do not meet these requirements we recommend that this application is refused.*

## **Flood Prevention**

*Flood Prevention are happy for this to proceed to determination as point 3 and 5 in my email below have been addressed. Please include the condition as per point 4 in my email below.*

*Comments on the flooding/drainage submission.*

- 1. I can see that treatment to the surface water is being provided and this is adequate for Council purposes however SEPA may wish to confirm through submission of a simple index approach that water quality is acceptable prior to discharge into the Water of Leith.*
- 2. The details of the diversion of the combined water culvert should be agreed with Scottish Water.*
- 3. Please confirm that the minimum standoff distance from the new culvert alignment centre is 5m.*
- 4. The design of the outfall should follow SEPA best practice design and discharge into the watercourse at a 45° angle. A level of CAR Authorisation may be required by the contractor for works within or adjacent to the watercourse.*

*SEPA guidance: [https://www.sepa.org.uk/media/150984/wat\\_sg\\_28.pdf](https://www.sepa.org.uk/media/150984/wat_sg_28.pdf)*

*A condition should be applied that details of the outfall should be approved by Head of Planning prior to work starting on site.*

- 5. We still require a declaration covering the Flood Risk Assessment produced by Kaya. The one submitted only covers the SWMP. Blank copy attached. Once we have satisfactory answers to points 3 and 5 Flood Prevention are happy for this to proceed to determination.*

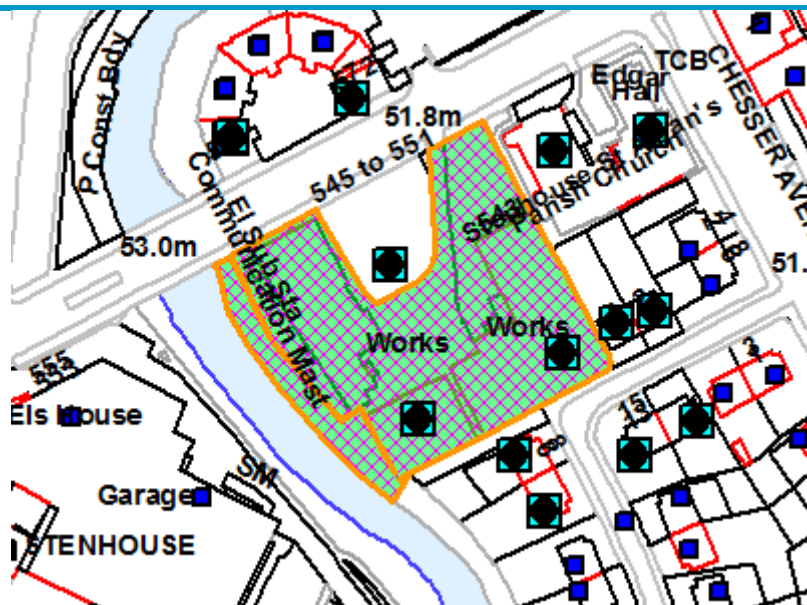
## Environmental Protection

*Environmental Protection would require detailed assessments for all the feasibility studies. Our primary issue is Gorgie Road has been declared an Air Quality Management Area (AQMA) for NO2 so we cannot allow support development close to the road. The feasibility studies with buildings set back would represent the best way forward but this would need to be supported with an air quality assessment due to the proximity to the air quality management area.*

*A noise impact assessment will also be required for all scenarios, noise from the church to the east, industrial uses to the west and Gorgie Road to the north all need to be assessed and specific details on mitigation provided. The removal of the industrial units as part of this proposal can be considered a planning gain for the existing residential units located on Chesser Grove.*

*Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning and Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent (except where it is appropriate to do so, for example where remediation of severe contamination might not be achievable).*

## Location Plan



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**END**

# Development Management Sub Committee

Wednesday 7 March 2018

**Application for Planning Permission 17/05182/FUL  
At Currie Primary School, 59 Curriehill Road, Currie  
Construction of a new educational building with 8 (eight)  
classrooms and ancillary accommodation, within the  
grounds of Currie Primary School.**

Item number	7.2
Report number	
Wards	B02 - Pentland Hills

## Summary

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The proposal does not comply with the development plan or the non-statutory guidelines. The proposal will result in the loss of open space which is not considered to be of limited amenity or leisure value and its loss cannot be justified in this instance. The application does not propose an alternative provision or to significantly improve the existing provision to compensate for the loss. There are no material considerations that outweigh this conclusion and refusal is recommended.

## Links

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<a href="#">Policies and guidance for this application</a>	LDPP, LDES01, LDES03, LDES05, LEN08, LEN18, LEN19, LTRA02, LTRA03, NSGD02,
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# Report

## **Application for Planning Permission 17/05182/FUL At Currie Primary School, 59 Curriehill Road, Currie Construction of a new educational building with 8 (eight) classrooms and ancillary accommodation, within the grounds of Currie Primary School.**

### **Recommendations**

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1.1 It is recommended that this application be Refused for the reasons below.

### **Background**

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#### **2.1 Site description**

The application site is located within the existing school grounds on the eastern side of Curriehill Road. The site is positioned to the south of the existing school building on an elevated area of land currently used as school playing fields. To the east of the site lies residential properties on Riccarton Crescent and to the west are residential properties on Curriehill Road. The site is allocated open space.

#### **2.2 Site History**

November 2017 - An application for the construction of a new two storey educational building (Embankment Option) in a single unit of 8 classrooms incorporating ancillary accommodation, within the grounds of Currie Primary School, is currently pending consideration (application number 17/05183/FUL).

### **Main report**

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#### **3.1 Description Of The Proposal**

The application proposes the erection of two buildings containing a total of eight new classrooms, a central hub/learning space and ancillary accommodation. The buildings are proposed in two phases which are generally of the same scale and design. Each phase will be 13.5m x 28.4m with a sloping roof 4.6m at the highest reducing to 3.2m. The buildings would be single storey and finished in a fibre cement cladding system with aluminium windows.

The existing open space area would be reduced to two grass pitches of 36m x 55m. The existing rubber ground sports area would be removed from the site.

A hardstanding perimeter will be erected around the buildings. A new access is provided from the site to Curriemuir Hill. A 2m high ball stop fence will be positioned 2 metres from the buildings.

## Supporting Statement

A Design and Access Statement, Site Investigation, and Flood Risk Assessment and Drainage Strategy have been submitted in support of the proposals.

These documents can be viewed on 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 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 proposal is acceptable in principle;
- b) the proposal has an adverse impact on protected open space;
- c) the proposal will be of a suitable quality in terms of design;
- d) the proposal will result in an unreasonable loss of privacy or natural light to neighbouring properties;
- e) the proposals affect road safety and car parking;
- f) other matters have been addressed;
- g) the proposal will have any detrimental impact on equalities and human rights;  
and
- h) comments raised have been addressed.

#### a) Principle

The existing land use is educational and the extension of this use is supported. The site lies within the urban area and the proposal will continue to provide accommodation for the school within the existing site.

The proposal is therefore acceptable in principle subject to compliance with relevant policies of the Edinburgh Local Development Plan (LDP).

b) Protected Open Space

The site is identified as 'open space' within the LDP. Policy Env 18 and Env 19 relate to the protection of Open space and Protection of Outdoor Sports Facilities.

Policy Env 18 provides that, *"proposals involving the loss of open space will not be permitted unless it is demonstrated that:*

- a) there will be no significant impact on the quality or character of the local environment;*
- b) the open space is a small part of a larger area or of limited amenity or leisure value and there is a significant over-provision of open space serving the immediate area; and*
- c) the loss would not be detrimental to the wider network including its continuity or biodiversity value; and either*
- d) there will be a local benefit in allowing the development in terms of either alternative equivalent provision being made or improvement to an existing public park or other open space, or*
- e) the development is for a community purpose and the benefits to the local community outweigh the loss."*

In considering the proposal there will be no significant impact on the quality or character of the local environment or any biodiversity value.

The current site is well utilised as a sports facility for both the school and community. The Council's Open Space Audit, December 2016 categorises the playing field quality as a C, A being the highest and D the lowest. The proposed building would result in the loss of approximately 15% of the existing sports pitches. This area currently provides two grassed pitches measuring 31m by 58m and a small synthetic surface pitch measuring 14m by 28m. The two replacement grass pitches will measure 36m by 55m and do not meet the good practice guidance set out by SportsScotland for a three stream school which would require one synthetic and one grass or three grass. Whilst SportsScotland are not objecting to the proposal, the loss of these facilities, which are not considered to be of limited amenity or leisure value, cannot be justified.

With regard to the second element of the policy, (e) identifies that the development should also be for a community purpose where the benefits to the local community outweigh the loss of open space.

The loss of this area of land has to be balanced against the proposal for the additional classroom accommodation to the school. The proposed development represents a suitable community purpose. However, the benefits to the local community do not outweigh the loss of this land which would have an impact on the availability of open space within the wider area and therefore does not comply with part (e) of LDP policy Env 18.



Policy Env 19 outlines that the loss of pitches to development cannot be justified in principle. However, the loss might be acceptable if alternative equivalent provision is to be made in an equally convenient location. The application does not propose an alternative provision within the area or to significantly improve the existing provision to compensate for the loss.

The proposal does not comply with LDP Policy Env 18 and Policy Env 19.

#### c) Design, Form, Materials and Positioning

The contemporary design of the proposed buildings reflects the modern style of the existing school buildings whilst being an interesting architectural addition. The proposed height is in keeping with the adjacent school buildings and the overall scale is appropriate.

The materials proposed reflect the contemporary character of the proposal and will create interest within this part of the school grounds.

If Committee is minded to grant the application a condition should be added for the submission of samples of the external materials prior to the commencement of the development to ensure a suitable finish.

The flexible internal space will meet future needs of the school and the ground level has been designed around accessibility.

The proposal is therefore acceptable in terms of positioning, design and materials in accordance with Policy Des 12 of the LDP.

#### d) Residential Amenity

Residential properties lie to the east of the new classroom block. The development will sit 9 metres away from the boundary with these properties. The applicant has demonstrated that the development will not have an adverse impact on these properties in terms of daylighting or overshadowing.

The proposal will not therefore have any detrimental impact on the amenity of neighbouring residents and is in accordance with LDP Policy Hou 7 and the Non-statutory Edinburgh Design Guidance.

#### e) Road Safety

There is limited parking available and this will not change as part of this application. The existing access arrangements to the school are maintained. There are no road safety issues arising from this proposal.

The car parking and cycle parking on site will meet current standards.

## f) Other matters

### Flood Planning

No objection has been raised to the application subject to the inclusion of a 75mm hydrobrake/orifice. If Committee is minded to grant the application, an informative should be added in respect of this.

### Contaminated Land

Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed. If Committee is minded to grant the application a condition should be added in respect of this.

## g) Equalities and Human Rights Impacts

This application was assessed in terms of equalities and human rights and no impact has been identified. An Equality and Rights Impact Assessment Summary is available to view on Planning and Building Standards online services.

## h) Public Comments

### **Material Objections**

- Option should be found that does not remove either playground or playfield.
- reduction in open space - assessed in section 3.3 (b).
- increased traffic - assessed in section 3.3 (e).
- privacy issues - assessed in section 3.3 (d).
- proximity to adjacent boundary - assessed in section 3.3 (d).
- bats - impact on foraging area - assessed in section 3.3 (b).

### **Non- Material Comments**

- Disturbance during construction - not relevant to the planning process.
- Lack of foresight in the delivery of housing without associated infrastructure - not relevant to this application.

### **Support Comments**

The majority of the comments received in support of the application mention that this proposal is the preferred option of the options presented to them by Education as part of the consultation on the application. However, the application needs to be considered on its own merits.

- Pitches currently unusable and this option would allow an upgrade to the pitches.
- Area under used.
- More appropriate relationship to the school.
- Safe collection space.

## Conclusion

The proposal does not comply with the development plan or the non statutory guidelines. The proposal will result in the loss of open space which is not considered to be of limited amenity or leisure value and its loss cannot be justified in this instance. The application does not propose an alternative provision or to significantly improve the existing provision to compensate for the loss. There are no material considerations that outweigh this conclusion and refusal is recommended.

It is recommended that this application be Refused for the reasons below.

### **3.4 Conditions/reasons/informatives**

#### **Reasons:-**

1. The proposal is contrary to the Local Development Plan Policy Env 18 in respect of Open Space Protection, as the proposal will result in the loss of open space which is not considered to be of limited amenity or leisure value and the benefit to the local community does not outweigh this loss.
2. The proposal is contrary to the Local Development Plan Policy Env 19 in respect of Playing Fields Protection, as the application does not propose an alternative provision within the area or to significantly improve the existing provision to compensate for the loss.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

The Council are the applicant for the proposal and there are financial implications in terms of the delivery of the school programme.

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **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**

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### **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**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

The application attracted 54 letters of representation of these 34 were in support and 18 provided objections to the scheme.

## **Background reading/external references**

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- 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 site is located within an area of open space.

### **Date registered**

14 November 2017

### **Drawing numbers/Scheme**

01-12,

Scheme 1

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

E-mail:lynsey.townsend@edinburgh.gov.uk Tel:0131 529 3905

## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

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 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

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

LDP Policy Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

LDP Policy Env 18 (Open Space Protection) sets criteria for assessing the loss of open space.

LDP Policy Env 19 (The Protection of Outdoor Sports Facilities) sets criteria for assessing the loss of outdoor sports facilities.

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 Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

**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, parking, streets and landscape, in Edinburgh.

# Appendix 1

## **Application for Planning Permission 17/05182/FUL At Currie Primary School, 59 Curriehill Road, Currie Construction of a new educational building with 8 (eight) classrooms and ancillary accommodation, within the grounds of Currie Primary School.**

### **Consultations**

---

#### Sportscotland

*I refer to the planning applications as above. As you may be aware, Sportscotland has been involved in pre-application discussions about these proposals, and had previously advised that we would be concerned about the potential loss of pitch space, particularly given that the development is to allow an increase in school roll.*

*I would note first that we are not a statutory consultee for planning application ref 17/05183/FUL (embankment option) - this does not have any impact on any outdoors sports facilities and so Sportscotland does not have any comments to offer regarding that application.*

*In relation to 17/05182/FUL; this proposal would involve the loss of one grass pitch, and also the small, synthetic surface, pitch (dimensions 14m x 28m) on the western boundary. The plans show that the remaining area could be used to accommodate 2 No. 36x55m pitches. These dimensions accord with Sportscotland's design guidelines for minimum-sized 7-a-side pitches, but are slightly smaller than our recommendations for primary school pitches (60m x 40m).*

*The proposed provision will cater for an increased school roll, with the potential of taking the school from 2 stream to 3 stream. For information, Sportscotland's guidelines for pitch provision in primary schools are:*

- o 2 stream school - 1 synthetic or 2 grass*
- o 3-stream school - 1 synthetic and 1 grass, or 3 grass*

*The proposal does not meet our good practice guidance (for the proposed increase in school roll), but would if one of the two pitches was a synthetic surface.*

*We note the proposal involves the loss of a small synthetic surface pitch. We assume the school is comfortable that its PE requirements can be delivered with the 2 grass pitches proposed.*

*We are also aware that there is community use of the school pitches; and we understand that the proposals reflect discussions the Council has had with community users, and that these users are content with the proposals on the basis that they will still have access to 2 grass pitches.*

*In conclusion, the proposal does not meet our good practice pitch guidance for 3 stream primary schools. Providing 1 synthetic surfaced and 1 grass surface pitch would provide what our guidance recommends, and would provide good facilities for school and community use. We would recommend that this option is delivered if at all possible.*

*However, at minimum we require that the following condition is attached to any grant of planning permission:*

*o The 2 No. new 36m x 55m grass pitches will be designed and constructed by a recognised (e.g. SAPCA\* registered) specialist pitch contractor(s), details of contractor(s) and pitch specification shall be submitted for the written approval of the planning authority prior to the commencement of development*

*\*SAPCA is The Sports and Play Construction Association ([www.sapca.org.uk](http://www.sapca.org.uk))*

*We request this to reflect that a smaller overall playing field area will be available, including the loss of the small synthetic surfaced pitch. The provision of properly constructed pitches will provide increased capacity in the remaining area.*

*Subject to the above condition, and given the level of consultation and support from the local community including the school and Currie Boys Club outlined by the agent, I confirm that Sportscotland does not object to the proposal.*

#### Flood Planning

*No objection, CEC Flood Prevention would be happy with the inclusion of a 75mmm hydrobrake/orifice and the subsequent increase in discharge flow off site.*

#### Archaeology

*Further to your consultation request I would like to make the following comments and recommendations concerning this application for the construction of a new educational building with 8 classrooms and ancillary accommodation within the grounds of Currie Primary School.*

*The Primary School was constructed in the 1960's on open ground (farmland?) to the north of the original Victorian School for Currie located at the north end of the historic village. This location places the site to adjacent to but out with the historic core for Currie which dates back to the early medieval period. Therefore, having assessed the application it has been concluded that although physical impacts will occur such ground-works are considered unlikely to have any significant archaeological impact.*

*Therefore I have concluded that here are no known archaeological implications regarding this application.*



## Environmental Assessment

*The proposal is for two standalone single storey buildings each containing four classroom spaces, plus a central hub/ learning space and ancillary accommodation. The proposed buildings are to be constructed in two phases, with the Phase 1 building required for the start of the 2018 school year. The second phase building and joining canopy will be constructed later when the rising school roll requires it. The proposed location for the new buildings is to the south of the main school, sited on the edge of the existing embankment. This location is currently a grass playing field area.*

*Currently the pitch area is lined with 2 no. non-standard sized football pitches as shown below. The applicant proposes that the existing (un-lined) rubber crumb play surface on the pitch area is removed and grass re-instated - this will allow 2 no. Sports Scotland standard minimum size pitches be re-instated with no floodlighting.*

*It is understood that there is no additional car parking proposed as part of this development. However, the applicant should be made aware that grants are available for the installation of Electric Vehicle (EV) charge points from the Scottish Energy Saving Trust. This would be a good opportunity to integrate EV charging inot the school for staff. More information can be found at:*

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

*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.*

*The applicant has not provided details of the proposed energy plant serving the building and Environmental Protection will need to be satisfied that it meets the requirements of the Clean Air Act 1993, it should be noted that Environmental Protection do not support the use of biomass.*

*Environmental Protection will provide separate comments with regards contaminated land. The applicant has submitted a Ground Investigation Report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed.*

*Therefore, Environmental Protection offer no objection subject to the following condition and recommend the following informative is included;*

*i) Prior to the commencement of construction works on site:*

a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

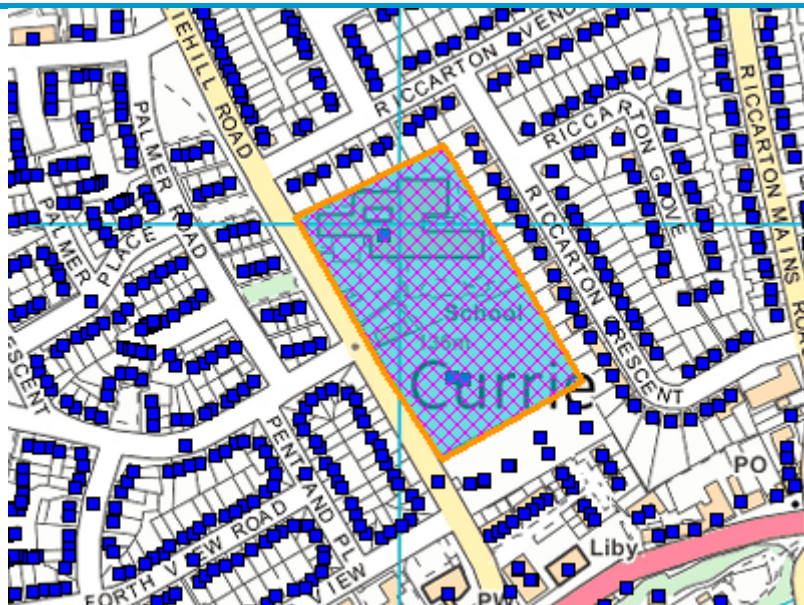
ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

#### Informative

1. The applicant should consider the installation of 7Kw electric vehicle charging points for use by staff. There is grant funding available through the Energy Saving Trust for such works.

2. The applicant will need to provide confirmation the proposed fuel and power input of any energy system and boilers. This must comply with the Clean Air Act 1993.

## Location Plan



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**END**

# Development Management Sub Committee

Wednesday 7 March 2018

## Application for Planning Permission 17/03596/FUL At 18 - 20 King's Stables Road, Edinburgh, EH1 2LQ Erection of 11 residential flats. (as amended)

Item number	7.3
Report number	
Wards	B11 - City Centre

### Summary

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The application complies with the Local Development Plan and Edinburgh Planning Guidelines. The proposed residential use is acceptable in this city centre location and though affordable housing is not viable, the residential development is appropriate in principle contributing positively to the urban area. The proposals are contemporary in design, incorporating the historic boundary wall in a creative and interesting way and helping to enhance this particular part of the conservation area. The application raises no issues with regards to residential amenity, raises no transportation or road safety issues and addresses the previous concerns which led to Committee excluding this part of the development from the grant of planning permission.

The proposals are acceptable and it is recommended that planning permission should be granted subject to the conditions attached.

## Links

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[Policies and guidance for this application](#)

LHOU01, LHOU02, LDPP, LHOU06, LEN06, LEN03, LEN01, LDES01, NSG, NSLBCA, NSGD02, CRPOLD,

# Report

## **Application for Planning Permission 17/03596/FUL At 18 - 20 King's Stables Road, Edinburgh, EH1 2LQ Erection of 11 residential flats. (as amended)**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The site is located on the south side of King's Stables Road through the pend and within the quadrangle. Lady Wynd bounds the site to the east and is a pedestrian link to West Port. The buildings are predominately stone built under pitched, slate roofs.

The site lies to the south of Johnston Terrace and the Castle.

The site is within the Edinburgh World Heritage Site.

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

#### **2.2 Site History**

13 May 2010 - West Port/King's Stables Road Development Brief approved by Planning Committee.

21 February 2012 - 18-20 King's Stables Lane added to the Buildings at Risk Register. The Buildings at Risk Register identifies properties of architectural or historic merit that are considered to be at risk or under threat. They are usually listed buildings or unlisted buildings in a conservation area that meet one or more of the following criteria: vacant with no identified new use; neglected; structural problems; fire damage; unsecured; threatened with demolition.

22 April 2015 - proposal of application notice received for a mixed use development including flats, student accommodation, hotel and arts facility, involving new build, alteration and partial demolition of existing buildings (application number: 15/01936/PAN).

14 December 2015 - application for conservation area consent granted for partial demolition required to re-develop site for mixed use development (application number: 15/05716/CON).

24 August 2017 - application for planning permission granted for mixed use development comprising flats, student accommodation, hotel, arts facility and class 1, 2 and 3 uses, involving the erection of new buildings, alteration of existing buildings, partial demolition and change of use of ground floor of existing tenement building (as amended) (application number: 15/05715/FUL).

As part of the wider proposals for the redevelopment of King's Stables Road it was considered that the proposed residential/arts building on the corner of King's Stables Lane and Lady Wynd raised significant residential amenity concerns due to its height and proximity to neighbouring properties. These concerns could not be set aside because there was no clear townscape justification for a building of such height in this location. Accordingly it was recommended that a condition be attached which stated that notwithstanding what was shown on the application drawings, the arts/residential building on Lady Wynd was not granted planning permission. The use of this condition allowed for the remainder of the development to be granted planning permission with alternative proposals for this part of the site to come forward at a later date. This approach acknowledged that the part of the site under consideration in this application could be redeveloped for an arts facility and flats but that the form of the building would have to take greater account of the constraints that exist in this context.

At the request of the Development Management Sub-Committee, the legal agreement sets out a requirement on the developer to explore onsite golden share housing, and if this is not possible to provide a commuted sum. The applicant has made a commitment to provide 100% on site affordable housing and the application proposes 11 golden share units.

## **Main report**

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### **3.1 Description Of The Proposal**

The application relates to previously consented scheme (15/05715/FUL) as the site is covered by a Section 75 agreement associated with this application.

Three floors of residential accommodation are proposed accommodating four one bedroom units, one two bedroom unit and six studios. The building has been re-orientated to be north/south facing, with its rear elevation to King's Stables Lane and front elevation into the courtyard to the rear of the King's Stables Road buildings. The building would be finished in brick on the north and west elevation, integrating with the existing stone wall along the Lady Wynd and King's Stables Lane elevations. The pitched roof of the building would be finished in Spanish slate with grey aluminium used for rainscreening cladding on the dormers.

The application provides zero car parking but does provide cycle storage with 22 cycle spaces.

#### **Supporting Statements**

The applicants have submitted a Design Statement along with a Daylighting analysis in support of the proposals. These documents are available on Planning and Building Standards On-line Services.

## Scheme One

Three floors of accommodation were proposed on the corner of Lady Wynd and King's Stables Lane accommodating 11 residential units. The proposed building had a double pitched roof with gables facing the courtyard and Lady Wynd. The proposal remained in close proximity to the 6 King's Stables Road.

### **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 acceptable;
- b) the design will preserve and enhance the character and appearance of the Old Town Conservation Areas, and setting of listed buildings;
- c) the proposal will impact upon the Outstanding Universal Value of the World Heritage Site;
- d) the proposal is detrimental to the amenity of neighbours;
- e) there are any traffic and parking issues;
- f) there are any other material considerations;
- g) the proposal meets sustainability criteria; and
- h) the proposal has any equalities or human rights impacts.

a) Principle

The site forms part of the larger King's Stables Road site (application ref: 15/05715/FUL) which is covered by a legal agreement. This previous application identified the site as the location to deliver 10 residential units and an arts facility. However, due to concerns over the design and impact on neighbouring residential amenity a condition was attached to the consent identifying that this element of the application was not approved.

This current application is for 11 residential units only.

The Local Development Plan (LDP) sets out in policy Hou 1 that housing will be supported on suitable sites in the urban area provided it is compatible with other policies in the Local Development Plan. Housing is consented to the west of the site as part of major development proposal 15/05715/FUL. Housing is an important function of the city centre, contributing to the character of the area and is therefore an appropriate use in this location.

This application is therefore assessed as a development of 11 residential units. The application does not propose the creation of short term commercial let units but four one bedroom units, one two bedroom unit and six studio units.

b) Impact on conservation area and listed buildings

The Old Town Conservation Area Character Appraisal identifies that the essential spatial character is a product of the topography and built form that creates a dramatic setting and is a microcosm of urban development with multiple layers of the built heritage that respects the changes in level and responds to the drama of the site's topography and setting. The essential architectural character is identified as the consistent and harmonious height and mass of buildings and the limited palette of building materials, stone and pitched slate roofs provides unity.

The proposal responds to previous criticisms, with the building re-orientated to be north/south facing and designed to be harmonious with the already consented residential units along King's Stables Lane. The height of the proposed building has been reduced in response to previous concerns about neighbouring residential amenity. The building design incorporates the existing historic wall along Lady Wynd and King's Stables Lane with only the upper level projecting above. The retention of this important historic fabric makes a positive contribution to the proposals creating an unusual townscape response where old and new combines to enhance the character of the area. The proposed courtyard elevations add to the already consented proposals in a positive manner.

The proposed materials; retained stone, sandstone, brick, are representative of the buildings around the site and the use of contrasting, contemporary materials, like slate grey cladding, introduces a contrast that is representative of its time and appropriate in this part of the conservation area.



### c) Impact on World Heritage Site

The outstanding universal value (OUV) of the Edinburgh World Heritage Site is due to the relationship of the organic medieval Old Town and the planned Georgian New Town that illustrates a remarkable contrast of distinctive urban forms. The Old Town has mediaeval origins and is an early example of urban conservation, while the New Town is an example of planned Georgian formality. This creates an interesting historic environment, including a dramatic skyline and a vibrant, living capital city.

The proposals are low in scale, set in a courtyard area to the rear of King's Stables Road and create no negative impact on the Outstanding Universal Value of the World Heritage Site.

### d) Residential Amenity

#### **Daylight, sunlight and privacy**

The issues of daylight associated with the previously not approved layout have been addressed through the revised proposals. The Edinburgh Design Guidance states that achieving reasonable amenity needs to be balanced against achieving good townscape. The townscape response of the proposal is now appropriate and the scale of the proposal significantly reduced in height. As such, any impact on neighbouring daylight and sunlight is minimal.

The daylight reaching Portsburgh Square and Lady Wynd would not be an issue as the proposed building is only marginally taller than the existing buildings on site.

The views selected to identify vertical sky component levels are considered to be representative and also consistent with the previous planning granted for the overall Mixed-Use Development at King Stables Road.

Average daylight factor calculations confirm that the bedrooms and living areas of the adjacent developments achieve an average daylight factor of at least 1% or 1.5%, respectively, therefore meet the requirements set out in BRE "Site Layout: Planning for daylight and sunlight, a guide to good practice" document.

The proposal would not affect any private amenity space and therefore would not have an unreasonable impact on the amount of sunlight reaching private amenity space.

The proposed windows from the building face Kings' Stables Lane and residential properties opposite. King's Stables Lane is between three and four metres wide and therefore any windows that face onto them will fail the nine metre privacy standard. As with the consent for the wider site, an exception is justified because this is an acceptable arrangement in the Old Town where density is high and buildings are located close together. On the basis of the urban and historic context of the site a relaxation of the privacy guidelines as set out in the Edinburgh Design Guidance is considered acceptable.

## **Future occupiers**

All the proposed flats meet the minimum internal floor area set out in the Edinburgh Design Guidance.

No private open space is proposed therefore the proposal is contrary to policy Hou 3: Private Open Space. The Edinburgh Design Guidance recognises that there is very little private outdoor space in the Old Town and that this is compensated by the outstanding quality of the public spaces in the form of closes and courtyards. The proposal would form part of a new publicly accessible courtyard that would provide convenient access to a high quality open space for future residents. It is also in close proximity to Princes Street Gardens and only a short walking distance from the Meadows. In this context, the lack of private amenity space is acceptable. Further, the proposals are all dual aspect units ensuring that the living accommodation itself provides a high standard of amenity and light.

### e) Road safety or transport issues

The site is in a highly accessible location to public transport. No parking spaces are proposed with the development but 22 cycle spaces will be provided, which complies with the Council's parking standards. The full impacts of the wider development were assessed as part of application 15/05715/FUL. The current proposals do not add any further road safety or transport considerations.

Transportation has no objection to the proposals, subject to the informatives attached.

### f) Other material considerations

## **Affordable Housing**

Affordable housing was dealt with through the previous decision (application ref: 15/05715/FUL) with a separate legal agreement covering the wider site. As such there is no requirement for a further legal agreement and a commuted sum will be sought under the terms of the previous legal agreement.

## **Archaeology**

The City's Archaeologist previously confirmed the rich heritage of the site and the buildings on the site. Accordingly, should planning permission be granted for the development a detailed programme of archaeological work, undertaken prior to and during the development to fully record, excavate and analyse any significant archaeological remains, will be required. Subject to condition the proposal accords with policy Env 9: Development of Sites of Archaeological Significance.

## **Contaminated land**

A condition attached to 15/05715/FUL addresses the issues of contaminated land for the wider King's Stables Road.

## **Flooding**

Flooding for the wider King's Stables Road was addressed through a condition attached to the 15/05715/FUL consent. No new issues have been raised.

## **Noise**

Environmental Protection has no objections to the proposals. There are no noise issues raised by the proposed residential use.

### **g) Equalities or human rights**

The proposed development is acceptable in terms of equalities as a lift provides access to all floors and will include Braille controls, audible controls and tactile surfaces.

### **h) Public Comments**

- Too many short stay flats proposed - addressed in section 3.3a of the assessment;
- Lack of affordable housing provision unacceptable - addressed in section 3.3a of the assessment;
- Height of proposed building - addressed in section 3.3 b and 3.3d of the assessment;
- Impact on amenity - addressed in section 3.3d of the assessment;
- Daylight issues - addressed in section 3.3d of the assessment;
- Route through from West Port unacceptable - addressed in section 3.3d of the assessment;
- Traffic issues - addressed in section 3.3e of the assessment; and
- Noise pollution - addressed in section 3.3f of the assessment

## **Conclusion**

The proposal delivers a residential use that is appropriate in this city centre location. The design of the building is appropriate, using a mix of traditional and contemporary materials and enhancing the character and appearance of the conservation area and having no impacts on the outstanding universal value of the World Heritage Site.

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

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
2. i) Prior to the commencement of construction works on site:

- a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
  - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
  - ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
3. No development shall take place on the site until details of the flood risk and surface water management has been submitted by the applicant and approved by the Planning Authority.
  4. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted and approved prior to work commencing on site.

**Reasons:-**

1. In order to safeguard the interests of archaeological heritage.
2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
3. To ensure the site would not be at risk of flooding or increase the risk of flooding elsewhere.
4. In order to enable the planning authority to consider this/these matter/s in detail

**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. 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.
3. 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.

4.
  - Doors opening outwards onto Lady Wynd is not acceptable. Any gates or doors must open inwards onto the property.
  - All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, cycle parking numbers including location, design and specification;
  - 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), timetables for local public transport;
  - The applicant should be advised that as the development is located in Zones 1 to 8, they will not be eligible for residential parking permits 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](http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7) (Category A - New Build);
  - Any works affecting an adopted road 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](http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point).

## **Financial impact**

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### **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**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

#### Scheme 1

The application was advertised on 25 August 2017 and attracted 10 letters of representations all of which were objections, including objections from the Edinburgh Old Town Development Trust and Grassmarket Residents Association.

#### Scheme 2

The revised scheme was advertised on 24 November 2017 and attracted 12 representations, 10 in objection, one comment and one in support. These include objections from the Edinburgh Old Town Development Trust and Grassmarket Residents Association.

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

### **Background reading/external references**

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- 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 in the Central Area in the Local Development Plan.

### **Date registered**

2 August 2017

### **Drawing numbers/Scheme**

1A-4A, 5B and 7A,

Scheme 2

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Euan Mcmeeken, Senior Planning Officer

E-mail: euan.mcmeeken@edinburgh.gov.uk Tel: 0131 529 3989

## **Links - Policies**

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### **Relevant Policies:**

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

### **Relevant policies of the Local Development Plan.**

LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

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

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

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

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

### **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.

**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, parking, streets and landscape, in Edinburgh.

**The Old Town Conservation Area Character Appraisal** emphasises the survival of the original medieval street pattern; the wealth of important landmark buildings; the survival of an outstanding collection of archaeological remains, medieval buildings, and 17th-century town houses; the consistent and harmonious height and mass of buildings; the importance of stone as a construction material for both buildings and the public realm; the vitality and variety of different uses; and the continuing presence of a residential community.



# Appendix 1

## **Application for Planning Permission 17/03596/FUL At 18 - 20 King's Stables Road, Edinburgh, EH1 2LQ Erection of 11 residential flats. (as amended)**

### **Consultations**

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#### **Affordable Housing**

*I refer to the consultation request from the Planning Department about this planning application.*

*Services for Communities have developed a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy (AHP) for the city.*

*The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*

*This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.*

*An equitable and fair share of parking for affordable housing, consistent with the relevant parking guidance, is provided.*

#### **2. Affordable Housing Provision**

*This application is for the development of a mixed development including 11 homes and as such the standard AHP requirements will not apply. However, the applicant has indicated that all 11 of the homes (100%) will be affordable tenure, Golden Share, as it is linked to the affordable housing requirement for the wider site which was granted consent in 2017. This is welcomed by the department.*

*The site is part of the larger Kings Stables Road site which is covered by a S75 legal agreement. At the request of the Planning Committee, this Legal agreement sets out a requirement to explore onsite golden share housing, and if this is not possible to provide a commuted sum.*

#### **3. Summary**

*The applicant has made a commitment to provide 100% on site affordable housing and this is welcomed by the department.*

*However, sales values were provided on request so that the affordability of the homes for Golden Share could be assessed. It is our assessment that the sales values at the 80% level for Golden Share do not meet our affordability tests. As a result, onsite affordable housing here is not possible and a commuted sum as set out in the S75 should be sought.*

## **Environmental Protection**

*The applicant proposes the erection 11 residential flats within the former Council depot at 18-20 King's Stables Road.*

*Environmental Protection has no objections to this proposed development.*

## **Transportation**

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

- 1. The applicant proposes 22 cycle spaces and complies with the Council's 2009 parking standards which requires a minimum of 16 secure cycle spaces, however the layout of the proposed cycle parking is not acceptable in its current form because it renders the parking spaces unusable or difficult to use due to limited cycle manoeuvrable space.*
- 2. Doors opening outwards onto Lady Wynd is not acceptable. Any gates or doors must open inwards onto the property.*
- 3. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, cycle parking numbers including location, design and specification;*
- 4. 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), timetables for local public transport;*
- 5. The applicant should be advised that as the development is located in Zones 1 to 8, they will not be eligible for residential parking permits 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](http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7) (Category A - New Build);*
- 6. Any works affecting an adopted road 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](http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point)*

*Note:*

- a. The application has been assessed under the 2009 parking standards because it was submitted before the new parking standards approved on 12 October 2017.*

*b. The applicant proposes no parking provision and complies with the Council's 2009 parking standards which allows no parking provision and up to a maximum of 12 parking spaces. The proposed development complies with the Council's 2017 parking standards which permits no parking provision and up to a maximum of 12 parking spaces. No Parking provision is considered acceptable because the proposed development is highly accessible by public transport.*

## **Archaeology**

*The site lies at the heart of Edinburgh's UNESCO World Heritage site, on the southern side of King's Stables Road first mentioned in David I's 1128 charter to found Holyrood Abbey as 'the way that leads to the Kirk of St Cuthbert'. The layout of the current site is seen in Rothiemay's 1647 plan of Edinburgh where the majority of the site is a large enclosed area with buildings occupying the eastern end of the site.*

*This may reflect its former use as the medieval tilting ground known as The Barrace known to be located to the west of the 14th century King's Stables in this location. These grounds were laid out by Edward III's garrison of Edinburgh Castle who held the castle between 1335 & 1341 though this may be a redevelopment of an earlier medieval version destroyed by Robert the Bruce in 1313. The associated chapel (Lady's Chapel) for the dead and injured from these jousts is recorded as being located adjacent to the NW corner of this site in Lady Wynd.*

*Recently (2017) undertaken historic building of the site by CFA Archaeology has built upon significant earlier research by CFA & Andrew PK Wright, confirming that elements of these buildings principally date back to the early 19th century but perhaps contain earlier foundations. In addition archaeological field evaluation by both Headland (2014) and CFA (2015-17) have established that the site contains over 3m of archaeological deposits dating back to at least the medieval period. These limited works complement the more detailed excavations carried out by Headland Archaeology for CEC during the 2007-8 redevelopment of the Grassmarket (James McMeeken 'Early Historic Settlement beneath the Grassmarket in Edinburgh', 2010, PSAS Vol. 140, 105-128). This work in summary revealed over 3m of archaeological deposits (lower deposits possibly water logged), including remains dating to the Early Bronze Age (c.2200-1950 BC), 6th-10th century Anglian occupation and medieval and later.*

*Accordingly this application must be considered under terms Scottish Government's Scottish Planning Policy (SPP) and Scottish Historic Environment Policy (SHEP) and also CEC's Edinburgh Local Development Plan policies ENV5, ENV6 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

## *Historic Buildings*

*The proposed scheme proposes significant demolitions and alterations to this surviving historic building, however these proposed impacts are in part mitigated by the retention of the historic external walling (corner of Lady Wynd and Kings Stables Road). A detailed historic building survey has just been undertaken (2017) of this building by CFA as part of the requirements of the archaeological condition attached to 15/05715/FUL. Structural evidence regarding the development of the building may be revealed during demolition and monitoring should form part of the programme of works for this development.*

## *Buried Archaeology*

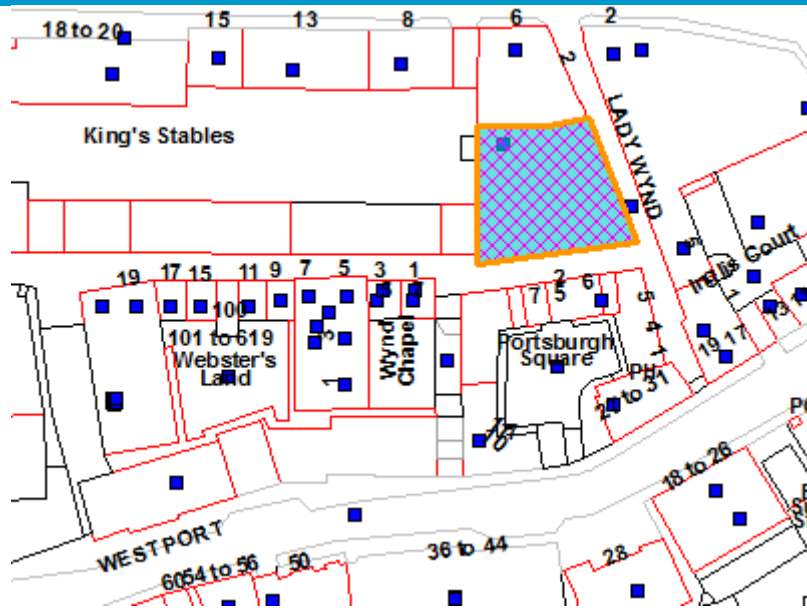
*The two phases of archaeological evaluation on the site undertaken by Headland in 2014 and CFA in 2015-17, have established that the site has over 3m of archaeological deposits. The proposals will require significant ground breaking works during demolition and construction, impacting upon important archaeological remains, dating back to the early medieval period and potentially earlier. Accordingly it is essential that a programme of archaeological work is undertaken prior to and during development in order to fully record, excavate and analyse any significant archaeological remains affected. This will be based upon the agreed mitigation strategy produced by CFA Archaeology for the development of the wider site covered by planning application 15/05717/FUL.*

*In consented it is essential therefore that a condition be applied to any consent if granted to secure this programme of archaeological works based upon the following CEC condition;*

*'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, excavation, analysis, reporting and publication, interpretation & public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'*

*The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.*

# Location Plan



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**END**

# Development Management Sub Committee

Wednesday 7 March 2018

## **Application for Planning Permission 17/02477/FUL At Land 80 Metres West And East Of, Saltire Street, Edinburgh Proposed residential development and associated infrastructure (as amended).**

<b>Item number</b>	7.4
<b>Report number</b>	
<b>Wards</b>	B04 - Forth

### **Summary**

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This proposal is the third phase of a four phase master planned development at Waterfront Avenue. It will contribute to the wider regeneration of Granton waterfront through the provision of new housing on a vacant urban gap site. The proposal is of an acceptable scale, layout and design and will not have an unreasonable impact on the amenity of the surrounding area. A minor infringement to the Edinburgh Design Guidance in terms of daylight and sunlight is acceptable. The proposal provides acceptable levels of car and cycle parking and provides the opportunity to make good a shortfall in car parking spaces in Phase 1. The level of affordable housing meets the requirement for 25% provision across Phases 2 and 3.

The proposal does not meet the requirements of LDP policy Del 1 and the Developer Contributions and Infrastructure Delivery Guidance in terms of developer contributions towards education, transport and healthcare. An open book assessment has been undertaken but this alone does not justify the acceptance of the reduced level of developer contribution proposed by the applicant. However, given the particular circumstances of this proposal which forms an integral part of a wider development, the regeneration benefits for Granton Waterfront and the delivery of the affordable housing shortfall from Phase 2, an exception is justified in this instance.

In all other aspects the proposal accords with the Development Plan and generally complies with the relevant Non-Statutory Guidance.

There are no material considerations that outweigh this conclusion and approval is recommended.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LDPP, LDEL01, LDEL03, LDES01, LDES02, LDES04, LDES05, LDES06, LDES07, LDES08, LEN09, LEN20, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, LTRA08, LRS06, SDP, NSG, NSGD02, NSDCAH, OTH,
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# Report

## **Application for Planning Permission 17/02477/FUL At Land 80 Metres West And East Of, Saltire Street, Edinburgh Proposed residential development and associated infrastructure (as amended).**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The site has an area of approximately 1.15 hectares. The topography of the site is relatively flat, gently sloping towards the north. Most of the site is vacant with the exception of an electricity substation located to the west at the end of Saltire Street.

To the north of the site, the land falls steeply. This area comprises vacant land leading to West Shore Road and associated industrial uses. Directly to the east is the public footpath/cycleway 'The Walk', which provides access from Saltire Square, and beyond, down to West Harbour Road.

This application is for the third phase of a four phase development. The first phase to the west and south of the site at Saltire Street comprises four storey apartment blocks and an 11 storey tower building and was completed in 2006. Phase two, which is currently under construction to the east, is a mix of three to four storey townhouses and two seven storey apartment buildings. Phase four will be developed at a later date and lies to the west, beyond phase one.

The site is accessed via Saltire Street. Pedestrian access is also provided along The Walk which runs along the south east site boundary.

#### **2.2 Site History**

24 April 2002 - outline planning permission was granted for a mixed use development at West Granton Road and West Shore Road/ West Harbour Road, east of Caroline Park Avenue together with land to the north west of the junction between Caroline Park Avenue and West Granton Road (application reference: 01/02109/OUT).

#### Adjacent Site

24 March 2004 - approval of reserved matters for the erection of residential/ commercial development referring to height, massing, number and parking (application reference: 03/04608/REM).



14 April 2004 - approval of reserved matters for erection of residential/ commercial development comprising 130 flats, associated roads and temporary car parking on land at Waterfront Avenue (application reference: 03/03665/REM).

30 March 2017 - planning permission was granted for 100 residential units on land west of 14 Kingsburgh Crescent (application reference: 16/00155/FUL).

## **Main report**

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### **3.1 Description Of The Proposal**

The proposal is for the development of 89 residential units in three blocks. The proposal comprises 19 one bedroom units, 64 two bedroom units, and six three bedroom units. The proposal forms the third phase of housing within a four phase masterplanned development. A total of 33 units of affordable housing would be provided in Block A.

Block A is located in the south east corner of the site and fronts "The Walk". It is five storeys high and accommodates 33 apartments, comprising six one bedroom units, 25 two bedroom units and two three bedroom units. Block B is located at the north east corner of the site and is seven storeys high. It accommodates 28 apartments comprising of 10 one bedroom units, 15 two bedroom units and three, three bedroom units. Block C is also seven storeys high and located at the north of the site. It comprises one three bedroom unit, 19 two bedroom units and eight one bedroom units.

Across the three blocks, the floor area of the one bedroom units ranges from 52 to 58 sq metres; the two bedroom units range from 66 to 73 sq metres; and the three bedroom units range from 89 to 117 sq metres in floor area. Within Block A, 1 of the 3 bed unit is on the ground floor and the other on the second floor. Within block B there is a three bedroom unit on levels one, two and three and block C contains one three bedroom unit on level 1. The three bedroom units in blocks B and C have access to a private balcony or terrace.

The proposal is a contemporary design reflecting the development in the other two phases. Each of the three blocks is dual aspect. Block A has a brick base storey with warm grey fibre cement panels cladding the upper levels. Blocks B and C will be constructed in multi coloured facing brick (buff, red and grey). The roofs of the blocks would comprise of grey single ply membrane. The windows have a dark grey frame. The balustrades to windows and balconies are galvanised mild steel or powder coated aluminium in silver.

The proposal includes three bikes stores, capable of accommodating 103 bikes, and three bin stores. The cycle stores for blocks B and C, are located on the landscaped deck between the two blocks and have a sedum roof. The cycle store for Block A is provided in the basement storage area of the block.

Vehicular access to the site is provided from the north end of Saltire Street. This provides access to a lower and upper parking area. A total of 126 car parking spaces are proposed. There are two areas of car parking within the site; a lower level area along the northern edge of the site accessed from the continuation of Saltire Street, which provides 74 car parking spaces; and upper level parking located off the new road which runs east/west through the development providing 50 spaces. Two uncontrolled spaces are proposed at the top of Saltire Street.

A full landscaping scheme has been submitted for the development.

### **Scheme 1**

Changes were made to incorporate four motorcycle spaces, alterations to the detailed landscape design, introduction of a concrete retaining wall between the upper and lower levels of car parking at the access to the undercroft parking area, replacement of access steps between blocks A and B and The Walk with an accessible ramp and brick colour changes.

### **Supporting Statements**

- Pre- Application Consultation Report;
- Planning Statement;
- Townscape Assessment;
- Design and Access Statement;
- Transport Assessment;
- Flood Risk Assessment and Drainage Strategy Report;
- Drainage Layout;
- Site Investigation Report;
- Ecology Report;
- Sustainability Statement;
- Environmental Noise Impact Assessment; and
- Air Quality Assessment.

These are available to view on the Planning and Building Standards on-line service.

### **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 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 development is acceptable;
- b) the design, scale and layout are acceptable to the site;
- c) the proposal has an impact on the amenity of the area;
- d) parking, access and road safety arrangements are acceptable;
- e) the proposal meets the sustainability criteria;
- f) the proposals have any equalities or human rights impacts;
- g) impact on infrastructure can be mitigated;
- h) there are any other material planning considerations; and
- i) the representations raised have been addressed.

#### a) Principle of Development

The site is within the Central Development Area at Granton Waterfront as identified in the Edinburgh Local Development Plan (LDP). It is covered by Proposal EW2b and identified for housing led mixed use development across the wider Central Development area site.

LDP Policy Del 3 - Edinburgh Waterfront is relevant as it supports development that will contribute towards the creation of new urban quarters at Granton Waterfront. Policy Del 3 stipulates the requirements for development proposal which include, the provision of a series of mixed use sustainable neighbourhoods that connect with the waterfront and proposals for a mix of house types, sizes and affordability.

LDP Policy Hou 1 Housing Development supports residential development that contributes towards meeting Edinburgh's housing need. The estimated housing capacity of Granton Central Development Area is 2050 with 1747 still to be developed. The proposal would provide 89 units which will contribute towards meeting the identified housing need in Edinburgh.

Based on the above, the principle of the proposal accords within LDP Policies Del 3 and Hou 1. Residential development in this location is supported.

#### b) Scale, Layout and Design

LDP Policy Des 4 - Development Design requires that new development has a positive impact on its surroundings having regards to height and form; scale and proportions; and, materials and detailing.

The three apartment blocks have been sited to align with the other phases of development and complete the perimeter of a triangular courtyard that was promoted in the original masterplan for the site. The two 7 storey blocks stand on the edge of the escarpment between the upper and lower terraces (formerly Upper Strand and Lower Strand in the previously consented masterplan) overlooking the foreshore. They provide definition to the edge of the upper terrace when looking towards the site from West Shore Road and the bottom of The Walk.

In terms of height and form, Blocks B and C will be seven storeys in height and Block A will be five storeys high. The proposed building heights will sit comfortably within the context of the surrounding area. The blocks sit below the eleven storey tower at Saltire Square and will not appear visually intrusive within the context of the existing development in the surrounding area.

The proposed finish of the buildings will complement the other phases of development. A simple palette of materials has been proposed including multi-facing brick in a mix of white/buff, red and grey and light grey cement panels. The windows on all three blocks will have grey frames which will match the windows in the other phases of the overall development. The proposed materials are acceptable, subject to a condition requiring the submission and approval of specifications.

Concerns have been raised regarding the design of the elevations facing The Walk, namely that balconies have not been included in the design. While not in the form of balconies, there will be windows in the apartments in Phase 2 and 3 providing surveillance to the area. Furthermore, the townhouses in Phase 2 front onto The Walk. As discussed above, the mix of materials and design of the proposal is consistent within the context of the development as a whole and is acceptable in this instance.

LDP Policy Hou 2 - Housing Mix seeks to ensure a mix of housing types and sizes are provided to meet a range of housing needs. The proposal provides a mix of sizes including one, two and three bedroom apartments. The Edinburgh Design Guidance recommends that development proposals provide at least 20% family accommodation. This proposal provides 7% family accommodation. However, in phase two 34% family housing was provided. It is noted that phase 1 did not meet this requirement however, this was approved prior to this current policy requirement for family housing. Therefore, considering phases 2 and 3, there is an overall provision of 21% which meets the requirements of Policy Hou 2 and the Edinburgh Design Guidance.

In terms of housing mix for the affordable units, only two of the units would be family homes of 3 bedrooms. While the provision of family housing within the affordable units is below the level recommended in the guidance, in this instance the applicant has advised that the units are intended to be available for mid-market rent and the breakdown of units responds to demand in this area. In considering the mix of housing across the three phases of development, the proposal is acceptable.

LDP Policy Hou 3 - Private Green Space in Housing Development requires that development makes adequate provision for green space to meet the needs of future residents. Flatted developments should have 10 square metres per flat and a minimum 20% of the overall site area should be useable. This proposal includes a communal green space in the centre of the courtyard. The overall useable greenspace within the site boundary, including The Walk, would be 2,358 square metres. The site would provide 25.4 % of useable green space in accordance with Policy Hou 3.

A landscape plan was submitted with the application. The proposed planting is of a simple design with appropriate planting choices. The plan was amended during the assessment to provide additional detailing. It is acknowledged that given the extent of car parking required to be accommodated within the site that the landscaping opportunities have been limited. Within this context and taking account of the character of the wider area, the extent of landscaping is acceptable and appropriate. A schedule of planting implementation was not included in the application, therefore a condition has been attached requiring that the landscape scheme is implemented prior to the completion of the 75th unit.

Overall, the scale, layout and design of the proposal is acceptable and accords with LPD policies Des 4, Hou 2, Hou 3 and the Edinburgh Design Guidance.

#### c) Amenity of occupiers and neighbours

LDP Policy Des 5 Development Design - Amenity seeks to ensure that development does not adversely impact on the amenity of existing neighbours and that future occupiers' will have an acceptable level of amenity.

#### **Noise**

A Noise Impact Assessment was submitted with the application. That assessment considered the potential noise impact of road traffic and neighbouring commercial and industrial uses. It recommends that mitigating measures, including acoustic glazing and ventilators for the most traffic exposed facades, are carried out to the proposed building to deal with potential traffic noise to occupiers of the development.

Based on the above, Environmental Protection has no objection to the proposal and considers the conclusions of the Noise Impact Assessment reasonable, subject to the inclusion of a condition to ensure the amenity of future residents is protected.

#### **Air Quality**

The applicant also submitted an Air Quality Impact Assessment with the application. The air quality impact assessment did not identify any adverse impacts on local air quality associated with the development. Environmental Protection has reviewed the assessment and has raised no objections to the proposal on the grounds of air quality.

#### **Internal Space Standards**

In terms of internal space standards, all 89 flats comply with the minimum standards set out in the Edinburgh Design Guidance.

## Privacy, Daylight and Sunlight

The Edinburgh Design Guidance sets out the requirements for new development in terms of impact on privacy, daylight and sunlight. The applicant submitted a Daylight, Sunlight and Privacy Statement. The statement assessed the proposal against the recommendations of the BRE "Site Layout Planning for Daylight and Sunlight: a good guide to Good Practice".

### Daylight

In terms of daylight to existing buildings, consideration must be given to the impact on the existing east facing windows on the flatted dwellings on the east side of Saltire Street (Phase 1) and the north west facing windows on the town houses located on the south east side of The Walk (Phase 2). Council guidance requires that the amount of daylight reaching an external wall must have a Vertical Sky Component (VSC) value more than 27% or 0.8 of its former value.

Firstly, in terms of the east elevation of Phase 1, the impact on 24 windows was assessed. The proposal would result in two ground floor rooms, a kitchen and living room, in phase one not achieving this standard. They would have a VSC value of 24.4% and 23.9%. The impact on the remainder of the windows would accord with the guidance. The BRE Guidance indicates that maintaining light levels to kitchens are less important than other habitable rooms. However, it is acknowledged that a living room would have a higher importance in terms of impact on amenity. That being said, the loss of light is only marginally outside the guidance. Therefore, in this instance, a minor infringement of the guidance is acceptable.

With regard to the impact on the north west elevation of Phase 2, the proposal would result in six ground floor bedrooms breaching the standards in the guidance with values ranging from 23% to 26.5 %. This is considered acceptable because these are bedrooms and the breach of the guidance is marginal. Five first floor windows of living rooms are also affected with values of between 25.9% and 26.9%. Again this breach is marginal and the rooms in question are open plan living/dining rooms with windows to front and rear.

In conclusion, the impacts of the proposal do not meet the daylighting standards set out in the Edinburgh Design Guidance. However, given the shape of the site, the proposed layout is appropriate and fits well with the development on the neighbouring sites. The infringement is a result of the site shape and therefore an exception to the guidance is justified.

In terms of daylight to the new buildings, the Daylight, Sunlight and Privacy Statement found that the proposal would comply with the standard.

## Sunlight

In terms of sunlight, the report considers the impact on phase 1 and phase 2 of the development. Guidance requires that habitable rooms receive at least 5% of annual probable sunlight hours during the winter month. With regard to Phase 1, four of the 45 windows on the rear elevation would not meet the BRE recommendations. The front elevation of phase 2 is north west facing and therefore does not currently meet the standard. Overall with regard to the existing buildings the additional impact on sunlight would be minor and will not have a significant adverse impact on amenity.

With regard to the proposed development, given the orientation of apartment block A, the north west facing windows do not comply with standard. However, the living areas are dual aspect and will receive sunlight. All windows in Blocks B and C meet the BRE standards.

In terms of the impact of sunlight on amenity space, the Edinburgh Design Guidance requires that at least half of garden or amenity space receive at least 3 hours of sunlight on 21st March. The proposal would comply with this requirement.

## Privacy

Privacy is afforded to all occupiers of the new development and to neighbouring property at the adjacent sites. Guidance requires that new windows are located at least 18m from an existing window to prevent any unreasonable overlooking. The proposal would comply with this requirement.

## **Amenities**

The proposal includes three bin stores within the courtyard. The proposal has been reviewed by the Council Waste Services Team and an agreed Waste Strategy is in place.

Overall, the proposal is acceptable with regards to residential amenity.

### d) Parking, Access and Road Safety

Transport information has been submitted as part of the application which provides a detailed assessment of the transport considerations associated with the proposal.

## **Access**

Vehicular access to the site will be provided from Saltire Street. Pedestrian and cycle links are provided from The Walk. The pedestrian link between the north east corner of the application site and The Walk currently includes steps. It has not been possible to provide alternative access at this stage. However, it is expected that agreement between the adjoining land owners can be reached at the Road Construction Consent process.

The applicant's submitted transport report states that the predicted increased vehicle movements associated with the development would not impact upon the satisfactory operation of the existing junctions serving the application site. The Roads Authority has raised no concern with the findings of this report.

## **Parking**

In terms of parking provision, LDP Policy Tra 2 - Private Parking requires that developments make provision for car parking levels that comply with and do not exceed the parking levels set out in the Non-statutory Guidance.

This site is within parking zone two and the current parking standards support a maximum of 89 spaces. The proposal has two areas of parking proposed; a lower area of parking providing 74 spaces and an upper area of parking providing 52. The proposal includes 126 spaces appears to be in excess of the current parking standards.

However, in this instance, private parking provision for the entire development site (phases 1-4) has to be taken in to consideration. A shortfall of parking was provided in Phase 1 and the demand for parking from this phase is currently provided in a temporary compound within the site for Phase 4. When phase 4 is to be developed this site will no longer be available to provide parking for Phase 1. As such, Phase 3 is designed to provide a proportion of the replacement parking for Phase 1 and the remainder of the replacement parking will be provided in Phase 4.

In summary, the proposal for 126 car parking spaces under this application will provide 89 spaces for phase 3, and 37 spaces to be decanted from the temporary car park on the site of phase 4 to serve the shortfall in phase 1. This is within the maximum levels recommended in the Edinburgh Design Guidance and is acceptable.

This application was submitted prior to the 2017 Edinburgh Design Guidance being approved. Therefore is it reasonable in this instance to apply the standards in the 2009 guidance which was applicable when the application was submitted. Under the 2009 standards 5% of the total parking should be accessible. The proposal includes six spaces which complies with this requirement. Furthermore, the proposal accords with the motorcycle parking requirements.

In addition to the above, the current guidance recommends that one in every six parking spaces has an electric charging point. The 2009 guidance did not have requirement for electric charging points. This proposal does not include electric charging points at this stage. However, an informative has been included advising the applicant to make provision for electric charging points within the development.



## Cycle Parking

LDP Policy Tra3 - Private Cycle Parking requires that cycle parking and storage within the development complies with Council guidance. The proposal includes three cycle stores. Two are proposed in the courtyard between blocks B and C providing 28 spaces in each and the third at basement level of Block A providing 35 spaces. Twelve external visitor spaces are also proposed. It is acknowledged that the level of cycle parking is below the spaces required in the Edinburgh Design Guidance. However, the Roads Authority has confirmed that given that at least one space has been provided per unit the extent of cycle parking provision is acceptable in this location. Notwithstanding the aforementioned, a condition is proposed requiring further details showing the design of each cycle store to ensure that they meet the required standards.

Concerns were raised regarding the location of the bike stores associated with Block A and limited opportunity for overlooking. The bike stores will be overlooked by Block B and lighting provided in line with building regulations to address these concerns.

Overall, the proposal is acceptable in terms of LDP Policies Tra 2 and Tra 3.

### e) Sustainability

The applicant has submitted a sustainability statement as part of the application. The proposed development will meet the requirements of Section 6 (energy) of the 2010 Building Standards through the use of high performance building fabric. The proposal also includes a centralised heating system which will generate electricity and use the heat produced to store heated water for domestic heating needs. This system will be located adjacent to Phase 2.

The proposal is classed as a major development and has been assessed against Part B of the sustainability standards. The points achieved against the essential criteria are set out in the table below:

<b>Essential Criteria</b>	<b>Available</b>	<b>Achieved</b>
Section 1: Energy Needs	20	20
Section 2: Water conservation	10	10
Section 3: Surface water run off	10	10
Section 4: Recycling	10	10
Section 5: Materials	30	30
<b>Total points</b>	<b>80</b>	<b>80</b>

The proposal meets the essential criteria of the Edinburgh Standards for Sustainable Buildings.

### f) Equalities and Human Rights Impacts

The application was assessed in terms of equalities and human rights. No adverse impacts were identified.

## g) Infrastructure

LDP Policy Del 1 - Developer Contributions and Infrastructure Delivery requires that development proposals contribute towards infrastructure provision where relevant and necessary to mitigate any negative additional impact of the development. The Council approved new draft Supplementary Guidance on Developer Contributions and Infrastructure Delivery on 18 January 2018 which is currently out for consultation. The new draft guidance supersedes the previous version of the guidance approved in September 2017.

For applications determined after 18 January 2018, the contribution levels set out in the new guidance will apply. However, where an application was submitted prior to 18 January, the contribution levels set out in the previous guidance will be used where these are lower than the new levels. This is to ensure that the transition to the new guidance is implemented in a fair and transparent manner.

## Education

Residential development is required to contribute towards the cost of the required education infrastructure to ensure that the cumulative impact of development can be mitigated. The site falls within Sub-Area CB-1 of the 'Craigroyston/Broughton Education Contribution Zone'. The Council assessed the impact of the growth on the area through Education Appraisal which took into account school roll projections. The Appraisal considered the impact of new housing sites allocated in the LDP, including this site and identified that contributions are required to mitigate the cumulative impact of development.

The following contributions are required towards education actions in the Craigroyston/Broughton Education Contribution Zone. The level of education infrastructure contribution has been taken from the September 2017 Guidance (£219,170 at Q1 2015). This equates to £241,087 at Quarter 4 2017 which is slightly less than £250,530 required under the January 2018 guidance. The total education contribution required is as follows:

- £241, 087 infrastructure contribution (Quarter 4 2017 value subject to indexation),
- £1,330 land contribution (no indexation).

## Healthcare

The site is located within the Granton Waterfront Healthcare Contribution Zone as set out in the Draft Developer Contributions & Infrastructure Delivery Supplementary Guidance (January 2018). A healthcare contribution of £945 per residential unit which equates to £84,105 in total (subject to indexation) is required towards the cost of a new practice to help mitigate the impact of new residential development in Granton Waterfront. (The level of contribution required under the September 2017 guidance would have been £93,450).

## Transport

The site is located within the Granton Transport Contribution Zone as set out in the Draft Developer Contributions & Infrastructure Delivery Supplementary Guidance (January 2018). A contribution of £70,292 (subject to indexation) is required for transport measures identified in the North Edinburgh. (The level of contribution required under the September 2017 guidance would have been £119,785).

## Viability Considerations

The total projected level of contributions required for this development is £396,814 (at Quarter 4 2017) comprising Education £242,417, Transport £70,292 and Healthcare £84,105. The applicant has indicated that it is unable to meet the required level of contributions in full.

In accordance with Chapter 3 of the Developer Contributions and Infrastructure Delivery Supplementary Guidance, the applicant has undertaken an open book assessment for consideration by the Council's Property Service. This included information on land purchase and construction costs, professional and financial fees and predicted gross development value. These figures have been scrutinised by a Council surveyor and the confidential details of the financial viability appraisal will be shared with members of the Committee prior to the determination of the application.

This financial appraisal has been both lengthy and complex. The modelling calculations have been complicated by the fact that this application is not a standalone proposal. The need for 11 additional affordable housing units and 37 parking spaces to make up for shortfalls in Phases 1 and 2 has reduced the gross development value and increased the costs. Accurately predicting sales values for the site is also difficult given the limited private sector development activity in Granton in recent years. The Council surveyor has indicated that the costs associated with this proposal are higher than would normally be expected as a result of development choices made by the applicant. Whilst these include matters such as district heating which is supported by Council policy, different choices would have lowered the costs and as a result, increased profits.

In summary, the Council's Property Service is of the view that some of the assumptions made in the appraisal are not within the range of market norms. The applicant disagrees with this view. At the outset, the applicant stated that no contributions could be made. However during the appraisal process, the applicant offered to make a payment of £76,496 towards the overall developer contributions. This offer was made in order to demonstrate a willingness to work with the Council and is based on the level of contribution per unit agreed for phase 2, i.e. £1,366 per outright sale unit (Phase 3 has 56 units for sale).

A meeting took place with the applicant to discuss the implications of the financial viability appraisal for the planning application. The applicant has indicated that it would not be able to proceed with the development at this time if the application was approved subject to a legal agreement requiring full contributions.

In this instance, the outcome of the financial viability appraisal does not justify approval contrary to LDP policy Del 1. Consideration therefore needs to be given to the particular circumstances of this application, in particular the regeneration benefits associated with the development and the negative implications if the proposal does not go ahead.

The proposal represents the third phase of a four phase development. It is bound to the west by Phase 1 and to the east by Phase 2 and physically it is an integral part of the overall development. It will provide 89 homes including 33 affordable units in the heart of the Granton Central Development Area. The development includes the provision of additional car parking to replace that required for Phase 1 and currently being provided in a temporary car park on Phase 4. Phase 4 cannot therefore not go ahead until Phase 3 is implemented. If the applicant is unable to proceed with the development of Phase 3 at this time on viability grounds, it will delay not only the provision of 33 affordable units on this site but also an anticipated 25 affordable units on Phase 4. If the site was developed by another developer, it is unlikely that the 11 affordable units required to meet the shortfall in Phase 2 would be provided.

The proposal accords with LDP policy Del 3 which seeks to ensure that the regeneration of Edinburgh's waterfront comes forward in a planned manner within the context of a long term vision. It provides the opportunity to develop out the third phase of a site originally master planned in the early 2000s and where development stalled following the completion of Phase 1. This master plan was based on the concept of four inter-related phases focussed around a public square and The Walk, a pedestrian route which links Waterfront Avenue to West Shore Road. Phase 2 is now under construction and the development of Phase 3, which is in effect a gap site between Phases 1 and 2, will make a positive contribution to the regeneration of the wider area.

It should be noted that whilst the Council's Property Service anticipates a higher profit return than that predicted by the applicant, this is still below what would normally be expected by a private house builder. This applicant is in a position to work with lower profit margins as evidenced in Phase 2 when an anticipated 3% return was accepted. A scenario where an alternative developer takes over the site and pays the full developer contribution is considered unlikely.

In conclusion, the outcome of the financial viability appraisal alone does not justify the acceptance of a reduced developer contribution which would result in a funding shortfall. However given, the particular circumstances of this proposal which forms an integral part of a wider development, the regeneration benefits for Granton Waterfront and the delivery of the affordable housing shortfall from Phase 2, an exception is justified in this instance.

It is therefore recommended that the level of contribution offered by the applicant is accepted. The inclusion of a clawback clause in the legal agreement is not supported because in this instance, the main area of disagreement is the development costs which would be very difficult to monitor. A clawback arrangement would place an unacceptable burden on Council staff resources with limited likelihood of additional contributions.

The reduced contribution equates to £76,496 at Q4 2017 values. This will leave an infrastructure funding gap of £329,761. The financial implications of this are set out in section 6.1 of this report. With regard to meeting the tests set out in Circular 3/2012, the fact that there is currently no confirmed source of alternative funding to address this gap is not a sufficient reason to refuse planning permission in this case.

#### h) Other Material Planning Considerations

##### **Affordable Housing:**

LDP Policy Hou 6 - Affordable Housing stipulates that planning permission for residential development of 12 or more units should include provision for affordable housing of 25 percent of the total units proposed.

As previously stated this proposal is phase three of a four phase development. A staggered approach to the provision of affordable housing across the four phases has been accepted by the Council's Housing Service.

The below table sets out the requirement and provision of affordable housing across the first three phases of the development:

	<b>Total Units</b>	<b>AHP Required</b>	<b>AHP Provided</b>	<b>AHP Balance</b>
Phase 1	130	20 (15%)	34 (26%)	14 units carried
Phase 2	100	25 (25%)	0	11 unit under
Phase 3	89	22 (25%)	33 (37%)	Additional 11 units

As shown above, this proposal will provide an additional 11 affordable units than that required by Policy Hou 6. This overprovision makes up the balance of affordable housing required in Phase 2.

Overall, the Council's Housing Service is satisfied with this approach and an acceptable level of affordable housing will be provided across the three phases of development. The provision for 33 affordable units should be included within the legal agreement to this application.

##### **Environmental Impacts:**

Given the historic land use of the site it was necessary to submit a Site Investigation Report as part of the application. This Assessment is currently still being assessed by Environmental Assessment therefore, it is necessary to attach a condition to ensure that any issues relating to contaminated land that may arise are fully addressed.

##### **Archaeology:**

LDP Policy Env 8 - Protection of Important Remains seeks to protect archaeological remains from being adversely impacted from development. The Council's Archaeology Officer was consulted on the application and has confirmed that there are likely to be no archaeological remains on the site and therefore there are no known archaeological implications with regard to this proposal.

## **Ecology:**

The application included an Ecology Assessment. The Assessment concluded that there was no evidence found of badger or bat habitat on the site. It was acknowledged that the site would be used by birds for nesting during the summer. However, no protected species were found. An informative is included reminding the applicant that should the site be cleared during nesting season a suitably qualified ecologist should be consulted.

### **i) Matters Raised in Representations**

The application attracted 10 letters of representation; eight objections and two neither objecting nor supporting.

### **Material Considerations – Objections**

- Lack of car parking within the development - addressed in Section 3.3 (d).
- Road safety concerns associated with the width of Saltire Street - addressed in Section 3.3 (d).
- In sufficient provision of open space- addressed in Section 3.3(b).
- Cycle store for Block A is not overlooked - addressed in Section 3.3 (c).
- Lack of animation on elevations fronting The Walk - addressed in Section 3.3 (b).
- Overprovision of carparking is unnecessary given proximity to public transport, cycle and pedestrian links - addressed in Section 3.3 (d).
- The integration of the site with the other phases of development - addressed in Section 3.3 (b).
- The height of the proposed apartment blocks - addressed in Section 3.3 (b).
- Lack of provision of community heating system - addressed in Section 3.3 (e).
- Lack of balconies along the elevation fronting The Walk - addressed in Section 3.3 (b).

### **Non Material Considerations**

- Impact on views - not a planning issue.
- Impact on property values - not a planning issue.
- Concerns relating to the design of phase 4. This phase of the development does not form part of this planning application.
- Finish of the tower block- this does not form part of this application.

### **Material Considerations – Support**

- Use of high quality building materials - considered in Section 3.3 (b).

## Conclusion

This proposal is the third phase of a four phase master planned development at Waterfront Avenue. It will contribute to the wider regeneration of Granton waterfront through the provision of new housing on a vacant urban gap site. The proposal is of an acceptable scale, layout and design and will not have an unreasonable impact on the amenity of the surrounding area. A minor infringement to the Edinburgh Design Guidance in terms of daylight and sunlight is acceptable. The proposal provides acceptable levels of car and cycle parking and provides the opportunity to make good a shortfall in car parking spaces in phase 1. The level of affordable housing meets the requirement for 25% provision across phases 2 and 3.

The proposal does not meet the requirements of LDP policy Del 1 and the Draft Developer Contributions and Infrastructure Delivery Supplementary Guidance in terms of developer contributions towards education, transport and healthcare. An open book assessment has been undertaken but this alone does not justify the acceptance of the reduced level of developer contribution proposed by the applicant. However, given the particular circumstances of this proposal, which forms an integral part of a wider development, the regeneration benefits for Granton Waterfront and the delivery of the affordable housing shortfall from phase 2, an exception is justified in this instance.

In terms of developer contributions, the proposal represents a justifiable departure from the development plan and finalised supplementary guidance. In all other aspects the proposal accords with the Development Plan and generally complies with the relevant Non Statutory Guidance.

The proposal is acceptable. There are no material considerations that outweigh this conclusion.

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

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. i) Prior to the commencement of construction works on site:
  - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
  - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

2. The following noise protection measures to the proposed development, as defined in the RMP 'Environmental Noise Impact Assessment' Technical Report No. R-7297A-CL1-RGM 16 May 2017, shall be carried out in full and completed prior to the development being occupied. The glazing performance requirements are annotated on the site layout shown on Appendix C of the above report.
  - For the southern facade facing Waterfront Avenue, and side facade to the east; external glazing units with minimum insulation value of 10/12/6 should be installed: Rating Rw +Ctr, 32 dB with ventilators providing a minimum performance of Dne,wopen +Ctr, 38dB
  - For the western façade; external glazing units with a minimum insulation value of 8/12/6 should be installed: Rating Rw +Ctr 29 dB, with ventilators providing a minimum performance of Dne,wopen +Ctr, 35dB.
  - For the southern-eastern façade and nearest section of north-western façade; external glazing units with a minimum insulation value of 6/12/4 should be installed: Rating Rw +Ctr 27 dB, with ventilators providing a minimum performance of Dne,wopen +Ctr, 33dB.
3. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
4. The approved landscaping scheme shall be fully implemented within 6 months of the completion of the 75th unit in the development. Any trees or plants which within a period of five years from the occupation of this unit that die, are removed or become seriously damaged or diseased shall be replaced with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the Planning Authority.
5. Prior to commencement of the development, details of the proposed cycle stores to be submitted for approval by the Planning Authority regarding specification, design, security and location. Cycle stand products should meet the criteria of ease of use and provide secure locking points for wheels/frame. Once approved these shall be located on site prior to the occupation of the 75th unit.

**Reasons:-**

1. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
2. In order to protect the amenity of the occupiers of the development.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. In order to ensure that the approved landscaping works are properly established on site.



5. In order to ensure the adequacy of facilities for cyclists.

## **Informatives**

It should be noted that:

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

The applicant will be required to contribute:

- a. The sum of £76,469 (based on £1366 per unit) toward the Granton Transport Contribution Zone, Granton Healthcare Contribution Zone and Craigmyle/Broughton Education Contribution Zone.

The above sum is to be indexed linked using the all-in tender price index from the last date of signing the Agreement until the date of payment. The use period for the contribution should be 10 years from the last payment.

- b. 25% of the units plus an additional 11 units are to be of an agreed affordable tenure.
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. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details.

6. The applicant should provide a suitable ramp to link to "The Walk" in addition or replacement of the proposed steps. Whilst it is acknowledged that the opportunity to provide such a ramp within the site is constrained by level differences and the extent of land ownership, a suitable ramp for wheel chair and pram use is required. It is expected that this matter can be addressed through discussion with the neighbouring land owner and through the Road Construction Consent process.
7. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent (a Quality Audit workshop took place on 22 August 2017);
8. Any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents.
9. 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), car club space, 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), timetables for local public transport. Provision of car club spaces will require a contribution of £1,500 per order plus £5,500 per car.
10. The applicant should note that new road names may be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity.
11. 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 Council 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 but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.
12. Electric vehicle charging outlets should be provided 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.
13. Clearance of vegetation has the potential to disturb nesting birds; therefore clearance should take place outside the bird nesting season (March to August inclusive). Should it be necessary to clear ground during the bird nesting season, the land should be surveyed by a suitably qualified ecologist and declared clear of nesting birds before vegetation clearance starts.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

The reduced developer contribution of £76,496 at Q 4 2017 values will leave an infrastructure funding gap of £329,761.20 at Q4 2017 values, i.e. before taking into consideration the impact of future cost inflation.

The potential for funding gaps arising from viability assessments has been identified and reported through the LDP Action Programme governance arrangements, including reports to the Council's Finance and Resources Committee on 19 January 2017 and 23 January 2018.

There is as yet no confirmed source of alternative funding to address the cumulative gap arising from viability assessments. In addition there will also be significant additional revenue costs arising from the new education infrastructure for which no revenue budget currently exists. However, capital and revenue budget pressures arising from the infrastructure requirements in this area, and the Local Development Plan as a whole, are being considered as part of the ongoing budget consultation in February 2018.

From 1 April 2018/19, all aspects of section 75 developer contributions, including funding gaps arising from viability, will be reported annually as part of the performance management of the LDP Action Programme.

## **Risk, Policy, compliance and governance impact**

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**5.1** Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **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**

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### **7.1 The sustainability impact has been assessed as follows:**

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

A Proposal of Application Notice was submitted and registered on 8 June 2015. Copies of the notice were also sent to:

- West Pilton/West Granton Community Council;

- Granton and District Community Council;
- Local Ward Councillors (Forth);
- Forth Neighbourhood Partnership;
- Upper Strand Residents Association;
- Harbour Green Residents Association; and
- Cairn Housing Association.

Two public consultation events were held on 23 and 24 June 2015 in the Lighthouse Court commercial unit at 60 Waterfront Avenue.

Full details can be found in the Pre-Application Consultation report which sets out the findings from the community consultation. This is available to view on the Planning and Building Standards Online Services.

## **8.2 Publicity summary of representations and Community Council comments**

Neighbour notification was carried out on the 23 June 2017. Ten representations were received; eight objections and two neither objecting nor supporting.

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

### **Background reading/external references**

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- 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**

Local Development Plan

The site is within the Waterfront Area of Change. There is a safeguarded tram route to the south of the site along Waterfront Avenue, with a proposed tram stop adjacent to Saltire Square.

**Date registered**

31 May 2017

**Drawing numbers/Scheme**

01-03, 04A, 05B, 06, 07A-09A, 10, 11A, 12-15, 16A, 17C, 18, 19C, 20-22, 23A, 24-26, 27A, 28, 29, 30A,

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Jane Iannarelli, Planning Officer

E-mail: [jane.iannarelli@edinburgh.gov.uk](mailto:jane.iannarelli@edinburgh.gov.uk) Tel: 0131 469 3557

**Links - Policies**

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**Relevant Policies:**

**Relevant policies of the Local Development Plan.**

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Del 3 (Edinburgh Waterfront) sets criteria for assessing development in Granton Waterfront and Leith Waterfront.

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 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect of development of adjacent land or the wider area.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

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

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

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 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

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 Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

LDP Policy Tra 8 (Provision of Transport Infrastructure) sets out requirements for assessment and mitigation of transport impacts of new development.

LDP Policy RS 6 (Water and Drainage) sets a presumption against development where the water supply and sewerage is inadequate.

## **Relevant Policies of the Strategic Development Plan**

### **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, parking, streets and landscape, in Edinburgh.

**Non-statutory guidelines** on Developer Contributions and Affordable Housing gives guidance on the situations where developers will be required to provide affordable housing and/or will be required to make financial or other contributions towards the cost of, providing new facilities for schools, transport improvements, the tram project, public realm improvements and open space.

### **Other Relevant policy guidance**

# Appendix 1

## **Application for Planning Permission 17/02477/FUL At Land 80 Metres West And East Of, Saltire Street, Edinburgh Proposed residential development and associated infrastructure (as amended).**

### **Consultations**

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#### **Archaeology response - dated 15 June 2017**

The site is located to the east of the historic site for Granton Castle and 18th century replacement Caroline House, occupying an area of raised ground overlooking the Forth. Forming part of the historic grounds for Caroline House in the 20th century the site was developed for industry relating to the nearby Gas Works, with post-war the site being occupied by a large Oil Depot.

The results of earlier (2002) archaeological assessment and evaluation has concluded that the construction and subsequent demolition of the industrial works on this site has had a significant adverse effect. Accordingly, it is considered that is unlikely that significant archaeological remains will have survived insitu and therefore there are no known archaeological implications in regards to this application.

#### **Communities and Families response - Updated dated 08 February 2018**

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (January 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2018).

Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the draft Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (January 2018).

#### **Assessment and Contribution Requirements**

Assessment based on:

70 Flats (19 one bedroom flats excluded)



This site falls within Sub-Area CB-1 of the 'Craigroyston / Broughton Education Contribution Zone'.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme, as set out in the Action Programme and Supplementary Guidance.

The Education Appraisal considered the impact of potential new housing sites allocated in the LDP, such as the application site. Appropriate education infrastructure actions to mitigate the cumulative impact of development are identified. The required contribution will therefore be based on the established 'per house' and 'per flat' rates for the appropriate part of the Zone.

If the appropriate infrastructure and land contribution is provided by the developer, as set out below, Communities and Families does not object to the application.

Total infrastructure contribution required: £250,530

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

Total land contribution required: £1,330

Note - no indexation to be applied to land contribution.

### **Communities and Families response - dated 30 June 2017**

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (Updated March 2017), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

The Council's assessment has identified where additional infrastructure will be required to accommodate the cumulative number of additional pupils from development. Education infrastructure 'actions' are set out in the Action Programme and current Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery'.

Residential development is required to contribute towards the cost of the required education infrastructure to ensure that the cumulative impact of development can be mitigated. To ensure that the total cost of delivering the new education infrastructure is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established.

#### **Assessment and Contribution Requirements**

Assessment based on:

70 Flats (19 one bedroom flats excluded)

This site falls within Sub-Area CB-1 of the 'Craigroyston / Broughton Education Contribution Zone'.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme, as set out in the Action Programme and Supplementary Guidance.

The Education Appraisal considered the impact of potential new housing sites allocated in the LDP, such as the application site. Appropriate education infrastructure actions to mitigate the cumulative impact of development are identified. The required contribution will therefore be based on the established 'per house' and 'per flat' rates for the appropriate part of the Zone.

If the appropriate infrastructure and land contribution is provided by the developer, as set out below, Communities and Families does not object to the application.

Total infrastructure contribution required:

£219,170

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q1 2015 to the date of payment.

Total land contribution required:

£1,330

Note - no indexation to be applied to land contribution.

### **Police Scotland response - dated 10 August 2017**

We would welcome the opportunity for one of our Police Architectural Liaison Officers to meet with the architect to discuss Secured by Design principles and crime prevention through environmental design in relation to this development.

### **Affordable Housing response - dated 11 August 2017**

#### 1. Introduction

I refer to the consultation request from the Planning Department about this planning application.

The Council have developed a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy (AHP) for the city.

\* The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.

\* This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.

#### 2. Affordable Housing Provision

The current affordable housing policy states that 25% affordable housing is required for all new applications. However, there are exceptions where masterplans have been agreed for some areas - this is one of those exceptions. The outline consent granted in May 2001 required a 15% affordable housing provision across the masterplan area. However, the applicant is providing in excess of 15% (22% across the phases and 37% in this phase).

The applicant is a recognised affordable housing provider and this application is for phase three of four within the masterplan area. The application is for 89 homes that form this phase. Of these, 33 homes will for be mid market rent and this welcomed. Below is a table that shows the AHP delivery across the four phases.

	Total	AHP Required	%	AHP actually delivered	%
Phase 1	131	20	15%	34	26%
Phase 2	100	25	25%	0	0%
Phase 3	89	22	25%	33	37%
Phase 4	100	25	25%	25*	25%
	420	92	22%	92	22%

\*assumed AHP amount

The affordable housing will be fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.:

\* 25% sought on all new developments except where an alternative level of provision has been secured through a S75 as part of a masterplan.

\* The affordable housing will include an integrated variety of house sizes to reflect the provision across the wider site of approved affordable tenures

\* The applicant enters into a Section 75 legal agreement to secure the affordable housing element of this proposal

### 3. Summary

The applicant has made a commitment to provide 33 (37%) on site affordable housing for this phase. This, when combined with the overall AHP allocation across the four phases, will be higher than the Masterplan provision for 15% and this is welcomed by the department.

These will be secured by a Section 75 Legal Agreement. This department welcomes this approach which will assist in the delivery of a mixed and integrated community

### **Environmental Assessment response - dated 24 August 2017**

The application is for a residential development of 89 homes over 3 apartment blocks with a mix of 1,2 and 3 bedroom apartments. The site is on land 80 metres west and east of Saltire Street and north of Waterfront Avenue, Granton, Edinburgh. It is the third phase of a larger development of 300 homes. The first phase has already been completed and construction of the second phase is ongoing.

The site is of former industrial use and is included within the Waterfront Granton Master Plan produced in December 2000. Outline planning consent (01/02109/OUT) granted mixed use development for an area including Land lying between West Granton Road and West Shore Road/West Harbour Road, east of Caroline Park Avenue together with land to the north west of the junction between Caroline Park Avenue and West Granton Road.

In March 2004, approval of reserved matters was granted for the erection of residential / commercial development referring to height, massing, number and parking (03/04608/REM). In April 2004, approval of reserved matters obtained for erection of residential /commercial development encompassing 130 flatted units, associated roads and car parking on land at Waterfront Avenue (03/03665/REM). (Phase 1)

In March 2017, planning permission was granted in full for 100 residential units, comprising a mix of 3 to 4 storey townhouses and two 7 storey apartment buildings at Land 40 Metres West Of 14 Kingsburgh Crescent (off Waterfront Avenue) Edinburgh (16/00155/FUL). (Phase 2)

Waterfront Avenue forms the Southern boundary of the development site, the land immediately to the south of this road is currently vacant. There are existing residential buildings and some open spaces to the west and east of the development site. However, the site is potentially affected by noise from industrial and commercial activity to the north and north-east.

The applicant had submitted a supporting noise and local air quality impact assessment with the application. The air quality impact assessment identified that there should be no adverse impacts on local air quality if consent is granted. Environmental Protection is satisfied with this assessment and offers no objections on air quality grounds.

The noise impact assessment (NIA) has investigated the potential noise impacts from road traffic noise as well as the neighbouring industrial and commercial uses. In respect of road traffic noise, mitigation measures are recommended in the NIA and therefore recommended in this consultation response. In terms of the commercial and industrial noise sources assessed, there is the potential for an adverse noise impact from night operation of the bus tour operator and a significant impact from night operation of the concrete batching plant. However, it is understood that other bus tour operators in the area generally operate in the evening time rather than into the night. Therefore, at worst it is considered that any night time activity would be infrequent. In terms of the concrete batching plant, it is currently dormant and is very rarely used. Therefore, it is unlikely to be used at night. On balance, it is considered reasonable to accept the conclusions of the NIA.

The applicant has submitted a Site Investigation Report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed.

It is highlighted in Edinburgh's Local Transport Strategy 2014-2019 that the Council seeks to support increased use of low emission vehicles and support the extension of the network of Electric Vehicle (EV) charging points.

The City of Edinburgh Parking Standards for Development Management also now encourages the use of EVs. It states that the Council is likely to introduce a requirement for EV charging infrastructure which depends on how charging technology evolves this includes:

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

Grants are also available for the installation of EV charge points more information can be found at;

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

Environmental Protection offers no objection to this application, subject to the following conditions being attached to any consent;

#### Conditions

1. The following noise protection measures to the proposed development, as defined in the RMP 'Environmental Noise Impact Assessment' Technical Report No. R-7297A-CL1-RGM 16 May 2017, shall be carried out in full and completed prior to the development being occupied.

The glazing performance requirements are annotated on the site layout shown in Appendix C of the above report.

- For the southern facade facing Waterfront Avenue, and side facade to the east; external glazing units with minimum insulation value of 10/12/6 should be installed: Rating Rw +Ctr, 32 dB with ventilators providing a minimum performance of Dne,wopen +Ctr, 38dB

- For the western façade; external glazing units with a minimum insulation value of 8/12/6 should be installed: Rating Rw +Ctr 29 dB, with ventilators providing a minimum performance of Dne,wopen +Ctr, 35dB.

- For the southern-eastern façade and nearest section of birth-western façade; external glazing units with a minimum insulation value of 6/12/4 should be installed: Rating Rw +Ctr 27 dB, with ventilators providing a minimum performance of Dne,wopen +Ctr, 33dB.

2. Prior to the commencement of construction works on site:

(a) A site survey (including initial desk study as a minimum) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

(b) Where necessary, a detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

#### Informatives

Environmental Protection recommends that the site is served by at least one dedicated parking space with charging facilities for electric vehicles. The charging outlet should be of the following standard;

\* 70 or 50kW (100 Amp) DC with 43kW (63 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 connectors, the AC supply by a 62196-2 connector. Must have the ability to be de-rated to supply 25kW to the AC and either of the DC outlets simultaneously.

It is recommended that additional ducting and infrastructure is installed to allow more electric vehicle charging bays to be readily accommodated in the future.

It is also recommended that consideration is given to the installation of electric charging points within the cycle parking provision, for ebikes.

#### **Historic Environment Scotland response- dated 25 August 2017**

Thank you for your consultation which we received on 18 August 2017. We have assessed it for our historic environment interests and consider that the proposals have the potential to affect the following:

Ref	Name	Designation Type
LB28040	5 CAROLINE PARK, CAROLINE PARK HOUSE INCLUDING ROYSTON HOUSE	Listed Building

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

#### Our Advice

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

#### Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at [www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/](http://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/). Technical advice is available through our Technical Conservation website at [www.englished.org](http://www.englished.org).

### **Flood Planning response - dated 22 August 2017**

Flood Planning have no further comments to make on this proposal, and have no objections to the development.

### **Roads Authority response - update 24 January 2018**

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

1. The applicant will be required to
  - a. contribute the sum of £70,292.20 to the Granton Transport Contribution Zone as set out in the Developer Contributions & Infrastructure Delivery Supplementary Guidance (based on £789.90 per unit and 89 units);
  - b. contribute the sum of £2,000 per order to progress suitable orders to: redetermine footways and carriageways; introduce waiting and loading restrictions; and control on-street disabled parking spaces; all as necessary for the development;
2. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
3. Parking:
  - a. Disabled parking provision is in line with the 2009 Parking Standards which require a minimum of 6 spaces (6 spaces are proposed);
  - b. Motorcycle parking is in line with the 2009 Parking Standards which require a minimum of 4 motorcycle spaces within a secure and undercover location;
4. The applicant should be required to provide a suitable ramp to link to "The Walk" in addition or replacement of the proposed steps. Whilst it is acknowledged that the opportunity to provide such a ramp within the site is constrained by level differences and the extent of land ownership, a suitable ramp for wheel chair and pram use is required. It is expected that this matter can be addressed through discussion with the neighbouring land owner and through the Road Construction Consent process;
5. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent (a Quality Audit workshop took place on 22 August 2017);
6. The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent.

The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents;

7. 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), car club space, 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), timetables for local public transport. Provision of car club spaces will require a contribution of £1,500 per order plus £5,500 per car;

8. The applicant should note that new road names may be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

9. 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 Council 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 but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;

10. 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.

#### Notes:

1. Parking has been assessed under the 2009 Parking Standards:

a. these require a minimum of 1 space per dwelling for housing for sale or rent and between 0.1 and 0.5 for affordable housing. The proposed application provides 128 spaces for 89 units which is considered over-provision. However, this application is Phase 3 of a 4 phase development and provides replacement parking for the temporary car park which will be lost as part of Phase 4. The total build out of all 4 phases will result in approximately 430 units with approximately 405 spaces. This is considered acceptable;

b. Disabled parking provision is required at 5% of total spaces, i.e. 6 spaces. The proposed 6 spaces are therefore adequate;

c. Motorcycle parking provision is required at 1 space per 25 units, i.e. 4 spaces. On-street provision is not normally acceptable;

d. Electric vehicle charging points are not required under the 2009 parking standards but developers are required to consider their provision;

e. Car club provision is required where parking provision is lower than required under the parking standards. However, as stated in the 29 September 2017 memorandum, the applicant should consider provision of car club spaces. This will require a contribution of £1,500 per order plus £5,500 per car;

2. 2017 Parking Standards:



- a. the standards approved on 12 October 2017 permit up to 1 space per unit for both affordable and private housing in Zone 2. The proposed 128 spaces for 89 units is therefore in excess of the current standards. However, as stated in 2.a. above, this application is Phase 3 of a 4 phase development and provides replacement parking for the temporary car park which will be lost as part of Phase 4. The total build out of all 4 phases will result in approximately 430 units with approximately 405 spaces. This is within the permitted level of parking and is considered acceptable;
  - b. Disabled parking under the 2017 is required at 10% of total spaces, i.e. 10 spaces;
  - c. Motorcycle parking provision is required at 1 space per 25 units, i.e. 4 spaces;
  - d. Electric vehicle charging points are required at 1 in 6 spaces, i.e. 21 spaces;
  - e. Car club initiatives are encouraged to promote car use as a shared resource and reduce pressure for parking (Edinburgh Design Guide page 50 and following).
3. The submitted Transport Assessment dated May 2017 is considered appropriate and does not raise any particular concerns with regard to transport impacts;
  4. Saltire Street is generally 3.5m in width with parking places providing opportunities for vehicles to pass. The road is clearly not to a standard normally expected to provide motor vehicle capacity to serve the proposed number of units (131 existing and 89 proposed) and is likely to result in vehicles having to wait to pass at times. However, the Edinburgh Design Guidance gives priority to creating "Welcoming, attractive and sustainable places [which] balance the needs of pedestrians, cyclists and motorists effectively with priority given to creating walkable and cycle friendly environments." Saltire Street is therefore considered a suitable access to the proposed development. The design of the future road access to Phase 4 will require careful consideration;

### **Roads Authority response - dated 29 September 2017**

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

1. The applicant will be required to contribute the sum of £2,000 per order to progress suitable orders to:
  - a. redetermine footways and carriageways;
  - b. introduce waiting and loading restrictions; and
  - c. control on-street disabled parking spaces;all as necessary for the development;
2. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
3. It is noted that the northernmost proposed access to "The Walk" includes steps. Whilst it is acknowledged that there are some technical constraints, it is expected that this matter can be addressed through the Road Construction Consent;

4. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent (a Quality Audit workshop took place on 22 August 2017);

5. The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents;

6. 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), car club space, 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), timetables for local public transport. Provision of car club spaces will require a contribution of £1,500 per order plus £5,500 per car;

7. The applicant should note that new road names may be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

8. 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 Council 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 but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;

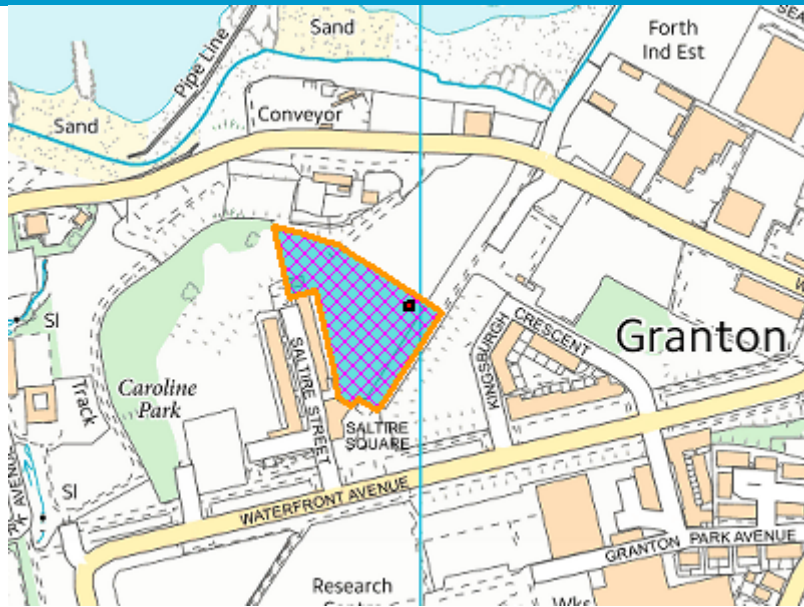
9. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

**Note:**

Current Council parking standards require a minimum of 1 space per dwelling for housing for sale or rent and between 0.1 and 0.5 for affordable housing. The proposed application provides 126 spaces for 89 units which is considered over-provision. However, this application is Phase 3 of a 4 phase development and provides replacement parking for the temporary car park which will be lost as part of Phase 4. The total build out of all 4 phases will result in approximately 430 units with approximately 405 spaces. This is considered acceptable.

## Location Plan

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**END**

# Development Management Sub Committee

Wednesday 7 March 2018

## Application for Planning Permission in Principle 17/02227/PPP

At 2 Dewar Place, Edinburgh, EH3 8ED

PPP for hotel(s) (Class 7), office (Class 4), retail (Class 1), restaurant(s) (Class 3), pedestrian deck, bridge link + accesses from Western Approach Road, Dewar Place + Canning Street; detailed approval for siting, maximum height & limits of deviation of proposed buildings, partial demolition,+ refurbishment of façade of former electricity station (as amended).

Item number	7.5(a)
Report number	
Wards	B11 - City Centre

## Summary

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The proposed development would allow for the regeneration of this currently underutilised and constrained city centre site.

The range of uses proposed conforms to the general provisions of LDP policy Del 2 (City Centre) and the principles of the Exchange 2 Masterplan. The proposals would have the potential to deliver a significant contribution towards the area's physical and economic regeneration. However, in order to address the relatively low proportion of floor space allocated specifically for office use, a condition is included, requiring that the details for the allocation of uses at building 02 are reserved for approval.

The proposed scale and massing of the development is considered generally acceptable. However, concerns remain regarding the impact of the proposed building profile at top storey level on the surrounding townscape. A condition is included requiring further details of this element of the proposals, to allow for a more detailed assessment, under the provisions of LDP policy Env 4 (c).

The proposed facade restoration scheme would enhance the retained part of this listed building, in accordance with the relevant provisions of LDP policy Env 4 (Listed Buildings - Alterations and Extensions). These proposals would also accord with the opportunities for the re-use and retention of existing listed buildings, as highlighted in the West End Conservation Area Character Appraisal.

The provisions of a section 75 legal agreement would be required to secure the delivery of the proposed footbridge, the contributions towards junction improvements on Dewar Place and Morrison Street and the road traffic order required to implement the proposed footway works and the provision of a lift at site 01, to ensure suitable accessibility by disabled persons to the proposed footbridge.

Contributions will also be required through the legal agreement, towards the Edinburgh tram network, in accordance with the Council's guidance on Developer Contributions and Infrastructure Delivery.

It is recommended that the Committee approves this application, subject to the above mentioned conditions and requirements of an appropriate legal agreement.

## Links

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[Policies and guidance for this application](#)

LDPP, LDEL02, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES11, LEMP01, LEMP10, LEN01, LEN02, LEN03, LEN04, LEN05, LEN06, LEN07, LEN16, LEN20, LEN21, LEN22, LRET01, LRET02, LRET07, LTRA01, LTRA02, LTRA08, LDEL01, NSG, NSGD02, NSESBB, NSGSTR, NSDCAH, NSLBCA, NSMDV, CRPNEW, CRPWEN,

# Report

## **Application for Planning Permission in Principle 17/02227/PPP**

**At 2 Dewar Place, Edinburgh, EH3 8ED**

**PPP for hotel(s) (Class 7), office (Class 4), retail (Class 1), restaurant(s) (Class 3), pedestrian deck, bridge link + accesses from Western Approach Road, Dewar Place + Canning Street; detailed approval for siting, maximum height & limits of deviation of proposed buildings, partial demolition,+ refurbishment of façade of former electricity station (as amended).**

### **Recommendations**

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1.1 It is recommended that this application be Minded to Grant - Legal Agreement.

### **Background**

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#### **2.1 Site description**

The proposed development site, which covers an area of 1.24 hectares, lies on the south west side of the city centre. The site slopes upwards from north to south, towards Morrison Street, on its Dewar Place frontage.

The site fronts on to the east side of Dewar Place and is flanked to the east by the West Approach Road. The 5 to 6 storey building at Conference House lies immediately south of the site and fronts on to Morrison Street. Existing office buildings including Exchange Tower and Conference Exchange, which front on to Canning Street are located to the north of the site. Planning permission was recently granted for a hotel development on the vacant land opposite the site, on the west side of Dewar Place (application reference 16/00700/FUL).

The site is currently occupied by an existing electrical sub-station with vacant land to the north east. The retained frontage of the electricity company's former offices lines the site frontage on Dewar Place. The only part of this building which is currently retained intact is the three storey, vacant office accommodation, situated at its south west end. The building is category 'B' listed (listed building reference LB47721) (listed 23 March 2001). Two vents from the remaining electricity substation are located on the east side of this building and are to be retained in operation. The northern section of the site is underlain by railway tunnels. On the northern part of the site, the original transformers and switch room are located. These were decommissioned as part of the new substation development.

The boundary of the Old and New Towns of Edinburgh World Heritage Site lies mainly to the north west of the application site, with a small part, containing no buildings, being located within its north east corner.

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

This application site is located within the West End Conservation Area.

## **2.2 Site History**

30 May 2007 and 15 July 2007 - Planning permission and listed building consent granted for demolition of substation building, restoration of Dewar Place façade and construction of a replacement substation facility, podium deck and pavilion space (07/02421/FUL and 07/02421/LBC).

25 February 2010 - The principles of the Exchange 2 Masterplan for Dewar Place were approved by Planning Committee.

19 May 2011 - Planning permission and listed building consent granted for amendments (including revised facade design & removal of roof top restaurant) to planning permission ref: 07/02421/FUL for construction of an electricity substation development. (11/01064/FUL and 11/01064/LBC). The approved works have been mainly implemented.

09 March 2015 - Planning permission granted for reconfiguration of access and erection of external staircase and safety barrier. (15/00354/FUL).

18 May 2017 - application for listed building consent submitted for demolition of original electricity generating station, part demolition and part refurbishment and integration of retained facade into hotel building (17/02228/LBC). This application is currently under consideration.

18 May 2017 - Application for demolition of transformers and switch room building (17/02229/CON). This application is currently under consideration.

### Planning History in respect of adjacent land to west:

6 June 2017 - Planning permission granted for erection of hotel and associated facilities on west side of Dewar Place (16/00700/FUL).

## **Main report**

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### **3.1 Description Of The Proposal**

The application is for planning permission in principle for the development of a mixed use scheme comprising hotel(s) (Class 7), class 4 office building(s), retail (Class 1), restaurant(s) (Class 3), pedestrian deck, and bridge link and accesses from Western Approach Road and Canning Street. The proposals include the details for the siting, maximum height and limits of deviation of the proposed buildings, partial demolition and refurbishment of the façade of the listed former electricity station.

Three buildings are proposed, the largest of which is located on the site of the existing electricity substation at site 01. The building at site 02, immediately to its north east, adjoins the building at site 01 up to podium level. The building at site 03 sits on a smaller site to the north east. It is separated from the remainder of the development by the line of the existing railway tunnels. The current proposals constitute an amended scheme (SCHEME 4), the proposals for which include:

### **Building at site 01**

This building is proposed over the existing electric sub-station podium. It includes some accommodation behind the retained part of the listed building facade, at the south end of the site. The building has six levels above the podium. The maximum AOD level is 94.05 metres. Limits of deviation of the building exterior are included on the rear elevation and at podium level. The podium level contains the main pedestrian links to the proposed bridge over the West Approach Road, from both sides of this building. The gross maximum floor area is 15,100 sq metres. The proposed uses include Class 3 restaurant at ground level and Class 4 business, hotel and/ or class 3 restaurant uses at podium level and Hotel uses at upper levels.

### **Building at site 02**

This building is 10 storeys in height. The maximum AOD level of this building is 94.15 metres.

The proposals include provision for a one metre limit of deviation in both directions, on all elevations apart from the West Approach Road elevation. The gross maximum floor area is 10,930 sq metres. The proposed uses at podium level include hotel reception, retail and food and drink uses. All other floor levels are allocated for either hotel or class 4 office use, with the exact mix of uses proposed for approval under the application for the approval of reserved matters.

### **Building at site 03**

This building is seven levels in height. Its maximum AOD height is 89.60 metres. The proposals include the provision of a one metre limit of deviation in both directions, on both its north, northwest and south sides. The gross maximum floor area is 3,260 sq metres. The proposed uses are retail, food and drink and class 4 office use at ground level and business use at all other floor levels.

### **Works to Listed Building**

The proposals to the retained part of the listed building include:

- Down-taking of interior of remaining three storey office floorspace at the south west corner of the building, to form the hotel entrance lobby at podium level, with reinstated floor plate, providing guest accommodation at upper level.
- Part demolition and retention of slate roof above retained façade at south and west corner of building.
- Installation of glazed doors and surround within section of facade on Dewar Place to form single storey height, hotel entrance.
- Window alterations, including installation of opaque glazing, to blocked up windows on west elevation.
- Alterations at south west corner of building to form new entrance to public route to footbridge over West Approach Road.



### **Vehicular access proposals**

The proposed service access for building 01 is from the existing access on the east side of Dewar Place. The service access to buildings 02 and 03 is from a proposed junction on the north side of the West Approach Road. An existing access to the site from Canning Street, is proposed for access for the disabled drivers' vehicle parking areas, to be accommodated within building 03.

### **Pedestrian/Cycle Access provision**

The proposals include:

- Provision of five metre wide pedestrian and cycle bridge over West Approach Road at podium level, towards Conference Square.
- Formation of pedestrian link at ground level, on northern boundary of site, leading from northwest end of block 1 on Dewar Place, to the public footway at the junction of Canning Street and the West Approach Road to the north east.
- Installation of stairway and cycle chute, with entrance in retained facade of listed building, at its south end, providing access to the podium.
- Provision of an indicative vertical circulation route leading to podium level, between buildings 01 and 02.

Public realm proposals include the provision of indicative areas of soft landscaping and hard surfacing on the shared access route, to the north of the site, as well areas of public realm at podium level, with indicative seating provision, to the north and east of building 01.

## **PREVIOUS SCHEMES**

### **SCHEME 1**

The overall height of proposed building at site 01 was 96.85 metres AOD. The building included one more storey level than currently proposed and the floor area was greater. There was no provision for office use at podium level. The building had a different massing arrangement at top floor levels.

The overall height of building at site 02 was 95.1 metres AOD. 3.35 metres greater than in the final scheme. A proposed separate ground floor level storage unit was proposed, adjacent to block 03.

A three storey glazed entrance was proposed on the south facing, Dewar Place façade of listed building, requiring demolition of full height section of façade. A full height open foyer space was proposed behind the corner of the listed building on its Dewar Place corner façade. The new build hotel was set back by 3.1 metres on its west elevation and 1.7 metres on the south elevation from the building façade.

### **SCHEME 2**

The overall height of building at site 01 reduced by 2.8 metres to 94.05 metres. The height of building at site 02 was reduced to 96.80 metres, as result of loss of original top storey level. A set back on all sides was introduced to building 02 at top floor level. The ground floor unit adjacent to building 03 was removed.

The scale of entrance lobby was reduced from 3 storey to 1 storey. The set back of the new building frontage behind the listed building frontage on Dewar Place was increased to 3.1 metres on both elevations. Integral hotel lounge accommodation was proposed, above the entrance to the public route.

### **SCHEME 3**

The scale and massing of the proposed buildings was identical to that currently proposed. However, the limits of deviation proposed at podium level allowed for more flexible building footprints. Building 02 was allocated for mainly hotel use.

#### **Supporting Documents**

The following documents were submitted in support of this application and are available to view online:

- Pre-Application Consultation (PAC) Report.
- Planning statement.
- Transport Statement and Supplementary Statements 1 and 2.
- Design and Access Statement, and Supplementary Statements 1 and 2.
- Confirmation note on building levels and height.
- Note on estimated use areas.
  
- Flood Risk and Surface Water Management Plan.
- Protected species survey.
- Socio-economic Impact Note and Economic Impact Note.
- Road Safety Audit, update and response.
- Applicant's Summary response to Consultees.
- Applicant's suggested Conditions and Section 75 documents.

Environmental Statement - includes assessment of following impacts:

- Air quality, biodiversity and ecology, cultural heritage and archaeology, daylight and sunlight, electromagnetic fields, flood risk and drainage, ground conditions, noise and vibration, townscape and visual, transport and the economy.
- EIA Supplementary Statements on Cultural Heritage Assessment, Townscape and Visual Impact Assessment.
- Supplementary Photomontages.
- Daylight Study - Dewar Place.

### **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 the proposed development is acceptable and accords with relevant development plan policies;
- b) The impacts on the listed buildings are acceptable;
- c) The layout, massing and height of the proposed development is acceptable;
- d) The proposals for public realm and connectivity are acceptable;
- e) The proposals will preserve and enhance the character of the conservation area;
- f) The proposals would have any adverse impacts on the World Heritage Site;
- g) The proposals adversely affects the amenity of neighbouring occupiers;
- h) There are any adverse roads authority impacts;
- i) There will be an adverse impact on biodiversity;
- j) There are any adverse impacts on archaeology;
- k) The proposal will affect existing infrastructure;
- l) There are any other environmental impacts;
- m) The proposal meets the Council's requirements in respect of sustainability;
- n) Impacts on equalities or human rights impacts and
- o) The matters raised in representations are addressed.

#### **a) Principle of proposed uses**

The site is identified in the Edinburgh Local Development Plan (LDP) as within the City Centre and is subject to the provisions of Policy Del 2 (City Centre). It is also identified in the City Centre Overview Map, as a location where major change is either proposed or anticipated. The requirements in principle for development under LDP Policy Del 2 include:

- a) *Comprehensively designed proposals which maximise the potential of the site in accordance with any relevant development principles, development brief and/or other guidance;*
- b) *A mix of uses appropriate to the location of the site, its accessibility characteristics and the character of the surrounding area; and*
- c) *Where practical, major mixed use developments should provide offices, particularly on upper floors. At street level, other uses may be more appropriate, to maintain city diversity, especially retail vitality on important shopping frontages.*

This policy guides development in the city centre to ensure that proposals provide an appropriate mix of uses and are of high quality of design, taking account of the characteristics of the historic environment. Given the demand for office space in the City Centre and the importance of office jobs to the economy, the policy requires office provision to be included in major, mixed use developments, wherever practical.

As the site is included within the area of the Exchange 2 Masterplan, the proposals also require consideration in terms of their compliance with its general principles, which were supported by the Planning Committee on 25 February 2010. In terms of the mix of uses, the masterplan states:

*the redevelopment will be predominantly led by office (class 4) floor space.* However, it further states that the redevelopment presents an opportunity for a range of complimentary uses, including small scale retail uses, restaurant, café and bar uses, hotel uses and flats.

The proposal to include office space provision, complies in principle with the provisions of LDP policies Del 2 and Emp 1 (Office Development), which also supports high quality office developments in the city centre. The city centre remains the prime location for office development, due to the proximity to other office, service and transport hubs. To meet continuing demand for office space in the city centre, major development opportunities are expected to include significant office provision, and where possible large floor plates, as part of the overall mix of uses. The proposal to include class 4 business use at the site, complies in principle with the provisions of this policy. However, the comparatively limited proportion of such provision requires further consideration in terms of the extent of compliance with these policies.

LDP policy Del 2 allows for provision for other uses, such as the proposed hotel accommodation, providing the overall mix of uses is appropriate to the site's location and characteristics, including accessibility. Hotel use is supported under LDP policy Emp 10 (Hotel Development), where such developments may be required to form part of mixed use schemes, if necessary to maintain diversity and vitality. The application site is situated in close proximity to the Edinburgh Conference Centre and as such, has the potential to provide suitable accommodation at a convenient and accessible location for the conference centre and other local business users.

The proposals to include retail and class 3, food and drink uses, at ground and podium levels, where they are easily accessible to the public, are also supported in principle under LDP policy Del 2. They would have the potential to provide an element of diversity in this area of the city and encourage additional footfall through this area from Conference Square. The complementary uses, including retail establishments are also generally supported under the Masterplan, in order to maintain diversity and vitality. The amenity aspects of such uses are considered in detail in paragraph 3.3) (f).

Residential use, is also encouraged under LDP policy Del 2, at suitable city centre sites to help meet housing need and create strong sustainable communities. However, the applicant's Planning Statement reports that there has been no interest from potential investors in such uses, owing to amenity considerations, associated with the site's proximity to the West Approach Road. It is accepted that any residential development at this location would require care in its design and siting, in order to ensure satisfactory standards of amenity for future occupiers. However, notwithstanding such considerations, the failure to provide any such accommodation within the overall development site, represents a lost opportunity to provide much needed housing accommodation, within this accessible city centre location, where it would help to meet such demand and strengthen the local community.

Whilst the uses proposed partially accord with those sought at city centre locations, under policy Del 2 and other relevant LDP policies, the proposals raise concerns in terms of the appropriateness of the proposed balance of mixes. In particular, with respect to the relatively low level of office provision, in comparison with the overall scale of the development proposed at this prime city centre location, where development would be expected to be office led.

A report to the Economy Committee in November 2016 stated that the office sector of Edinburgh is currently performing strongly in terms of take-up, achieved rents and investor interest. Rising take-up, coupled with a relatively weak development pipeline and the ongoing loss of existing office stock to alternative uses, is placing growing pressure on the supply of office space in Edinburgh, with a particular shortage of grade 'A' office space. This level of demand is demonstrated through a review of recent statistics (source - Ryden), which identify that the available office space in Edinburgh in March 2017 was 1.7 million square feet, the lowest figure on record since 2001, while the take-up in the second quarter of 2017 was over 535,000 square feet, the highest ever recorded quarterly figure. As a result of this shortfall, there remains a need to ensure that where significant opportunities for redevelopment within the city centre arise, they can where 'practicable' provide offices.

In the applicant's supporting information, an explanation is put forward as to why a greater proportion of office development is not proposed, including the technical challenges of providing Grade 'A' offices. The Planning Statement indicates that full cost and viability reviews (not supplied with supporting information) have identified the need for the development to be predominantly focused on hotel provision, partially as a result of site constraints posed by existing infrastructure, including the underlying railway tunnels. The statement concludes that hotel use is the only viable option.

It is estimated that the extent of office space proposed under SCHEME 3, could be expected to directly support between 289 and 470 full time equivalent (FTE) jobs (if fully occupied), giving a median figure of 380 FTE jobs (based on findings of EIA in relation to economic impacts). In comparison, the proposed hotels could be expected to directly support a median total of 330 FTE jobs, depending on whether the proposed hotels are budget or luxury establishments, if fully occupied. The applicant states that both hotels would be for occupation by four star establishments, although this cannot be controlled through the planning process. Further employment opportunities would also arise, through the supporting of jobs in the local economy and in the supply chain.

It is also of note that the office elements in SCHEME 3, would account for an average of approximately 15% of the total gross floor-space delivered, but 53% of the projected employment and 80% of the projected Gross Added Value (GVA). These figures demonstrate the relatively high employment density of office buildings and high average output of the sectors that typically occupy offices, in comparison with the other uses proposed.

The income derived from the tourist industry also makes a strong contribution to the city's economy, which has an annual occupancy rate of 79% for four and five star hotels. The 2016 report on Hotel Supply and Demand reported to CEC Economy Committee stated that there were 46 developments (accounting for 6,339 bedrooms) in the pipeline. Although this figure will now have changed, there are currently a number of hotels under construction or with extant planning permission in the city centre.

In response to concerns raised by the Planning Authority, concerning the modest level of office space provision, the proposals have been amended in SCHEME 4, to include an option for either class 4 office, or hotel use at building 02, with the final use allocation being reserved for approval under the relevant application for approval of reserved matters (AMC). The provision of up to a further 7, 519 m<sup>2</sup> office floor space, through the potential use of the building at site 02 for mainly office use would go a significant way towards providing a more appropriate mix of uses at this site and addressing the related demand for office floor space at this central location, in accordance with both the provisions of LDP policy Del 2 and the aspirations of the Exchange 2 Masterplan

In conclusion, the proposed range of uses complies in general with the requirements of LDP policy DEL 2 (City Centre), Emp 1 (Office development) and Emp 10 (Hotel Development). The proposals in SCHEME 4 for mainly hotel use at building 01, office use at building 03 and the land use reserved at building 02, for either office or hotel use, would allow scope for a mix of uses more closely aligned with the overall objectives of the LDP and the principles of the Exchange 2 Masterplan than the previous schemes and on balance, is considered acceptable.

It is recommended that the land uses of buildings 01 and 03 are approved and the use of building 02 is not approved, but instead is reserved for approval under the relevant AMC application.

## b) Impact on Listed Buildings

The former electricity station headquarters at 2 Dewar Place is a category 'B' listed building (Listed Building reference LB47721) which was built in 1894 to a design by Robert Morham.

The Historic Environment Scotland (HES) listing for this building states that:

*The Electric Light Works former power station was constructed in the Italian palazzo style. In 2017, only the Dewar Place façade of the building remains, this being shored up from the interior and on the roof of the modern electricity sub-station. The windows and other openings onto Dewar Place have been infilled, and some vandalism of the exterior has taken place. The southern wing was built in 1898. It was used as offices and the upper floor contained the company superintendent's house. The ground floor is currently used as office space.*

LDP policy Env 2 (Listed Buildings - Demolition) provides that proposals for the total or substantial demolition of a listed building will be supported only in exceptional circumstances.

The provisions of this policy are not relevant to this application as the majority of the interior of this original listed building has been demolished to make way for the installation of a replacement electricity substation, with a podium above, as approved above under the 2007 and 2011 planning and listed building applications. The only parts of the original listed building which remain, are the listed facade on Dewar Place and its corner return, and the now redundant office accommodation, associated with the former electricity headquarters at the south end of this building, as referred to in the Listed Building description.

The proposals for demolition under the current application relate to the rear elevation of the southern part of this building, and a section of the original roof on Dewar Place frontage, along with its internal floor plates. The original façade would be retained, with the exception of down takings, where new entrances are proposed. These alterations to the listed building fabric are required, in order to allow for the new development above this building and are assessed under the terms of LDP policy Env 4 (Listed Buildings- Alterations and Extensions).

LDP Policy Env 4 seeks to preserve listed buildings, their setting or any features of special architectural or historic interest that they possess. It states that proposals to alter or extend a listed building will be permitted where:

- a) Those alterations or extensions are justified;
- b) There will be no unnecessary damage to historic structures or diminution of its interest; and
- c) Where any additions are in keeping with other parts of the building.

### *i) Proposed Alterations*

The submitted proposals, which include the refurbishment of much of the original slate roof on the former office accommodation, have allowed for the retention of a greater extent of the original building fabric and architectural integrity than previously proposed. The finalised plans allow for a greater appreciation of the three dimensional form, particularly the distinctive corner elements of this building. The proposals for the re-instatement of previously blocked off window openings and other window alterations would enhance the building's character and appearance. Details of the design and materials will be reserved.

The proposals for the formation of a new entrance to the public stairway, leading to podium level and the entrance to the hotel, would result in the loss of some of the remaining listed building fabric. However, these alterations are considered justifiable given their function. These proposals would further serve to animate and enliven this building, enhancing its character and appearance, as well as that of its setting. Details will be required at the approval of reserved matters stage.

### *ii) Proposed Extensions*

The principle of constructing new development above this building was approved under the 2007 and 2011 planning and listed building applications (paragraph 2.2 (Site History)). The indicative illustration, included in the 2010 Masterplan, identified the opportunity for substantial development in this area of the overall masterplan site. However, the building line was set back considerably further from the original facade of the listed building than currently proposed. As a result, it was more respectful of the scale and character of the listed building.

In response to concerns raised regarding the potential impacts on the building's character, the proposed development has been set back further on both elevations. This set back has improved the relationship between the original and proposed new parts of the building. The significantly greater set back proposed at the two top storey levels, provides a visual break in the massing at this height and reduces the impact on the setting of the listed facade. However, the overall bulk of the proposed extension remains significantly closer to the original facade than depicted in the indicative Masterplan option. The extension would require careful consideration, in terms of its design and choice of materials to help mitigate potential adverse impacts. The final detailing will be subject of a condition at the approval of reserved matters stage.

The proposed alterations, including the re-instatement of former windows and formation of public entrances, would enhance aspects of its character and appearance, by activating and enlivening its frontage. The use of the above mentioned conditions, requiring the submission of massing details at top floor level, as well as full design details and materials would allow these aspects to be assessed more fully at AMC stage, in terms of their impacts on the character and appearance of the listed building. The detailed proposals for the extensions will also require assessment under a further application for listed building consent.



### iii) Impact on the setting of neighbouring listed buildings

LDP policy Env 3 provides that development within the curtilage or affecting the setting of a listed building will only be permitted if not detrimental to the appearance or character of the building or its setting.

Over 100 other listed buildings are within 100 metre radius of the site. The findings of the EIA conclude that only two of these buildings would be subject to potentially significant impacts, mainly as a result of their relatively close proximity to the proposed development. These are the category 'A' listed buildings at 109-115 Morrison Street, and the category 'B' listed, former Torphichen Street Education Centre.

109 -115 Morrison Street along with 1-25 Gardner's Crescent, are included in the HES listing (LB ref 28797). These buildings consist of four storey tenement blocks, which are an integral part of the planned Edinburgh New Town. The EIA identifies the effect on these listed buildings as 'slight' and 'minor/moderate' effect. The proposed development would not have a significant adverse impact on their setting, as this listed block is separated from the application site by the neighbouring office building at Conference House, which would partially block views of the proposed development.

The Torphichen Street Education Centre is described in the HES listing, as a two to three storey symmetrical school in classical style, designed by Robert Wilson in 1887. The predicted effects in relation to this building are described as 'slight' and 'minor'. It is clear that the proposed development would have some impacts on the setting of this listed building, by reason of its scale and proximity to this relatively modest sized building. However, the relationship with this neighbouring listed building will be largely altered by the siting of the proposed hotel, on the opposite side of Torphichen Street. The resulting effects of the proposed development on this building's setting would not be significant.

The visual representations included in the Townscape and Visual Impact Assessment have highlighted some potential adverse impacts on the setting of the Category 'A' listed buildings, in the wider area, including at Melville Crescent/ Walker Street, as a result of the profile of the new building rising above the roofline of these listed buildings.

The potential for adverse impacts is also found in relation to longer distant views of Edinburgh Castle, as a result of the building massing. These impacts are considered in more detail in paragraphs 3.3 (c) (Layout, Height and Massing) and 3.3 (e) (Conservation Areas).

#### (c) Layout, Height and Massing

##### i) *Layout*

LDP policy Des 2 (Co-ordinated Development) promotes a comprehensive approach to redevelopment and regeneration, wherever possible, and the preparation of masterplans, to identify the full design potential for creating successful places.

In terms of siting considerations, the supporting documents explain that the layout of the development is constrained by the existing infrastructure and structural limitations above the podium and the workings of the underlying substation, as identified in the Exchange 2 Masterplan. The layout of the development is further restricted, in comparison with the original Masterplan site, through the loss of the plot to the northwest, at the corner with Torphichen Street, where a hotel development has been approved and Conference House to the south.

The proposed development above the electricity station podium reinforces the existing building line and plot width on Dewar Place, with its increased height and massing taking reference from taller, contemporary buildings to the east, in the Exchange district. The proposed replacement of the redundant electricity equipment and vacant land, with the new development at building 02, would establish a stronger frontage on this main approach road and strengthen its urban character, as encouraged in the Edinburgh Design Guidance. The breaks in massing between buildings 01 and 02 at podium level allow for visual relief on the West Approach Road, whilst also providing for new access routes from the proposed footbridge.

The proposals to form new pedestrian and cycle access routes and associated areas of public realm, would also allow for connections through the wider area, improving coherence with in this currently disconnected urban area, in accordance with the provisions of LDP policy Des 2.

#### ii) *Heights, Massing and Views*

LDP policy Des 4 (Development Design - Impact on Setting, states that planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form, scale and proportions, including the spaces between buildings, position of buildings and other features and materials and detailing.

The existing building at the site sits lower than the general height of development in the surrounding area. The drop in ground levels on the site frontage highlights its relatively low profile, in comparison with the more modern townscape to the east.

The Design and Access Statement states that the proposals take full account of the principles of the Exchange 2 Masterplan, in relation to Heights Massing Vistas and Views. Development Principle 6 - Height and Massing, states that development will be of a scale and mass that relates to the characteristic general height of the immediate locality and respects the location of the site between the historic fabric of tenement buildings and the Exchange District. The Masterplan further provides that the development should respect key views and give special consideration to the edge of the World Heritage Site.

The approach identified in the Masterplan 'preferred option' was for buildings to be stepped down behind the Dewar Place frontage and on the site's edges to south and northeast corner, where it borders on to more traditional lower rise development. The indicative massing Masterplan layout also depicts much higher rise development where it borders the West Approach Road and the modern office blocks. The maximum heights specified in the Masterplan are approximately 79 - 87 metres on the Dewar Place frontage and 93 to 97 metres, next to the West Approach Road and 84 metres to the north east where building 03 is proposed.

The proposed building height of approximately 94 metres at buildings 01 and 02, next to the West Approach Road, accords with the Masterplan height guidance. The proposed height of the frontage on Dewar Place at 87 metres falls just within the upper limit for this location. At approximately 90 metres, the proposed building at site 03 is 6 metres taller than that portrayed in the Masterplan options.

Overall the building massing and heights follow the general Masterplan principle in relation to heights and massing. The maximum height is also significantly lower than the neighbouring Conference House, respecting its setting as a local landmark building. Furthermore, it is somewhat lower than the office building at Exchange Tower, to the north, which as noted in the West End Conservation Area Character Appraisal as an incongruous feature in the townscape.

### iii) *Assessment of impacts on views*

A views analysis study across the city was undertaken in conjunction with the masterplan, to identify and assess the impact which development may have on the landmark features that make up the iconic image of the city. The findings of a views analysis, helped inform the maximum heights and indicative layout identified in the Masterplan. This approach reflects the general provisions of LDP policy Des 11 (Tall Buildings - Skyline and Views) which provides that planning permission will only be granted for development which rises above the building height prevailing generally in the surrounding area where:

- a) a landmark is to be created that enhances the skyline and surrounding townscape and is justified by the proposed use.*
- b) the scale of the building is appropriate in its context.*
- c) there would be no adverse impact on important views of landmark buildings, the historic skyline, landscape features in the urban area or the landscape setting of the city.*

The Townscape and Visual Impact Analysis (TVIA) prepared as part of the EIA process relating to the current application includes over 25 viewpoints for consideration. The conclusions stated in the TVIA are that the development is of a height and scale similar to existing developments in this densely built up city centre location.

The Design and Access Statement details the measures intended to mitigate the potential for adverse effects on the townscape, including the introduction of a facade veneer, to provide variation in transparency, depth, rhythm, roofline articulation and materials. It is not possible to assess the potential benefits of facade treatment, or more detailed building profile design under the scope of the current application, or to rely on such mitigating impacts, as these are matters which would require full assessment under the relevant application for the approval of matters reserved by conditions.

The proposed massing plans have been revised to take account of some of the adverse impacts found in the TVIA, in previous schemes. These revisions have been beneficial in bringing about an improvement on adverse impacts originally found on a number of views. These improvements include a reduction in the extent of exposed roofscape, visible above Exchange Crescent, when viewed from Edinburgh Castle (viewpoint 16).

In the viewpoints from Rutland Street/ Rutland Square (TVIA viewpoints 26 and 28), the reduction in height achieved through the amended scheme, which includes one storey less of accommodation at building 03, has reduced the impact on the setting of the category 'A' listed buildings on this New Town Square. The proposed building continues to rise above the planned form of the lower rise, listed buildings on the northwest side of this Square. However, it is accepted that this impact does not detract to a significant extent from the setting of these listed buildings, or the character and appearance of the conservation area.

The finalised proposals nevertheless continue to give rise to concerns, in terms of the impacts of the proposed height, massing and siting of the development on the historic townscape from some aspects, as referred to elsewhere in this report.

In views of Edinburgh Castle and its rock, from Corstorphine Road, the massing and alignment of these buildings creates a continuous plinth-like form of development, lacking articulation. Although the finalised proposals no longer block views of the Castle Rock, its significant scale and strong horizontal alignment competes with the scale of the castle, its rock and views of these key landmark features. A similarly uncharacteristically strong horizontal profile is created by buildings 01 and 02 from this aspect, as found in views of Arthurs Seat from the public footpath on Corstorphine Hill (view point 24). These detrimental impacts, would not be sufficiently mitigated, through a variation in façade treatment. However, as indicated in par 3.3 (Listed Buildings), the use of an appropriate planning condition, requiring that the massing and heights of the top storey level of buildings 01 and 02 are reserved for approval under the relevant AMC application, would allow for such detrimental impacts to be overcome, through careful articulation at this level.

Furthermore, the horizontal massing of the development profile, conspicuous in views from Walker Street/ Melville Crescent (viewpoint 15), continues to impact on the setting of the New Town Conservation Area, by rising above the roofline of the category 'A' terrace of listed buildings on Melville Crescent and weakening the essential character of the Western New Town. However, this adverse impact could be mitigated through a refinement of building massing at top floor level. The above mentioned planning condition would allow for the further consideration of this matter at AMC stage, to ensure that such impacts are suitably addressed.

The proposals for height and massing, accord in part with the recommendations of the Edinburgh Urban Design Panel which state that consideration should be given to: *The potential impacts upon short and distant views as a result of the height of the proposed buildings.* However, as demonstrated through an understanding of the findings of the relevant TVIA, some adverse impacts would remain. These impacts may be overcome, through the use of the above condition.

In conclusion, the proposed layout of the development would result in many positive impacts on the local townscape and character, through the restoration of the existing facade and the strengthening of the existing building line and massing on this street frontage, in accordance with the provisions of LDP policy Des 4. The taller built form on the West Approach Road frontage, would also have positive impacts by reinforcing and enhancing the urban character, on this currently broken frontage. The proposals for the upgrading of the pedestrian environment would further enhance the area's character and help knit together the built form at this currently fragmented location.

The assessment of the resulting impacts of the proposed scale and massing of the development on the historic environment and skyline is further considered in paragraph 3.3 (c) (Conservation Areas) and 3.3 (f) World Heritage Site).

#### d) Connectivity and Public Realm

The proposals require assessment in terms of their compliance with the provisions of LDP Policy Des 7 (Landscape Layout).

The site is located between three different block configuration of different eras and patterns, as well as several disconnected areas of public open space, including Festival Square and Conference Square, and the green spaces on Rutland Square and Gardners Crescent. The Masterplan notes that the site currently serves as an island, with the large massing of the electricity buildings, and its mainly dead frontage blocking pedestrian access routes in most directions.

Under Principle DP 3 (Permeability) of the Masterplan, one of the main objectives was to provide the missing pedestrian link to and from Conference Square, across the West Approach Road, to and from the east and west, to Dewar Place. This link would connect the Exchange District at Lothian Road and Festival Square, to the Haymarket transport interchange.

Under the related Masterplan Principle DP 4, good quality public realm, alongside the improved permeability of the site, was seen as critical to the success of future development proposals. These routes and the related sequences of public spaces were noted as requiring to be welcoming, attractive and distinguishable, in order to efficiently guide people through the site. The wide spanned deck structure, together with the building layout shown on the indicative masterplan layout, provided for relatively direct access through the site from Conference Square, whilst at the same time, facilitating access to the north and south.

The five metre wide bridge currently proposed over the West Approach Road is significantly narrower than the widespan deck access route proposed under the 2008 Masterplan and does not provide the same scope and flexibility for pedestrian and cycle access provision across the site. However, it meets the requirements of the Council as Roads Authority, in terms of safety standards. This proposal would facilitate a new link to and from Conference Square, and contribute towards meeting relevant Masterplan objectives regarding improving permeability and pedestrian connectivity through the West End and Exchange District.

Notwithstanding the above, a number of potential limitations have been identified, in terms of the proposed overall arrangements for improving local pedestrian and cycle access provision and the public realm. The proposed bridge leads pedestrians and cycle traffic to a relatively modest area of public realm, facing onto the rear elevation of the proposed new building, with two routes leading to the stairs or the lift(s) at the north and south ends of building 01. The width of these routes initially gave cause for concern in terms of the quality of environment they would provide. However, provision for a minimum width of 5.3 metres and 3.5 metres on the respective north and south routes is included in the finalised plans, which would ensure reasonable standards of safety and amenity.

The proposed public stairway at the south west corner of building 01, leading to the bridge at podium level has a clear and legible entrance, leading from the retained listed building facade, which should encourage its usage. The provision of a chute for cyclists, would go some way towards addressing needs for improving cycle linkages in this area. However, the proposals include less advantageous arrangements for disabled persons and those with prams, who would be dependent on the use of a lift situated within the proposed hotel foyer. The applicant has stated that the lift would be kept available for public access. As there are no formal plans for the proposed lift, which is indicative only at this stage, an appropriate legal agreement is required, to ensure the inclusion of this lift at AMC stage and its provision on site, along with any operational requirements.

No details are provided regarding the form of the alternative vertical circulation route at the north end of building 01, or its potential contribution towards access inclusive arrangements. A condition is therefore included, requiring the provision of relevant details for assessment under the AMC application.

The 1.8 metre wide entrance proposed on the east to west pedestrian and cycle route, running from the north end of the electricity station building on Dewar Place to Canning Street, is inconspicuous and unwelcoming. The presence of a high wall on the boundary with neighbouring office premises, also screens the start of this route from view and exposes pedestrians to potential security risks. This route fails to meet the full provisions of LDP policy Des 7, as it is not sufficiently overlooked and raises concerns regarding safety in this respect. The owners of neighbouring land, to the north of the site, expressed interest during the consultation process, in participating in proposals to improve pedestrian access in this area. Although such arrangements are not part of the current proposals, their future implementation would not be prejudiced, as a result of the current proposals. This potential opportunity could result in greater improvements to local accessibility.

At the meeting of the Edinburgh Access Panel on 7 December 2017, the Panel expressed concerns regarding the following aspects of this proposal:

- Unclear and potentially inconvenient facilities for the proposed disabled access provision to the pedestrian footbridge.
- the potential for conflict between pedestrian and cycle traffic provision on the proposed footbridge and opportunity for the segregation of pedestrian and cycle access provision on this route.
- Need for the dedicated lift for disabled persons accessing the footbridge to be located at an easily accessible and conspicuous location.
- Requirement for clear signage, directing pedestrians to the lift facilities or alternative facilities, in the event that the lift is out of operation.
- Need for contingency plans, in the event that the proposed lift is out of operation, owing to maintenance issues.

It is confirmed that the footbridge would be wide enough to safely accommodate both pedestrian and cyclists and would meet with the requirements of the Council as Roads Authority. It is also confirmed that it would be possible to accommodate a bridge of an appropriate gradient within the allocated site.

Other proposals for improving pedestrian and cycle access provision, including the provision of a new signalised junction at Canning Street, close to the junction with the West Approach Road and the realignment of the junction of Dewar Place with Torphichen Street, to provide greater priority for pedestrians, are considered in paragraph 3.3 (h) (Roads Authority Issues). These provisions are generally supported by the Access Panel.

However, the proposals to install a taxi layby facility, occupying part of the public footway on Dewar Place are not acceptable in terms of pedestrian safety, as they would cause a significant impediment to pedestrian safety and convenience on the already narrow footway. A condition, requiring the removal of this layby and widening of the public footway on the east side of Dewar Place is necessary. These public realm improvements would provide a safer pedestrian environment, which makes provision for the additional footfall generated, as a result of the occupation of the proposed development, including the pedestrian footbridge.

The changes to the site area have limited the opportunities to improve permeability and connectivity to the wider area for both pedestrians and cyclists. Nevertheless, the proposals go some way towards addressing the terms of policy Des 7 (Layout Design), and principles of the Masterplan, in terms of providing safe and convenient access in and around the development site and providing connections with other networks, most notably the link with Conference Square. The shortcomings identified with respect to providing safety and convenience and meeting the needs of disabled people can be given further consideration, through a clause in the legal agreement.

## Public Realm

The potential of the development to make a significant contribution towards public realm improvements are restricted, in comparison with that illustrated in the original Masterplan, owing to the reduced site area available and width of the bridge structure in comparison with the indicative deck structure. The reduced area of public realm available at podium level, will inevitably effect its quality, in terms of standards of sunlight provision and potential landscaping enhancements.

The main area of public realm at podium level, where access is provided to the proposed bridge structure, would encourage pedestrians and cyclists to use this connection with Conference Square, improving local accessibility and activity levels. The provision of retail and food and drink uses at this level has the potential to further encourage such usage, in accordance with the Masterplan objectives. A condition is included, requiring further details of the hard and soft landscaping proposals, including public seating facilities and an external lighting scheme. Details of the measures proposed to mitigate potential impacts of noise disturbance and air quality, as a result of traffic levels on the West Approach Road, will also be required under the terms of this condition. The proposals for pedestrian and cycle access improvements and public realm partially accord with the recommendations of the Edinburgh Design Panel, which seeks:

*The development of a legible pedestrian route through the site, to link Dewar Place with Conference Square.*

In conclusion, the proposals have the potential to result in significant improvements to the public realm in this area, in accordance with the provisions of LDP policy Des 8 (Public Realm and Landscape). However, as the application is in principle only, conditions are required, providing for full details of the proposals, for assessment under the relevant AMC application.

### (e) Impact on Conservation Areas

The application site is situated at the western side of the West End Conservation Area. The north east boundary of the application site lies adjacent to the south west boundary of the New Town Conservation Area and the Old and New Towns of Edinburgh World Heritage Site.

The proposals require assessment in terms of their alignment with LDP Policy Env 6 (Conservation Areas - Development) which provides for the preserving or enhancement of the special character or appearance of conservation areas.

The outcomes of the Environmental Statement are that the proposed development would have no significant direct effects on the Edinburgh New Town Conservation Area, but could potentially have Minor/Moderate Adverse direct and indirect effects on Edinburgh West End Conservation Area.



## **Extract from the West End Conservation Area Character Appraisal:**

*The West End Conservation Area is a large diverse area with a rich mix of historical periods and stages of development... It lies on a gentle north facing slope, with the Western boundary abutting the World Heritage Site and the New Town Conservation Area boundaries. The eastern boundary abuts the Old Town Conservation Area boundary.*

The application site is located at a transitional location in the Western part of this conservation area, close to the boundary with the Central part to the north, which as the Character Appraisal states:

*is more characteristic of big city commercial districts which are untypical in an Edinburgh City Centre context.*

In relation to the application site specifically, the Character Appraisal states:

*At the rear of Canning Street, there are electricity sub stations, which through the use of lighting have been turned into 'public art'. These buildings, while overlooking the streets at ground floor level, do not provide activity and hence the streets have a feeling of emptiness.*

*The former electricity station offices and depot is also listed as one of three buildings of interest in this part of the conservation area, as is Conference House, a late 90s office building perched on the bridge next to the International Conference Centre overlooking the West Approach Road.*

The proposals to integrate much of the existing facade and the corner elements, including the roof and turret of the category 'B' listed, electricity substation, which is identified as a building of interest in the conservation area, accords with the objectives of the character appraisal and in this respect would realise the opportunity to enhance the conservation area through the re-use and respective animation of this building.

The retention of this distinctive facade and other remaining external elements of the building at this prominent corner location, would allow it to continue to make an important contribution to the area's character and sense of place, in accordance with the objectives of LDP policy Des 3 (Incorporating and Enhancing Existing Features). The proposed listed building retention scheme generally accords with Masterplan principle DP 5 Townscape/Heritage.

As this is a PPP application, insufficient information is available at this stage to fully assess the impacts of the proposed listed building extension on the character of the remaining listed building and the contribution it makes to the identity of the conservation area. However, such potential impacts must be balanced against the overall benefits of the proposals, in terms of facade refurbishment, improvements to the public realm and permeability, and occupation of the site for economically beneficially uses. These proposals would also accord with the opportunity identified in the Character Appraisal:

*to strike a balance between the Council's strong conservation and heritage policies and those policies to maintain the City Centre as a viable economic entity, allowing the area to respond to the challenges of a capital city centre.*

**Extract from the New Town Conservation Area Character Appraisal:**

*The Conservation Area is typified by formal plan layouts, spacious stone built terraces, broad streets and an overall classical elegance. The majority of buildings are of a standard type that expresses Georgian ideals of urban living.*

*The planned formal gardens throughout the Conservation Area introduce punctuation, emphasise views and provide amenity space within the discipline of the grid layouts.*

*Views and vistas were an important element in eighteenth century design and town planning, and the area has a variety of notable views. The New Town exploits the topography and the value of views both within and out from it to maximum effect.*

*The historic plan forms allied to the dramatic topography results in important terminated and long vistas and landmark features that respond to the changes in level.*

*Within the grid layouts, terminated vistas have been planned, using churches, monuments, buildings and civic statuary, resulting in an abundance of landmark buildings. The generally uniform heights of the New Town ensure that the skyline is distinct and punctuated only by church spires, steeples and monuments. The uniformity of building heights, allied to the wide use of formal gardens within the grid layouts, provides a background against which important features stand out and allows views across the city to be appreciated.*

As referred to in paragraph 3.3 (c) (Layout, Height and Massing), the proposals are found to introduce a distinctive horizontal form, which rises above the roof line of the category 'A' listed New Town terrace, in views of the proposed development from Walker Street/ Melville Crescent. This aspect of the proposals would impact on the role played by the West End Conservation Area, in terms of serving as a buffer zone, to protect the setting of the Old and New Towns of Edinburgh World Heritage Site. The use of a condition, reserving details of the massing and floor plates of buildings 01 and 02 for consideration at AMC stage is included, to protect against such potential adverse impacts.

In conclusion, the proposals to retain and refurbish the existing listed building facade would enhance the character and appearance of the West End Conservation Area, in accordance with the provisions of LDP policy Env 6. The proposed new development above this building, at this prominent corner location would result in some adverse impacts on the character and presence of the remaining listed facade and the contribution it makes towards the character and appearance of this conservation area. However, on balance it is considered that such adverse impacts are outweighed by the beneficial impacts of the proposals, in terms of the proposed refurbishment and animation of the building through its use for economically beneficial purposes and related benefits to this area, in terms of improved activity and connectivity levels.

The impacts on the New Town Conservation Area in terms of the effect on views above the listed terrace on Melville Crescent, would be addressed through the use of a condition, relating to the massing of floor plates of buildings 01 and 02, at top storey level, as referred to above.

f) Impact on Old and New Towns of Edinburgh World Heritage Site

The boundary of the Old and New Towns of Edinburgh World Heritage Site (WHS) lies immediately to the north west of the application site, with a small section of public road falling within the site boundary. Whilst there is no development within this section of the site, which would have a direct impact on the World Heritage Site, the proximity of a development of this scale requires careful assessment, in terms of its potential impacts on the Site's Outstanding Universal Values. The WHS is protected by the conservation areas that lie within and overlap its boundary, as stated in the West End Conservation Area Character Appraisal. Furthermore, Principle 6 of the Exchange 2 Masterplan - Height and Massing, Vistas and Views states that:

'Special consideration must be given to the impact of the development onto the surrounding 18th and 19th century fabric, especially along the edge of the World Heritage Site'.

LDP Policy ENV 1 (World Heritage Sites) states that:

*Development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh and/or the Forth Bridge as World Heritage Sites or would have a detrimental impact on a Site's setting will not be permitted.*

*This policy requires development to respect and protect the outstanding universal value (OUV) of the World Heritage Sites and their settings. Setting may include sites in the immediate vicinity, viewpoints identified in the key views study and prominent landscape features throughout the city.*

In the case of the Old and New Towns of Edinburgh World Heritage Site, the Statement of Outstanding Universal Values identifies the following broad qualities:

- i) *The finest neo-classical revival buildings in Europe.*
- ii) *The integration of the New Town / classical architecture with the landscape.*
- iii) *Planned alignment leading to spectacular views and panoramas.*
- iv) *The remarkably consistent and coherent entity.*

In relation to criteria ii) and iii) it is demonstrated through an understanding of the TVIA findings, that the proposals would affect views of Edinburgh Castle and its Rock from Corstorphine Road. The impact on this key view would have the potential to impact on the setting of the World Heritage Site from this main approach to the city centre. These impacts demonstrate that the proposals in their current form, do not fully meet the requirements of LDP policy Des 11 - Tall buildings, in terms of safeguarding views of the Old and New Towns of Edinburgh World Heritage Site, or the provisions of principle 6 the Exchange 2 Masterplan, in terms of Height and Massing, Vistas and Views. However, as referred to in paragraph 3.3 (b) (Listed Buildings), such potential adverse impacts could be controlled through the use of a condition, reserving the massing of the top floor levels of buildings 01 and 02.

The impact on the view from Walker Street/ Melville Crescent, as referred to in paragraph 3.3 (e) (Conservation Areas), also demonstrates that the proposals have the potential to damage the setting of these category 'A' listed, New Town Buildings and have a detrimental impact on the Site's setting, contrary to the provisions of LDP policy Env 1 (World Heritage Sites). However, this impact would also be addressed through the use of the above-mentioned condition, thereby preventing any undue harm to the OUV of the Old and New Towns of Edinburgh World Heritage Site.

#### g) Impact on Neighbouring Amenity

The proposals require assessment in terms of their compliance with the provisions of LDP Policy Des 5 (Development Design -Amenity) which provides for the safeguarding of amenity standards of neighbouring occupiers, as well as providing for acceptable amenity levels for future occupiers. The closest residential properties to the site are the flats within the tenement building on the opposite side of Dewar Place.

The applicant's noise impact assessment identifies the most significant external sources of noise and vibration are from road traffic, the existing substation, and from the network rail underground rail line and ventilation shaft. This assessment identifies that mitigation measures will be required. A detailed noise and vibration assessment would be required under any relevant application for approval of matters reserved by condition (AMC), as insufficient information is currently available at this stage, to allow for such an assessment.

The application site is located close to the City Centre Air Quality Management Area. Environmental Protection has advised that the form and location of the development has the potential to create a canyon like frontage onto the West Approach Road. However, it is advised that providing sufficient open space is retained on either side of the proposed building at site 03, as indicated on the proposed plans, such impacts should not be significant, particularly given the lack of residential properties on the West Approach Road.

Other potential sources of impact on local air quality arising from existing plant and equipment on site are the extracts from the substation, the ventilation shaft serving the rail tunnel and the emissions from the emergency generator at the substation. The proposed development will require the existing flue of the emergency generator to be moved. Details relating to the relocation of this flue, which would be subject to only occasional usage, would be required at the AMC stage.

The ventilation extracts from the substation are solely for cooling and air ventilation and do not represent a source of air pollution. It has also been confirmed that the ventilation shaft which serves the railway tunnel will not impact on local air quality, as it will be fitted with a removable cap, as part of the development proposals and will only be used to allow access to Network Rail equipment.

Conditions are included, requiring details of proposed cooking odour ventilation equipment, dust mitigation measures, under the relevant AMC application.

Given the proximity of the site to the Air Quality Management Area and the potential for significant use of taxis serving the proposed hotel uses, the provision of an EV charge point has been recommended by Environmental Protection. An informative is included, recommending the provision of such a facility, as an appropriate mitigation measure.

A number of concerns have been raised by neighbouring occupiers regarding the potential impacts of construction noise and disturbance arising from the development. Such impacts are generally enforced by Environmental Protection, under the Control of Pollution Act. Informatives are included, advising the applicant of measures to be taken to ensure such impacts are minimised. It is expected that the measures recommended relating to the control of dust emissions would be included at the AMC stage of the application.

A daylighting study has been carried out by the applicant in relation to the tenement building on the opposite side of Dewar Place. The results have indicated that there would be an impact on daylighting to certain residential properties on Dewar Place. However, the study concluded that the reduction in daylight would fall within the limits permitted in the Edinburgh Design Guidance.

In conclusion, on the basis of information submitted at this stage, there are no adverse impacts identified, which could not be addressed through the use of appropriate planning conditions, requiring the submission of further information and any relevant mitigation measures, where required.

#### h) Road Safety Issues

The applicants have stated their commitment to provide a number of changes to local road junctions to improve safety for pedestrians and cyclists. These commitments are included in the applicant's supplement to the Transport Statement.

The provision of a new signalised pedestrian crossing is proposed at the Canning Street arm of the Canning Street/ West Approach Road junction. This work will require the design and refurbishment of the entire junction. The implementation of these works, which the applicant proposes to undertake directly, would be secured through the use of an appropriate planning condition under the relevant AMC application.

The need for footway and pedestrian crossing improvements at the corner of Dewar Place with Torphichen Street, has been recognised in the Transport Statement update. Such improvements would provide greater priority for pedestrians and cyclists. A suitable planning condition will be required to ensure that full details of the above works are submitted for approval under the relevant AMC application.

The applicant has further agreed to make a contribution of £147,000 towards improvements at the Dewar Place and Morrison Street junction, as part of the Council's wider strategy for improving the pedestrian environment in this area of the city. These commitments are included in the supplement to the Transport Statement. This contribution would be secured under a relevant legal agreement.

A condition is also proposed requiring full details of the dimensions, positioning design and materials to be used in the construction of the proposed pedestrian and cycle bridge over the West Approach Road, as well as details of other pedestrian and cycle routes through the development site under the relevant AMC application.

A condition is further included requiring full details for the phasing programme for the implementation of improvements affecting the public footway and highway and related public realm works.

Members of the Edinburgh Access Panel have generally welcomed the changes proposed to the pedestrian access on the road network, including the proposed pedestrian crossing improvements at road junctions.

These proposals would make a significant contribution towards improving the pedestrian and cycle network and securing greater connectivity through this currently relatively isolated part of the city centre. Such measures are in accordance with both the provisions of relevant development plan policy and the principles of the 2010 Masterplan.

The proposed level of vehicle parking provision, which constitutes just 5 spaces for disabled drivers, complies with the Council's parking standards, for this city centre location. Full details of the proposed vehicle parking layout, and details of the location, numbers and design of cycle parking facilities, are required by condition, to ensure that such facilities meet the requirements of the Edinburgh Design Guidance.

#### i) Biodiversity

A nocturnal survey and a day survey have been undertaken. Evidence of passing bats was recorded but no bat roosts were identified. No further surveys are therefore required.

The proposals comply with LDP policy Env 16 (Species Protection).

#### j) Archaeology

The site is identified by the City Archaeologist as being located within an area of archaeological significance. A condition is therefore recommended, requiring the undertaking of archaeological works, in accordance with a written scheme of investigation (including excavations, analysis, reporting and implementation), to be submitted by the applicant and approved by the Head of Planning and Transport.

#### k) Infrastructure requirements

The application site is located in tram contribution zone 1, as identified in the Council's Draft Supplementary Guidance on Developer Contributions and Infrastructure Delivery 2018.

A tram contribution is required, the total contribution of which is £2,519,121 (maximum). This total figure is based on the occupation of the building for the following uses:

Hotel at building 01 (300 bedrooms) accrues a sum of £902,609

Hotel at building 02 (250 bedrooms) accrues a sum of £752,174  
Class 3 total - accrues a sum of £531,328  
Net Office -  $(1,295\text{m}^2 + 3,260\text{m}^2) - 944\text{m}^2 = 3,611\text{m}^2$  equals £333,010  
(Existing office use of 944m<sup>2</sup> is deducted from the sum of the proposed office use.)

This sum would require to be indexed as appropriate and the use period to be 10 years from date of payment.

The proposed values for office and class 1 and 3 uses are based on the uses which would attract the maximum values supplied by the applicant and may be subject to change upon AMC application. Block 2 may alternatively be occupied as offices in place of the hotel; and in this instance appropriate tram contribution based on the current guidance will apply.

### (I) Other Environmental Considerations

#### *Railway Issues*

Network Rail has advised there should be no additional loading bearing on the rail tunnel, as a result of the proposed works and that all works adjacent to and above the tunnels must be subject to agreement with Network Rail, prior to works commencing on site. Network Rail has further advised that the demolition of any buildings or structures close to the railway infrastructure must be carried out in accordance with a method statement, to be approved by Network Rail, prior to the commencement of work.

Approval of Network Rail will also be required prior to works commencing, for all works involving changes to ground levels, foundations and operational plant in proximity to the railway tunnels. An informative will be required, advising of these requirements and restrictions.

#### *Drainage and Sewage Treatment Issues*

Scottish Water (SW) has advised that there is currently insufficient capacity in the Edinburgh Waste Water Treatment works to service this development. The applicant has confirmed that a pre-development enquiry form has been submitted to Scottish Water to allow SW to carry out a full appraisal of the proposals. SW has not issued a full response to date and has advised it will carry out a further review of the availability of capacity within the treatment works once full planning permission has been granted.

The applicant has submitted a surface water management plan and flood risk assessment, in accordance with the Council's agreed self-assessment procedures. The proposals for sustainable urban drainage systems, include the use of permeable paving and underground storage tanks. This information is considered acceptable for the purposes of the planning permission in principle. The use of a condition will require further details of these proposals in relation to the detailed scheme at AMC stage.

The proposed means of discharging surplus surface water is via the combined public sewer. Scottish Water has advised that it does not normally accept surface water connections to the combined sewer, except in limited circumstances at brownfield sites. The applicant has responded to this advice by contacting Scottish Water, to present evidence, supporting their case. It is understood that Scottish Water has not yet issued a formal response on this matter. Further details regarding such arrangements would require to be submitted by means of a condition at the next stage in the application process.

### *Ground Conditions*

A ground conditions survey will be required in order to identify any potential contaminants present at this brownfield site and any remedial measures required to ensure that the site is brought up to a standard suitable for its proposed uses.

### *Electromagnetic Radiation*

The applicant has also confirmed that efficient shielding of the electromagnetic fields associated with the existing substation will be provided, to meet the guidelines of the International Commission on Non Ionising Radiation Protection. The electric and magnetic field levels associated with the type and design of the new substation ensures that EMF levels are well within the International Commission on Non Ionising Radiation Protection Guidelines, not only for occupational exposure but also exposure to members of the public.

### (m) Sustainability

The applicant has submitted a sustainability statement in support of the application. As a brownfield site, located within the boundary of the Exchange 2 Masterplan, the site is positioned at a sustainable location.

The proposal has been classed as a major development and has been assessed against Part B of the standards set out in the Edinburgh Design Guidance. The points achieved against the essential criteria are set out in the table below:

<b>Essential Criteria</b>	<b>Available</b>	<b>Achieved</b>
Section 1: Energy Needs	20	20
Section 2: Water Conservation	10	10
Section 3: Surface Water run-off	10	10
Section 4: Recycling	10	10
Section 5: Materials	30	30
<b>Total Points</b>	<b>80</b>	<b>80</b>

This application is for planning permission in principle. Certain details, such as the location low carbon equipment is not marked on the plans but will be identified in the relevant planning application for the approval of matters reserved by condition. Other details such as the position of recycling facilities and the specifications regarding the use of sustainable materials are also unavailable at this stage, but would be expected to come forward at the next stage of the planning application process.



## Desirable Elements

In addition, the applicant has given a commitment towards the inclusion of additional sustainability measures, described as desirable elements. The additional measures include the use of high efficiency air source heat pumps for room heating and hot water supplies and the use of roof mounted photovoltaic panels.

### n) Equalities and Human Rights Issues

An Equalities and Human Rights Assessment has been undertaken in relation to this application, a summary of which is included on the online records for this application.

The main findings in terms of Equalities and Human Rights are:

#### Impacts on Rights

The proposals to improve pedestrian and cycle access facilities through this area of the city will benefit the community as a whole, by encouraging use of sustainable transport modes, with its related benefits to public health and well-being.

The undertaking of the related building works in close proximity to neighbouring occupiers would have the potential to impact negatively on occupiers' standard of living for a temporary period. However, such impacts would be controlled under separate legislation. The use of conditions, requiring further noise surveys, full ventilation details and suitable mitigation measures at AMC stage, would allow for the control of noise disturbance and other emissions, arising from the proposed uses once operational. This would protect living standards in the longer term.

#### Impacts on Equalities

The proposals would improve accessibility through the area for the general public. However, as noted by the Edinburgh Access Panel, the provisions for access for disabled people to the pedestrian and cycle footbridge are not as convenient, or clearly positioned as the proposed stairway for use by the general public. This limitation may in turn reduce the benefits to health and wellbeing, in comparison with those potentially delivered to the community as a whole, through the proposals.

A schedule to include hours of operation for the proposed dedicated DDA compliant lift, is proposed for inclusion in the relevant legal agreement, to ensure that such facilities are made available at all reasonable hours, thereby maximising the benefits of accessibility for all. These provisions are considered acceptable given the site's constraints and overall improvements to accessibility in comparison with the existing situation.

### o) Representations

#### **Material Representations - Comments in Support**

- Improvement of public realm and pedestrian links - this is addressed in paragraph 3.3 (d) and it is found that the proposals would result in such improvement;

- Support for provision of a new footbridge- such provision is supported as addressed in paragraphs 3.3 (d) and (g);
- Integration of the development within the existing urban layout - this is addressed in paragraph 3.3 (d) and it is found that the proposed development form would in general be compatible with the area's character and layout; and
- Suitability of mix of uses - this is addressed in paragraph 3.3 (a) and it is found that the range of uses proposed are acceptable, though greater proportion of office use would be desirable at this location.

### **Material Representations - Objections**

- Potential negative impact on setting of listed building façade - this is addressed in paragraph 3.3 (b) and it is found that the proposed restoration scheme would enhance the area's character but there may be some negative impacts in terms of the proposed large scale extension;
- Concerns regarding extent of demolitions proposed to listed building this is addressed in paragraph 3.3 (b) and it is found that these demolitions are relatively minor in scale and would not adversely affect the remaining building;
- Potential negative impact on character of West End Conservation Area - this is addressed in paragraph 3.3 (e) and it is found that the proposals would have some positive impacts in terms of the facade retention scheme;
- Impact on amenity including natural light and privacy - this is addressed in paragraph 3.3 (g) and it is found that the proposals comply with relevant Council guidance in this respect;
- Inadequate information to assess impact of height and massing on surroundings - this is addressed in paragraph 3.3 (c) and the form and massing of the top floor level has been reserved for consideration at AMC stage, by planning condition, to allow for further consideration of such impacts;
- Insufficient detail on how public realm and access benefits the wider area - this is addressed in paragraph 3.3 (d) and it is found that the proposed footbridge will help facilitate such access provision as well as proposals for upgrading the pedestrian environment at road junctions;
- Insufficient proposals to strengthen existing pedestrian linkages - this is addressed in paragraph 3.3 (d) and it is found that the proposals will help strengthen such linkages;
- Concerns regarding potential disturbance due to noise and vibration arising from proposed uses - this is addressed in paragraph 3.3 (g) and a condition is included, requiring details of measures to reduce disturbance;
- Concerns about the safety of proposed site access from Dewar Place - this is addressed in paragraph 3.3 (h) and the layout shown on the revised scheme, is found to be acceptable in principle; and
- Concerns regarding potential lack of open space and provision of greenery - this is addressed in paragraph 3.3 (d) and a condition is included requiring that such details at AMC stage.

### **Material Comments**

- Need for set back of new build at south west corner of listed building - this is addressed in paragraph 3.3 and it is found that the increased set back provided in final scheme results in an improved relationship;

- Greater opportunities encouraged, to strengthen linkages to Exchange Tower and improve public routes - this is addressed in paragraph 3.3 (d) and it is found that such opportunities are desirable but cannot be delivered under this application;
- Full drainage information required, including SUDS details - this is addressed in paragraph 3.3 (l) and a relevant condition is included; and
- Need for condition for kitchen ventilation - this is addressed in paragraph 3.3 (h) and a relevant condition is included.

### **Non material issues**

- Issues regarding impacts of development at construction phase - these matters are outwith the planning function and will be addressed under separate legislation;
- Concerns regarding impact of proposals on structural integrity of neighbouring buildings - this matter is outwith the planning function and would be addressed under separate legislation;
- Request for proposals, including use of conditions, during construction and demolition stage, to mitigate impacts on neighbouring occupiers - these matters are outwith the planning function and would be controlled under separate legislation; and
- Need for condition to restrict of access and waste collection servicing times - this is a matter which cannot be controlled through the planning function.

### **West End Community Council**

#### *Material comments in Support*

- Supports reduction in height and massing and impact on views - this is addressed in paragraph 3.3 (c) and it is found that such impacts are improved;
- Supports improved relationship with listed building in amended scheme - this is addressed in paragraph 3.3 (b) and this improvement is recognised; and
- Supports revised alterations to listed building facade, including entrance details- this is addressed in paragraph 3.3 (b) and this improvement is recognised.

#### *Materials Comments of Objection*

- Detrimental impact in views - this is addressed in paragraph 3.3 (c) and it is found that the final proposals are acceptable in this respect;
- Impacts of massing at ground level on public realm and landscaping design - this is addressed in paragraph 3.3 (d) and an appropriate condition is included, requiring such details at AMC stage; and
- Concerns regarding building heights and need for tight control at AMC stage - this is addressed in paragraph 3.3 (c) and appropriate condition are included.

### **Conclusion**

The proposed development would allow for the regeneration of this currently underutilised and constrained city centre site.

The range of uses proposed conforms to the general provisions of LDP policy Del 2 (City Centre) and the principles of the Exchange 2 Masterplan. The proposals would have the potential to deliver a significant contribution towards the area's physical and economic regeneration. However, in order to address the relatively low proportion of floor space allocated specifically for office use, a condition is included, requiring that the details for the allocation of uses at building 02 are reserved for approval.

The proposed scale and massing of the development is considered generally acceptable. However, concerns remain regarding the impact of the proposed building profile at top storey level on the surrounding townscape. A condition is included requiring further details of this element of the proposals, to allow for a more detailed assessment, under the provisions of LDP policy Env 4 (c).

The proposed facade restoration scheme would enhance the retained part of this listed building, in accordance with the relevant provisions of LDP policy Env 4 (Listed Buildings - Alterations and Extensions). These proposals would also accord with the opportunities for the re-use and retention of existing listed buildings, as highlighted in the West End Conservation Area Character Appraisal.

The provisions of a section 75 legal agreement would be required to secure the delivery of the proposed footbridge, the contributions towards junction improvements on Dewar Place and Morrison Street and the road traffic order required to implement the proposed footway works and the provision of a lift at site 01, to ensure suitable accessibility by disabled persons to the proposed footbridge. Contributions will also be required through the legal agreement, towards the Edinburgh tram network, in accordance with the Council's guidance on Developer Contributions and Infrastructure Delivery.

It is recommended that the Committee approves this application, subject to the above mentioned conditions and requirements of an appropriate legal agreement.

It is recommended that this application be Minded to Grant - Legal Agreement

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. Prior to the submission of any application for approval of matters reserved by conditions a phasing plan identifying individual sub-sites and phasing for the proposed works, shall be submitted to and approved in writing by the Planning Authority. Any subsequent alterations to this plan will require to be approved by the Planning Authority. Hereafter, reference to sub-sites in subsequent conditions relates to the identified sub-sites within this phasing plan.

The phasing plan shall include the following items and the timing of their delivery:

- The development phasing and building/s included within each phase;
- Public realm and SUDS;
- Pedestrian, cycle and vehicular access provision, including new and improved routes, including:

- i) All public realm works at ground and podium level and all pedestrian and cycle routes including the route from Dewar Place to Canning Street, and pedestrian and bridge link over the West Approach Road, as indicated on drawing no. 30b.
  - ii) The proposed public stairway leading to podium level from the south end of the building at site 01, at the location indicated on drawing 30b.
  - iii) The installation of footway improvements at the Dewar Place /Torphichen Street junction, including a footway crossing, in accordance with the provisions of condition 2.
  - iv) The installation of a new vehicular access, from the West Approach Road, situated to the north east of the proposed buildings at site 02, as indicated on drawing no. 26c.
  - v) The installation of pedestrian crossing facilities on Canning Street, at the Canning Street / West Approach Road signalised junction in accordance with the provisions of condition 2.
  - vi) The widening of the public footway on the east side of Dewar Place, in accordance with details required for approval under the terms of condition no. 2. The delivery of works will then be carried out in accordance with the approved phasing plan.
2. Before any work on a sub-site is commenced, details of the undernoted matters shall be submitted to and approved in writing by the Planning Authority in a single package of information for the relevant sub-site/s, in accordance with the approved plans for this planning permission in principle; the submission shall be in the form of the finalised layout of the proposed buildings and associated works, as referred to in condition 1 of this consent, including;

Approval of matters:

- a) Details of the proposed land uses at the site of building 02;
- b) Details of the top floor massing and floor plates of buildings 01 and 02;
- c) Design and external appearance of all buildings, including external features and other structures;
- d) Detailed plans and setting out of all roads, footways, cycle routes, multi-use surfaces servicing, including amendments to existing road or footway layouts, in accordance with the approved PPP plans;
- e) In the AMC application for building 01 or 02, whichever is submitted sooner, the detailed design of the public realm at street and podium levels, as indicated in CEC drawing reference 30b, including;
  - i) A scheme for improvements to the public footway and pedestrian crossing at the corner of Dewar Place and Torphichen Street, to allow for a link with the proposed pedestrian and cycle route from Dewar Place to Torphichen Street and maintain provision for pedestrian access to the Exchange Tower office car park;
  - ii) The proposed pedestrian and cycle route from the corner of Dewar Place and Torphichen Street to Canning Street;

iii) The proposed public access route from Dewar Place to Conference Square, including, the walkways and public space at podium level and the bridge link over the West Approach Road, including details of the siting, dimensions, height, design and materials of the proposed bridge link.

f) In the AMC application for the sub-site including building 01, a revised scheme for the widening of the public footway on the east side of Dewar Place, to meet the requirements of the Edinburgh Street Design Guidance and the Council, as Roads Authority;

g) In the AMC submission for the sub-site containing building 02 or 03, whichever is sooner, a scheme for the design and installation of a signalised pedestrian crossing at the Canning Street arm of the Canning Street / West Approach Road junction;

h) In the AMC submission for the sub-site containing building 01 or 02, whichever is sooner, full details of the design and layout of the proposed new vehicular access from the West Approach Road;

i) In the AMC submission for the sub-site including building 01, full details of the location, dimensions and design of a publicly accessible lift and public stairway, providing access to the podium level from the ground floor level of building 01;

j) In the AMC submission for the sub-site including building 01, full details of the proposed vertical circulation facility to podium level at the north end of this building, as indicated on CEC drawing reference 30b;

k) Amendments of any other treatments to adopted roads and footways;

l) Details of the siting and layout of vehicle parking provision for disabled drivers;

m) Details of the location and siting of all cycle parking facilities, in accordance with the provisions of the Edinburgh Design Guidance,

n) Full details of the proposals for surface water drainage including sustainable urban drainage systems; and confirmation that either Scottish Water has agreed to allow any surplus water run-off to be discharged to the public sewer or that alternative arrangements have been made for the treatment of surplus run-off;

o) Details of all external plant, machinery and ventilation;

p) Waste management and recycling facilities;

q) Details and specifications for hard and soft landscaping including:

(i) The type and location of all proposed plant species;

(ii) A schedule of all plants to comprise species, plant size and proposed number and density;

(iii) A programme of completion and subsequent maintenance, including a separate landscape maintenance plan for the SUDS areas where relevant;

- iv) Existing and proposed services, such as cables, pipelines and any substations; or other artefacts and structures, including street furniture, lighting columns and lighting fittings;
  - (iv) Landscape management plan including schedule for implementation and maintenance of planting scheme;
  - (v) All forms of boundary treatment.
3. Construction details and specifications, including trade names where appropriate, of all proposed external materials, shall be submitted to and approved by the Planning Authority, before development works are commenced above ground on any sub-site, identified within the approved phasing plan, (note: sample panels of the materials are to be erected and maintained on a site for an agreed period during construction, to allow for inspection by the Planning Authority at a time to be agreed in advance).
  4. No part of the building at site 01 or 02 shall be occupied until the public realm works, including the proposed bridge link (as included in drawing no. 30b) have been completed, in accordance with the details approved under the provisions of condition number 2 above, unless otherwise agreed through the phasing plan for approval under condition no. 1.
  5. The minimum distance between buildings 01 and 02 shall be 5.3 metres at podium level, as shown on CEC drawing reference 30b.
  6. The minimum width of the pedestrian route from the south side of the building at site 01 on Dewar Place, to the podium shall be 3.5 metres at all points, including from the staircase as indicated on drawing number 30b.
  7. No development shall commence on any sub-site until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation submitted by the applicant (including excavation, analysis and reporting and interpretation), which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
  8. Prior to the commencement of construction works on each building, or buildings on any sub-site, no works shall commence until:
    - (a) A site survey (including initial desk study as a minimum) is carried out to establish either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
    - (b) Where necessary, a detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

9. Under the AMC application for any building/s included within an identified sub-site sufficient details shall be submitted, to demonstrate that any kitchen ventilation equipment required at the hotel and /or class 3 use establishments located within this sub-site, is capable of meeting the following criteria for the approval of the Planning Authority:
  - (i) The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and cooking effluvia shall be ducted to roof level to ensure that no cooking odours escape or are exhausted into any neighbouring premises.
  - (ii) The ventilation system being designed and installed so that gases are expelled with a minimum upwards velocity of 15 metres per second.
  
10. Detailed noise assessments shall be submitted in relation to each sub-site identified in the phasing plan, as part of the full package of information required under condition number 2 to demonstrate:
  - a) The noise and vibration impacts on the proposed development from road traffic noise on Western Approach Road, the existing SPEN substation and noise associated with the Network Rail underground line and ventilation shaft;
  - b) The noise and vibration impacts from the proposed development (hotel and restaurant use) from operational noise, on the proposed development and existing neighbouring sensitive receptors.The above assessments shall include appropriate mitigation measures and these implementation measures shall be implemented prior to the occupation of the buildings to which they relate.
  
11. The AMC application for any sub-site containing building 01 shall include:
  - i) A 1:20 drawing, providing full details of the stone coursing treatment and jointing treatment, at the locations where sections of the façade of the listed building at 2 Dewar Place are taken down to allow for the alterations associated with the proposed new entrances and doorways.
  - ii) Full details of the proposed replacement and re-instated windows to be installed within the retained façade, including dimensions, materials and design of framework and glazing details and sectional drawings, demonstrating form of profile.

**Reasons:-**

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. To ensure that a satisfactory standard of public realm and access provision is delivered on site.
5. In order to clarify the provisions of this planning consent and to ensure that a suitable standard of access provision is available.



6. In order to clarify the provisions of this planning consent and to ensure that a suitable standard of access provision is available.
7. In order to safeguard the interests of archaeological heritage.
8. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
9. In order to safeguard neighbouring amenity.
10. In order to safeguard the amenity of neighbouring occupiers and those within the application site.
11. To safeguard the character and appearance of the remaining listed building and the contribution it makes to the area's character.

### **Informatives**

It should be noted that:

1. a) Application for the approval of matters specified in conditions shall be made before the expiration of 3 years from the date of the grant of planning permission in principle, unless an earlier application for such approval has been refused or an appeal against such refusal has been dismissed, in which case application for the approval of all outstanding matters specified in conditions must be made within 6 months of the date of such refusal or dismissal.  
  
b) The approved development shall be commenced not later than the expiration of 3 years from the date of grant of planning permission in principle or 2 years from the final approval of matters specified in conditions, whichever is later.
2. 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.
3. As soon as practicable upon the completion of each phase 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.
4. This consent is for planning permission only. Work must not begin until other necessary consents, eg listed building consent, have been obtained.
5. The applicant should be aware that listed building consent will be required for the proposed extensions to the listed building at 2 to 3 Dewar Place, which come forward under any of the relevant applications for Approval of Reserved Matters.
6. Consent shall not be issued until a suitable legal agreement has been concluded in relation to the following matters:

i) A contribution of £2,519,121 (maximum) towards the Edinburgh tram network. The total sum will be dependent on the combination of the approved uses taken forward under at each phase of the Approval of Reserved Matters process.

ii) A contribution of £147,000 for the upgrading of pedestrian crossings at Dewar Place/Morrison Street/ Gardners Crescent;

iii) The installation of a lift, or other appropriate form of DDA compliant vertical access facility, providing access to the podium level at building 01, in compliance with the requirements of condition number 3 of this consent, together with a schedule detailing the agreed hours of operation of the proposed lift and the contingency plans for when the lift is out of operation. The respective lift or other appropriate access facility to be installed prior to the occupation of any part of the building at site 01 and maintained in operational use thereafter for use by the public.

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.

#### 7. Advice from CEC Environmental Protection

All proposed energy plant must comply with the Clean Air Act; details of required chimneys should be submitted at the detailed planning stage. Plant above 1Mw may require secondary abatement technology. Biomass is not appropriate for this site.

The emissions from the emergency generator within the existing electricity substation shall be assessed in accordance with the Clean Air Act.

#### Construction Mitigation

- a) All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.
- b) The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.
- c) Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.
- d) Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.

- e) All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.
  - f) Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.
  - g) This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.
  - h) No bonfires shall be permitted
8. Advice from Council as Roads Authority
1. 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 Council if they wish 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.
  2. 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; Charging outlet (wall or ground mounted) shall be of the following standard with the specifications and locations provided at the detailed stage:  
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. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.
  3. All roads including footways should be designed and built in accordance with standards set out in Designing Street Guidance and Edinburgh Street Design Guidance.
  4. The proposed bridge will require structural approval from the Council as Roads Authority.
9. Network Rail Advisory Note
- The developer should contact Network Rail Asset Protection Engineers regarding the following matters:
- There must be no additional loading/surcharge on Haymarket Tunnels (including sidewalls) by the proposed development. All proposed works adjacent to and above the tunnels must be subject to further discussions and agreement with Network Rail prior to works commencing on site.

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Engineer before development can commence.

Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any supporting structures which are in close proximity to their development.

- Details of all changes in ground levels, laying of foundations/piling works, and operation of mechanical plant in proximity to Haymarket Tunnels must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a 'fail-safe' manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a 'possession' which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

## **Financial impact**

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### **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**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

A notice of a proposed application was submitted on 12 April 2016 for a mixed use development including office, hotel, retail, food and drink uses, educational use, flats and student accommodation, as well as deck construction and access from Dewar Place, Canning Street and West Approach Road (reference 16/01929/PAN).

Copies of the notice were issued to the West End and Tollcross Community Councils, Ward Councillors and the City Centre and South West Neighbourhood Partnerships. Full details can be found in the Pre-Application Consultation report, which sets out the findings from the community consultation. This is available to view on the Planning and Building Standards Online services.

A pre-application report on the proposals was reported to the Development Management Sub Committee on 25 May 2016. The Committee noted the key issues at that stage and the additional issues to be included in the forthcoming planning application, including clarification on height of development, connectivity with surrounding area, including Conference Square, Exchange Crescent and the wider area.

The proposals were submitted to the Edinburgh Urban Design Panel on 25 May 2016. Full details of the response can be found in the Consultations section (appendix 1).

## **8.2 Publicity summary of representations and Community Council comments**

The application was advertised on 6 June 2017.

A total of six representations were received. These included two representations in support of the application, one from Scottish Enterprise and the other from a neighbouring business occupier, two letters of objection, both from neighbouring business occupiers and two letters of comment from neighbouring business occupiers.

The application was further advertised on 18 August 2017 following the receipt of revised plans and further supporting information.

A total of five letters of objection were received, three of which are from neighbouring occupiers and two of which are from neighbouring business occupiers. Two late letters of support were received, one of which was from a neighbouring business occupier.

Neighbouring occupiers at flats 1 to 8, 8 Dewar Place were re-notified in respect of the submitted daylight study relating to windows of this building on 29 November 2017. No responses were received in relation to this notification.

## **Background reading/external references**

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- 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**

Within the adopted Edinburgh Local Development Plan (LDP) the site is located in the City Centre.

The application site is within the area included in the Exchange 2 Masterplan for Dewar Place (the principles of which were approved by Planning Committee on 25 February 2010).

The site is mainly located within the West End Conservation Area, with a small area to the north east being located in the New Town Conservation Area.

**Date registered**

24 May 2017

**Drawing numbers/Scheme**

01a- 03a, 04c-11c, 14b- 21b, 22- 24, 26c, 27,28a,29a, 30b,31,

Scheme 4

**David R. Leslie**  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Carla Parkes, Senior Planning Officer  
E-mail:carla.parkes@edinburgh.gov.uk Tel:0131 529 3925

**Links - Policies**

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**Relevant Policies:**

**Relevant policies of the Local Development Plan.**

LDP Policy Del 2 (City Centre) sets criteria for assessing development in the city centre.

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 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

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

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

LDP Policy Des 11 (Tall Buildings - Skyline and Key Views) sets out criteria for assessing proposals for tall buildings.

LDP Policy Emp 1 (Office Development) identifies locations and circumstances in which office development will be permitted.

LDP Policy Emp 10 (Hotel Development) sets criteria for assessing sites for hotel development.

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

LDP Policy Env 2 (Listed Buildings - Demolition) identifies the circumstances in which the demolition of listed buildings will be permitted.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

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 Env 5 (Conservation Areas - Demolition of Buildings) sets out criteria for assessing proposals involving the demolition of buildings within a conservation area.

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

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 16 (Species Protection) sets out species protection requirements for new development.

LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

LDP Policy Ret 1 (Town Centres First Policy) sets criteria for retail and other town centre uses following a town centre first sequential approach.

LDP Policy Ret 2 (City Centre Retail Core) sets criteria for assessing retail development in or on the edge of the City Centre Retail Core.

LDP Policy Ret 7 (Entertainment and Leisure Developments - Preferred Locations) identifies the City Centre, at Leith and Granton Waterfront and town centres as the preferred locations for entertainment and leisure developments.

LDP Policy Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

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 Tra 8 (Provision of Transport Infrastructure) sets out requirements for assessment and mitigation of transport impacts of new development.

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

### **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, parking, streets and landscape, in Edinburgh.

**NSESBB Non-statutory guidelines** Part B of 'The Edinburgh Standards for Sustainable Building' sets principles to assess the sustainability of major planning applications in Edinburgh.



**Non-statutory guidelines - EDINBURGH STREET DESIGN GUIDANCE** - Edinburgh Street Design Guidance supports proposals that create better places through the delivery of vibrant, safe, attractive, effective and enjoyable streets in Edinburgh. It sets out the Council's expectations for the design of streets and public realm.

**Non-statutory guidelines** on Developer Contributions and Affordable Housing gives guidance on the situations where developers will be required to provide affordable housing and/or will be required to make financial or other contributions towards the cost of, providing new facilities for schools, transport improvements, the tram project, public realm improvements and open space.

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

**Non-statutory guidelines** on 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

**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.

The West End Conservation Area Character Appraisal emphasises that the area is characterised by mixed, residential commercial buildings. The central section of the conservation area is a major modern financial area consisting of modern offices. The Georgian and Victorian tenements within the area are mainly 4-6 storeys, and constructed of stone with pitched, slated roofs.

# Appendix 1

## **Application for Planning Permission in Principle 17/02227/PPP**

**At 2 Dewar Place, Edinburgh, EH3 8ED**

**PPP for hotel(s) (Class 7), office (Class 4), retail (Class 1), restaurant(s) (Class 3), pedestrian deck, bridge link + accesses from Western Approach Road, Dewar Place + Canning Street; detailed approval for siting, maximum height & limits of deviation of proposed buildings, partial demolition,+ refurbishment of façade of former electricity station (as amended).**

### **Consultations**

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#### **Transport - response dated 13/02/2018**

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

1. *The applicant will be required to:*
  - a. *Contribute the sum of £147,000 to upgrade pedestrian facilities on all arms of the Dewar Place/Morrison Street/Gardiners Crescent junction;*
  - b. *Design and install pedestrian facilities on Canning Street at the Canning Street/West Approach Road traffic signalised junction. The applicant should note that this may require the design and refurbishment of the entire junction at no cost to the Council;*
  - c. *Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;*
  - d. *Design and install footway improvements at the Dewar Place/Torphichen Street including footway crossing to maintain access to the Exchange Tower office car park and linking with the proposed pedestrian and cycle route through the north of the site all at no cost to the Council. The location of the design is agreed in principle but the detail design will be subject to further approval of the Council;*
  - e. *Contribute the net sum of £2,519,121 (based on proposed 550 hotel rooms, 3,611m<sup>2</sup> net office, and 3,355m<sup>2</sup> Class 3 use in Zone 1) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment (see Note b);*
  - f. *The proposed pedestrian/cycle routes and associated accesses within the development site and proposed 5m wide bridge over the West Approach Road to be designed and build at no cost to the Council. The footbridge will require structural approval;*
  - g. *The applicant will be required to carry out works to widen the existing footway at the east side of Dewar. Full details of design and widening of the footway to be a reserved matter;*

2. The approval of the proposed access off West Approach Road is subject to detailed design to the satisfaction of the Council and should be without any adverse impact on either the existing West Approach Road or the proposed pedestrian and cycle route within the development.
3. The proposed lay-by for taxi drop off on Dewar Place is not approved at this stage. This will be subject to further discussion with the Council and taxi operators and will require a contribution of £2,000 to progress the necessary traffic order;
4. Access to the lobby lift is expected to be maintained at all times to allow for disabled access to the footbridge within operational requirements;
5. The location, design, layout and number of cycle parking to be a reserved matter;
6. 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 Council 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 but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved
7. 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;
8. All roads including footways should be designed and built in accordance with standards set out in Designing Street Guidance and Edinburgh Street Design Guidance.
9. The proposed access on Dewar Place of the proposed shared use route for walking and cycling from the northwest of the development to Canning Street is limited to 1.8m wide; with the existing wall to the north and the facade to the south being barrier for widening. Cyclist would have to dismount for safety reasons. The applicant proposes at least a minimum of 2 wide delineation of safe walking route at shared servicing area to provide safe pedestrian route during operational hours and is considered acceptable.
10. Vertical travel between the podium, Dewar Place and shared use link is proposed by stepped access for both pedestrians and cyclists (via cycle ramps alongside the staircases). A fully accessible route is being provided by a lift from the podium to the hotel lobby and is considered acceptable.
11. The information supplied by the applicant indicates that the gradient of the proposed footbridge is DDA compliant and provides for inclusive mobility.

**Note:**

a. The applicant proposes 5 disabled parking only and is considered acceptable based on the Council's 2009 parking standards for Zone 1 as shown below;

Type of Development	Zone	Parking requirement
Hotel	1	Assessed on merit Up to maximum of 1 space per 5 bedrooms
Office	1	min 0 max 500

The area is highly accessible by public transport. It also complies with the Council's 2017 parking standards for Zone 1 which permits zero parking for both hotel, office and class 1 +3 use, and up to a maximum of 110 and 9 parking spaces for hotel and office respectively.

b. In terms of tram contribution, the site is treated as a new site as the substation will still be running after the development is built; hence only the existing office use that is to be demolished affects tram contribution for the proposed use.

Hotel - 300 units equals £902,609

Hotel - 250 units equals £752,174

Class 3 total - 1,725+1,135+495= 3,355 equals £531,328

Net Office - (1,295m<sup>2</sup>+3,260m<sup>2</sup>) -944m<sup>2</sup> = 3,611 equals £333,010

Existing office use 944m<sup>2</sup> is deducted from the sum of the proposed office use.

The proposed GFA values for office and class 3 use are based on maximum values supplied by the applicant and may be subject to change upon AMC application. Block 2 may be alternatively used for office and mix use; and in this instance appropriate tram contribution based on the current guidance will apply.

c. Payment of tram contribution prior to commencement of works.

d. Proposed footbridge, Canning Street signalled crossing, Torphichen Street/Dewar Place uncontrolled crossing and pedestrian routes construction to be carried out by the applicant prior to first occupation.

e. The proposed pedestrian crossing at Canning Street would require an 'all stop' for traffic and will reduce the capacity of the junction. The proximity of the proposed access to the existing West Approach Road /Canning Street junction and potential queue build up on the nearside lane leading to the junction means longer waiting times for vehicles waiting to exit from the proposed access.

## **Police Scotland**

We would welcome the opportunity for one of our Police Architectural Liaison Officers to meet with the architect to discuss Secured by Design principles and crime prevention through environmental design in relation to this development.

## **Archaeology**

Further to your consultation request I would like to make the following comments and recommendations concerning this application for planning permission in principal for two hotels (class 7), office (class 1), Restaurant(s) (class 3), pedestrian deck, bridge link+ accesses from Western Approach Road & Canning Street, detailed approval for siting, maximum heights, limits of deviation of proposed buildings, partial demolition and refurbishment of façade of former electricity station.

The site is occupied by the former late Victorian (1898) municipal electrical station for Edinburgh. This regionally important industrial heritage site (surviving façade and office buildings are both B-listed) lies adjacent to the western limits of Edinburgh's UNESCO World Heritage site and overlying the line of the 1840's mainline railway tunnels between Haymarket & Waverley.

A detailed historic background to the site is contained within in Chapter 9 of the application's Environmental Statement undertaken by GUARD. In summary, the earliest evidence for occupation/use of the site lies in the 12th century when it formed part of the King's Garden. It is recorded as Orchard Field in the 14th century and is likely to have remained open agricultural land until the 18th century when the area was gradually subsumed by the expansion of Edinburgh.

*Accordingly, this site has been identified as occurring within an area of archaeological significance. This application must be considered therefore under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and Edinburgh Local Development Plan (2016) Policies ENV2, ENV 4 and ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

#### *Listed Electrical Station Buildings*

*The development will impact upon the surviving B-listed façade and Office block for the Victorian Central Electrical Lighting Station. Firstly, it is welcomed that the proposals seek to retain and incorporate the façade of this important electrical station.*

*In terms of the former Offices, the proposals will have a significant adverse impact on this B-listed building, seeing the demolition of the building's interior and a section of its western façade. The archaeological impact has been slightly offset by the detailed archaeological survey undertaken by AOC in December 2008 (AOC report 20350) and by the retention of the façade. That said, however the proposed new buildings set behind this façade off the office building have a detrimental impact which could be improved by redesigning the SW corner by drawing back the elevations away from the 'turret'.*

#### *Buried Archaeology*

*Although the site has been affected by modern development, most noticeably the construction of the Electrical works. I agree with GUARD's conclusions that although low the development of this site has a the potential to disturb significant remains relating to the development of site form the medieval period in particular 18-19th century industrial remains. It is recommended therefore that a suitable programme of archaeological work is undertaken during development to fully record, excavate analysis and report upon any significant archaeological remains that may be disturbed by ground breaking works.*

*Accordingly, it is recommended that the following condition be attached consent, if granted, to ensure that this programme of archaeological works is undertaken either prior to or during construction.*

*'No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, interpretation) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'*

*The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.*

## **CEC City Archaeologist - comments 13 November 2017**

*Further to your consultation request regarding these new revised plans (Revision 2) submitted in November regarding these linked LBC and PPP application for planning permission in principal for two hotels (class 7), office (class 1). Restaurant(s) (class 3), pedestrian deck, bridge link and accesses from Western Approach Road & Canning Street, detailed approval for siting, maximum heights, limits of deviation of proposed buildings, partial demolition and refurbishment of façade of former electricity station.*

*As stated in my original comments, this site has been identified as occurring within an area of archaeological significance. This application must be considered therefore under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02-2011 and Edinburgh Local Development Plan (2016) Policies ENV2, ENV 4 and ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

### *Listed Electrical Station Buildings*

*As stated previously, the development will impact upon the surviving B-listed façade and Office block for the Victorian Central Electrical Lighting Station. Having looked over the revised plans I can confirm that the new proposals address my earlier concerns over the impact on the façade and corner copula tower by offsetting and drawing back these important elevations or features.*

*Accordingly, I have no significant concerns regarding this application. However as stated in June, that although low, the development of this site has the potential to disturb significant remains relating to the development of site form the medieval period but 18-19th century industrial remains.*

*It is essential therefore that a suitable programme of archaeological work is undertaken during development to fully record, excavate analysis and report upon any significant archaeological remains that may be disturbed by ground breaking works.*

*It is therefore recommended that the following condition be attached consent, if granted, to ensure that this programme of archaeological works is undertaken either prior to or during construction.*

*'No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis and reporting, interpretation) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'*

*The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.*

## Historic Environment Scotland - response 5/5/17

*Thank you for your consultation which we received on 05 June (PPP) and 06 June (CON & LBC). We have considered the proposals and its accompanying Environmental Statement (ES) in our role as a consultee under the terms of the above regulations. Our remit is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, demolition within conservation areas, gardens and designed landscapes (GDLs) and battlefields in their respective inventories.*

### *Our Advice*

*Whilst Historic Environment Scotland does not object to the proposals, we have concerns in regard to the potential negative impact the development may affect to the Outstanding Universal Value (OUV) of Edinburgh World Heritage Site. We have suggested ways in which the detailed design could be taken forward in the attached annex. Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our decision not to object should not be taken as our support for the proposals. You should also seek advice from your archaeology and conservation service for relevant matters.*

### *Further Information*

*This response applies to the application currently proposed. An amended scheme may require another consultation with us. We recognise that we have been consulted in regard to OUV by way of the submission of the Planning in Principle, we would request as a matter of course that we are re-consulted in regard to OUV as the planning process proceeds. Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at [www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/](http://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/). Technical advice is available through our Technical Conservation website at [www.engineshed.org](http://www.engineshed.org).*

### **ANNEX**

*PPP for two hotels (Class 7), office (Class 4), retail (Class 1), restaurant(s) (Class 3), pedestrian deck, bridge link + accesses from Western Approach Road + Canning Street; detailed approval for siting, maximum height + limits of deviation of proposed buildings, partial demolition + refurbishment of façade of former electricity station at 2 Dewar Place, Edinburgh, 17/02227/PPP*

*We currently have concerns in regard to the potential negative impact the development may affect to the Outstanding Universal Value (OUV) of Edinburgh World Heritage Site. Following the Planning Committee ratifying the general principles of Exchange 2 Masterplan in 2010, there was a clear understanding that a full visual impact assessment would be undertaken. This was re-iterated when the Masterplan was re-packaged, and re-presented, at the Edinburgh Urban Design Panel on 25 May 2016. The minutes from this meeting are clear, the Panel noting that the height of the buildings on the site will be critical, with the height and mass of the development upon both short and distant views requiring careful assessment as part of the design of the development. Furthermore the Panel noted that the height of the EICC and Canning Street Tower should not inform the heights of the development. Therefore with the above taken into full account, it is particularly disappointing that the submitted*

*Townscape and Visual Impact Assessment in our view does not currently adequately identify or assess the key attributes of the World Heritage Site which may be affected by this development. In particular the views from Walker Street over Atholl Crescent will be important.*

*We would ask that that the applicant prepares detailed material specifically addressing key OUV concerns, in particular how the scale, massing, and height will address key skyline and city-scape views in and out of the World Heritage Site. Whilst compiling this additional material, it may be helpful for the applicant's consultants to refer to our guidance document on World Heritage Sites.*

*We recognise that we have been consulted in regard to OUV by way of the submission of the Planning in Principle, we would request as a matter of course that we are re-consulted in regard to OUV as the planning process proceeds.*

*The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011*

*Our comments on the ES focus on our historic environment interests in the planning process. This covers scheduled monuments and their settings, category A listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields, and World Heritage Sites.*

*For the sake of clarity, this does not include the potential direct and setting impacts on the category B listed building known as 2 Dewar Place, Scottish Power Offices, Formerly Central Electricity Lighting Station Including Boundary Walls, Gates and Gatepiers. Whilst we have a role in commenting on the impacts on these buildings, this falls under a separate consultation on listed building consent and comments on this matter can be found under the relevant heading. The focus of our comments on the ES is on the methodology of the assessment and the adequacy of the information provided. Our assessment of impacts, where relevant, is contained in the relevant sections of this letter.*

*We note that there are two category A listed buildings in the vicinity of the proposed development are content that there will not be a significant impact on their setting.*

#### *Scope of assessment*

*We note the scope of assessment as identified for impacts on our interests.*

*The ES identifies a 100m buffer from the development boundary for assessment impacts on the setting of cultural heritage assets (9.4.1). We note that no justification for this has been provided, and consider that there is the potential for a development such as this to have significant impacts beyond this radius.*

*Associated with this, Table 9.1 states that the New Town Gardens Inventory Designed Landscape has not been assessed, as it lies more than 100m from the development boundary. However, we note that the Townscape and Visual Impact Assessment identifies impacts on views from two locations within the designed landscape. However, viewpoint 15, showing the view from Walker Street towards the development, has helped to inform our assessment of the impacts on the GDL. Whilst there will be some impact on its setting, we are content that this will not be significant for our interests.*



### *Methodology*

*We note the methodology for the assessment of direct impacts on our interests. However, it is lacking in detail for the assessment of impacts on setting is and it is not always clear how the conclusions of the assessment have been drawn.*

### *Supporting information*

*We note that a number of heritage assets are also considered in the assessment of Townscape and Visual Impact. There are a number of visualisations that are helpful to a consideration of cultural heritage impacts in this section of the ES. It would have been helpful, therefore, for the cultural heritage chapter to cross-reference these where relevant.*

*There are a number of references in the text to cultural heritage plates. We have not been able to find these amongst the submitted information on the council's planning portal.*

### *Assessment of Old and New Towns of Edinburgh World Heritage Site*

*We welcome the undertaking in the ES to assess the impacts on the Outstanding Universal Value (OUV) of the World Heritage Site. However, the assessment itself does not refer specifically to the OUV of this particular World Heritage Site, using, instead, the generic selection criteria (9.7.15; 9.7.16). The specific value and attributes of the Site are therefore not used as the baseline for assessment. This means that there is the potential for impacts not to have been fully assessed.*

*It is notable that the assessment makes no reference to the relevant visualisations from the Townscape and Visual section of the ES. In particular, Appendix 6.3, which includes a study of the views from the new town, aided our assessment of the impacts. It is unclear how a full assessment could be made with no reference to specific views which are impacted by the proposals, or consideration of their contribution to OUV.*

*The assessment of impacts on the Site (9.7.14-9.7.17) does not give a conclusion on the level of impact prior to mitigation. We note that the mitigation proposed (by design) is considered to render the impact not significant, but no value for magnitude or significance of impact is assigned.*

### *Mitigation*

*The only mitigation of impacts on our interests that has been identified in the ES is mitigation by design. We would note that the application is for planning permission in principle. The detailed design elements of the proposal are therefore not covered by this application. We have provided comments on how the detailed design could be taken forward in a way which could reduce the impact on the historic environment towards the end of this letter.*

### *Complete Demolition in a Conservation Area*

*17/02229/CON*

*Whilst we have no objection to redeveloping the site which is currently occupied by redundant Scottish Power electrical transformers, we would identify that due to its industrial townscape interest consideration is given to recording prior to demolition.*

*In the mid-1990s, this part of Edinburgh's West End underwent significant re-development. Prominent within this area was this substantial Scottish Power substation which at the time performed a major role in distributing electricity to central Edinburgh and could not be relocated.*

*Scottish Power's response was to employ designers to explore how the visual quality of the plant could be improved. Simple interventions of landscape and colour transformed the machinery by day, and by night light celebrated it. It has become a well-known landmark within the local area, particularly visible when travelling along the West Approach Road by car.*

*For further information please contact our Threatened Buildings Survey Team on 0131 662 1456 or tbs@hes.scot .*

*Demolition of Rear Part of Original Electricity Generating Station, Partial Demolition, Refurbishment and Integration of Retained Façade into Proposed Hotel Building.*

*17/022228/LBC*

*C-listed Heritage Asset*

*Designed in an Italian palazzo style, the (former) Central Electricity Lighting Station built in 1894 is a significant surviving example of Edinburgh's 19th century industrial past.*

*Since its inception the site has continually evolved and changed, firstly being downgraded to sub-station status with the arrival of the National Grid. The 1990s saw the highly-coloured and sculptural open sub-station located to the east side of the 1990s. More recently the open-substation has become redundant, with a new facility located behind the retained envelope of the former electricity station. A previous consent removed the workshops to the north.*

*Context and Background*

*In assessing this application, it is relevant to briefly identify previous discussions regarding the site. In 2009/10 all relevant stakeholders were made aware of proposals coming forward for the redevelopment of this site in its entirety, this was known as the Exchange 2 Masterplan. Historic Environment Scotland, then Historic Scotland, was represented.*

*We are aware that the Exchange 2 Master plan which was presented to the Edinburgh Planning Committee on 25 February 2010, the committee agreed to approve the general principles contained therein. Therefore, it is within this already established framework we offer the following comments regarding the physical changes proposed to the remaining listed elements.*

*Re-use of Listed Building*

*We welcome the retention of the external envelope facing Dewar Place and its return to the highly visible junction at Morrison Street. Whilst we are aware that in essence what is proposed is a façade retention, retaining the building's envelope to both these highly visible and prominent elevations, should in our view, ensure a degree of integrity to the building's special form and character. We would suggest care is taken to retain the 3D nature of the structure, including a rebuild of its roof form.*

*We welcome the aspiration to reactivate Dewar Place, particularly re-using the existing openings to re-animate and re-energise the street.*

*Heritage Impact and Way Forward*

*We would ask that further consideration is given to retaining the elevation in its entirety rather, than as proposed, to demolish the 3-bay office section and insert an access-core for the hotel. Losing this element of the building, with its skilfully composed ground-floor design, would in our view be a retrograde step, both in terms of the detrimental impact it would have to the appearance and character of this elevation, and*

*in terms of signalling a significant departure from the 'spirit' of the 2010 Masterplan. It would also lose an element of integrity to the whole structure.*

*We hope that the applicant will be amenable to exploring other ways to intuitively work with the building, rather than as currently proposed compromise this cohesive elevation.*

*As with our comments above in seeking to maintain a degree of integrity for the building, particularly as the scheme effectively proposes façade retention, we welcome that the historic elevation appears to be meaningfully tied into the floor plates of the newbuild, this should create an interesting dialogue between the old and the new.*

*Where, however, we would ask for further significant revision, is in regard to the relationship between the set-piece corner Bartizan tower, and how the new development relates and responds to it. Currently the new development due to its proximity, and sheer scale, overwhelms this important landmark/townscape feature. We would therefore encourage further consideration to giving the tower a better defined breathing space, effectively pulling the newbuild away from it, thus allowing it to retain its architectural significance. As above, a retention of the original roof-form to the corner building would assist this process.*

*If helpful we would welcome further input regarding the specific comments we have made about the works to the listed building.*

### **Historic Environment Scotland - further comment - on revised proposals**

*As stated in our letter dated 30 June 2017, we do not object to the proposals. Our comments on the updated proposals and assessment are given in an annex to this covering letter. For clarity, we have separated this into three sections, covering our comments on the EIA, the planning permission, and the listed building consent respectively.*

*Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.*

#### *Further Information*

*This response applies to the application currently proposed. An amended scheme may require another consultation with us.*

#### *Annex*

*The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011*

*We note the submission of supplementary statements for the cultural heritage and townscape and visual impact assessments of the Environmental Statement (ES). Our comments on the additional information are focussed on the issues raised in our previous response of 30 June 2017.*

*For clarity, as no alteration has been made to the scope of the assessment or the methodology, we have no further comments on these issues. The focus of these comments is the additional information submitted in support of the assessment of impacts on the Old and New Towns of Edinburgh World Heritage Site (WHS).*

*We welcome the submission of comparative visualisations showing the amendments made to the previously submitted scheme. These were very informative in our assessment of impacts, and it was helpful that they were directly referred to in the cultural heritage assessment. We also welcome the submission of the cultural heritage plates which we were unable to locate in the ES previously.*

*One of the key issues raised in relation to the ES in our previous response was that impacts on the WHS had not been assessed fully against the Statement of Outstanding Universal Value (OUV) for the Site. We are content that this has now been undertaken, and consider the detail provided on this in the Townscape and Visual Impact Assessment (TVIA) to be very helpful, and clearly explained.*

*It is slightly unclear how the distinction between issues to be covered in the TVIA and in the cultural heritage assessment has been made. For example, we would ordinarily consider all of the key attributes of the WHS to be cultural, as it is inscribed as a cultural Site. However, we are content that the level of information provided is adequate, and consider this only a pragmatic issue in terms of organising this information.*

*Purely for clarity, we noted that paragraph 4.0 of the supplementary statement on cultural heritage states that there will be no significant impact on the WHS, and therefore no impact on its OUV. We assume that this statement should be inverted, as the assessment of the WHS has been undertaken against its OUV. As it is currently written, it implies that the assessment of the WHS informs the conclusions of impacts on OUV.*

*Planning Permission  
17/02227/PPP*

*Old and New Towns of Edinburgh World Heritage Site and setting of Category A listed buildings*

*Although the proposed development would be viewed from many locations in the vicinity and further afield, our main concerns relate to the visibility of the development behind Atholl Crescent from views down Walker Street, specifically from the intersection with Melville Street. In addition, the submitted photomontage from Rutland Street shows the significant impact it would have on the setting of Rutland Square. Both locations are within the World Heritage Site and concern the setting of Category 'A' listed buildings.*

*The revised proposals show a reduced bulk, and differentiated treatment behind Atholl Crescent either side of Exchange Tower - formerly Canning House. Atholl Crescent (1825) was designed by Thomas Bonnar as part of the Walker Estate, the crescent form dictated by retained Elm trees. The Walker Estate, designed by Robert Brown, is a planned extension of the New Town and an important component of the World Heritage Site. We welcome these revisions that have reduced the bulk behind the*

*crescent, but consider the removal of an additional storey from the eastern section of the site (to the left of Exchange Tower) would be beneficial.*

*New development addressing the West Approach Road is visible in the corners of Rutland Square, again a planned extension to the New Town. Currently these developments do not loom over the three-storey Georgian square (like Exchange Tower). The photomontage shows the new development rising above the square in views down Rutland Street. Any reduction of bulk would be welcome, as would further visualisations from within the square as the impact may be reduced as one enters the Square from Rutland Street.*

*We note that the development will also be visible from further afield, specifically in views of Edinburgh Castle and its rock from Corstorphine Road. In many of these views the development shows a horizontal uniformity in contrast to the dominant cityscape. Any reduction in this horizontality would be welcomed, either by design changes or reduction of bulk.*

*In conclusion, whilst we do not consider the impact on the OUV of the World Heritage site, or the setting of A listed buildings, is significant enough to warrant an objection, we do consider reductions in the bulk of the development would be beneficial in assimilating the development within Edinburgh's established townscape.*

*Listed Building Consent  
17/022228/LBC  
Category B-listed building*

*As yet, we have not received a consultation on revisions to listed building consent application which would be in line with the alterations to the planning application. As the revisions will alter the impact on the listed building we thought it would be useful to provide advice at this stage.*

*The revised drawings have addressed some of the concerns we raised in our letter of 30 June. We welcome the intention to retain the three-bay upper floors of the Dewar Place façade, initially proposed for removal. However, the loss of the ornate ground floor is regrettable.*

*We still have concerns with the treatment of the corner building, specifically designed to address the corner with its bartizan turret. As before, we would suggest that the integrity and authenticity of this corner building would be aided by retaining its current roof form (it could be rebuilt) and setting back the proposed development further behind it. The slate roof of the building and its skew chimneystack can be clearly seen from Morrison Street, as can the return (cornice and parapet) of the previously façade-retained Dewar Place block. We would suggest the scheme is revised to retain more of the 3-D nature of the buildings including divisions between buildings and the returns and masonry elements.*

*As before, we welcome the aspiration to reactivate Dewar Place, particularly re-using the existing openings to re-animate and re-energise the street. This will help provide a degree of integrity for the listed building.*

## **Historic Environment Scotland- response dated 29 November 2017 on further revisions**

*Thank you for your consultation which we received on 10 November 2017. We have considered it and its accompanying Environmental Statement Addendum in our role as a consultee under the terms of the above regulations and for our historic environment remit as set out under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Our remit is World Heritage Sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories.*

*This response should be read alongside our previous responses to consultations on this scheme. These include two letters on the planning application and EIA consultation (dated 30 June 2017 and 22 September 2017) and our letter dated 23 November 2017 in response to your consultation on listed building consent application 17/02228/LBC.*

*You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.*

### **Our Advice**

*As stated in our letter dated 30 June 2017, we do not object to the proposals. We note the further amendments to the scheme.*

*We welcome the inclusion of further visualisations for our interests in the Addendum. This was very helpful in enabling us to see the progression of the design over the course of the application and two amendments.*

*We are content to agree with the conclusions presented in the Addendum that the level of impacts for our historic environment interests under the EIA regulations (as above) have not been significantly altered. We therefore have no further comments on this. For our comments on the scope and methodology of the assessment, we refer you to our letter of 30 June 2017.*

*As detailed in our letter of 23 November 2017, we are content that the alterations to the proposals have addressed our main concerns regarding impacts on the category B listed building 2 Dewar Place, Scottish Power Offices, Formerly Central Electricity Lighting Station Including Boundary Walls, Gates and Gatepiers, West End. These impacts do not form part of our interest under the EIA regulations.*

*Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object.*

*However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.*

## **CEC Environmental Protection**

*The proposed application site is located within the city centre of Edinburgh and is predominantly surrounded by commercial and residential land. The site is bounded by Dewar Place to the west and the Western Approach Road to the east. A junction between Dewar Place, Morrison Road and Western Approach Road lies to the south of the site. Edinburgh Conference House is directly south of the site and the Edinburgh International Conference Centre is to the south-east of the site on the other side of Western Approach Road. The site is bounded to the north by commercial premises and*

offices with residential areas on Canning Street beyond. The nearest residential area is on the other side of Dewar Place, near the south end of the site.

*The Planning Permission in Principal PPP application seeks full planning permission for the siting of two hotels. In the north of the planning boundary, an office space is proposed. Additionally, small-scale retail, cafes and bars/restaurants are proposed for the ground floor of the one of the hotels. At this stage of the development, the layouts and elevation of the buildings within the proposed application have not been specified.*

*At the site referred to as 01 there is an existing Scottish Power Energy Network (SPEN) substation building, which has been designed to accommodate significant structures on a podium on top of the substation columns. One of the proposed hotels is located at this site, with kitchen, restaurant and plant rooms on the podium level, and bedrooms and conference rooms on the level above this. The next five levels above this would consist of primarily bedrooms, with a plant room included on the top level. In addition, small-scale retail and bar/restaurants are proposed on the ground floor level, facing Dewar Place.*

*A second hotel is proposed to be located at 'Site 02', across 11 levels, with the largest plant space on the ground floor and top floor, and bedrooms on all levels except ground floor. Reception would be located on same level as the podium on top of the SPEN substation building to the south-west.*

*The applicant has submitted a noise impact assessment which investigates noise impacts from static plant, machinery or equipment associated with the development when developed. This indicated that, incorporating mitigation measures as required. At the PPP stage, details such as the specification of the layout of plant and equipment are not always available. The applicant has also advised that foundation design and structure specification are not finalised. As such a detailed noise and vibration assessment for noise impacts on receptors in the hotels, offices and small-scale retail and bars/ restaurants has not been undertaken. Further noise assessments will be required once these details are known, to allow potential noise and vibration impacts to be designed out. The most likely significant external sources of noise and vibration have been identified as road traffic noise on Western Approach Road, the existing SPEN substation and noise associated with the Network Rail underground line and ventilation shaft.*

*It should be noted that Environmental Health enforce construction site noise under the Control of Pollution Act. The applicant is advised that noise from construction should be limited to Monday to Saturday during 07:00-19:00. Environmental Protection recommends that the applicant ensures that construction site progress is communicated to any concerned neighbours. This could be in the form of a website detailing key activities.*

*The applicant has provided Environmental Protection with written confirmation from advising that there is efficient shielding of the electric magnetic field (EMF). The electric and magnetic field levels associated with the type and design of the new substation ensures that EMF levels are well within the International Commission on Non Ionising Radiation Protection Guidelines, not only for occupational exposure but also exposure to members of the public.*

*Local Air Quality*

*Environmental Protection requested that emissions from the extracts from the substation be assessed. The applicant has confirmed that these extracts are used solely for cooling and ventilation air, and do not serve any combustion plant, thus they will not represent a source of air pollution. It is not, therefore, necessary to consider them further. However, there will be emissions from the emergency generator within the existing electricity substation. The proposed development will necessitate the moving of the flue that serves this emergency generator, but no detailed design for this has been prepared. The generator is understood to have only been required to operate for a couple of hours since its installation, not including hour-long monthly testing. This flue and its emissions will need to be considered alongside the other energy plant at the detailed planning stage.*

*The Network Rail tunnel ventilation shaft serving the southern Haymarket tunnel, which sits within the proposed development, will be capped as part of the development works. The vent houses a transformer serving the electrified railway lines below, access to which may occasionally be required, thus the cap to be installed will be removable. However, it is unlikely to be open for more than a few hours a year for maintenance. As such, the vent will not represent a significant source of emissions that might affect future occupants of the proposed development, and warrants no further consideration.*

*The nature of the proposed development site is such that it has the potential to create new canyon-like features along the length of West Approach Road, which could restrict dispersion of emissions from vehicles leading to elevated concentrations within the street canyon. However, the applicant has indicated the development will be designed with large areas of open space and with buildings distributed through the site so that no significant new canyons are formed. The hotel described as 'Site 02' will create a short canyon-like section, but with open space on either side, thus canyon effects will be very limited. Given that there are no residential or other high-sensitivity receptors opposite this building the risk of significant impacts because of creating this short canyon-like section is minimal.*

*Environmental Protection encourage the developer to work with this department to produce a Green Travel Plan which should incorporate the following measures to help mitigate traffic related air quality impacts;*

- 1. Keep Car Parking levels to minimum.*
- 2. Car Club facilities (electric and/or low emission vehicles).*
- 3. Provision of rapid electric vehicle charging facilities.*
- 4. Provision of rapid electric vehicle charging facilities (Taxis).*
- 5. Public transport incentives for residents.*
- 6. Improved cycle/pedestrian facilities and links.*

*Due to the history of this site and the availability of power the applicant is advised to ensure electric vehicle charging is provided throughout. The site is also located near the city centre air quality management area. Environmental Protection shall recommend a condition to ensure charging points are provided.*

*The applicant will also need to consider land contamination due to the historic use, a condition shall be recommended.*



*Given that the application is only for PPP, very little detailed design work has been undertaken for the development. The lack of detailed design information has resulted in it not being possible to undertake some elements of the air quality assessment work that would be expected for a detailed planning application. This is common for PPP applications and these matters should be dealt with at the appropriate stage (generally the detailed planning permission stage); all are mitigatable by design therefore the following conditions are recommended:*

#### *Class 3 and Class 7*

*1. Cooking odour ventilation details should be provided at the approval of matters in conditions (AMC) stage. In this regard, details should be provided which confirm that the ventilation will meet the following criteria:*

*(i) The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and cooking effluvia shall be ducted to roof level to ensure that no cooking odours escape or are exhausted into any neighbouring premises.*

*(ii) The ventilation system being designed and installed so that gases are expelled with a minimum upwards velocity of 15 metres per second.*

*(iii) The ventilation system shall be installed, tested and operational prior to the use hereby approved being taken up.*

#### *Site in general*

*2. Full details including elevational drawings and technical data on efflux velocity regarding the required relocation of the emergency generator flue shall be submitted to the Planning Authority for its approval at the detailed application stage.*

*3. During construction, it will be necessary to apply a package of mitigation measures to minimise dust emissions these details shall be submitted at the detailed stage.*

*4. Charging outlet (wall or ground mounted) shall be of the following standard with specific specifications and locations provided at the detailed stage:*

*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. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.*

*5. Prior to the commencement of construction works on site:*

*a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and*

*b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.*

6. *Detailed noise assessments will be required at the detailed planning stage, to assess noise and vibration impacts on the proposed development from road traffic noise on Western Approach Road, the existing SPEN substation and noise associated with the Network Rail underground line and ventilation shaft. This must identify appropriate mitigation measures.*

7. *Detailed noise assessments will be required at the detailed planning stage, to assess noise and vibration impacts from the proposed development (hotel and restaurant use) from operational noise, on the proposed development and existing neighbouring sensitive receptors. This must identify appropriate mitigation measures.*

#### *Informatives*

*All proposed energy plant must comply with the Clean Air Act, details of required chimneys should be submitted at the detailed planning stage. Plant above 1Mw may require secondary abatement technology. Biomass is not appropriate for this site.*

*The emissions from the emergency generator within the existing electricity substation shall be assessed in accordance with the Clean Air Act*

#### *Construction Mitigation*

a) *All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.*

b) *The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.*

c) *Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.*

d) *Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.*

e) *All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.*

f) *Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.*

g) *This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.*

h) *No bonfires shall be permitted.*

### **Edinburgh World Heritage - response dated 16/06/2017**

*Thank you for seeking EWH's input at this early stage in the planning process. Although the proposals are outwith the World Heritage Site, they do sit within the virtual buffer provided by the web of conservation areas and viewing cones.*

*It would be helpful to understand the potential of the proposals to impact on long views, particularly W01b, W04b and W05b, and seek the mitigation of any potential negative impacts at this early stage.*

### **Edinburgh World Heritage - response dated 01/10/2017**

*Thank you for consulting EWH on the impact on views into and out of the World Heritage Site of the proposals for Dewar Place. We note that the site, while outwith the World Heritage Site, has the potential to impact of certain views and we are grateful to the development team for providing clear illustration of these.*

*The proposals, as they currently stand, would form a large block in the urban fabric in long views to the World Heritage Site, particularly from Corstorphine Hill, where the block acts to set a new datum for the Castle, reducing some of the overall impact of the Castle Rock and Castle in the view.*

*The proposals also present themselves above Atholl Crescent in the views from Walker Street. This is of concern as the skyline in this area is relatively unbroken - long views along streets in the New Town were carefully planned.*

*Finally, Rutland Square has managed to date to avoid being impacted by the large new developments to the south and west, but these proposals would loom over parts of the square, better resembling the character of the more intensely developed parts of London than Edinburgh's World Heritage Site.*

*These three points would suggest that the loss of a storey and some breaking up of the massing would greatly reduce the potential to impact on the World Heritage Site.*

### **Scottish Natural Heritage**

*Thank you for consulting Scottish Natural heritage on the above development proposal. We note the proposed development site is located in the Exchange District, a densely built up urban area adjacent to Edinburgh city centre.*

*We welcome the proposed new routes for pedestrians and cyclists connecting the proposal with adjoining streets and attractions. These routes, if delivered to suitable standards, will also support the wider strategic network for walking and cycling.*

*We note the intention to carry out a survey to confirm the presence or absence of bats. We can provide advice on the results of this survey but only if you are uncertain about:*

- The adequacy of the survey and any protection plan;*
- Whether a species licence will be needed; or*
- The prospects of a species licence being granted.*

*Advice for planners and developers can be found on our website.*

### **Scottish Natural Heritage - EIA Response dated 13/09/2017**

*Thank you for consulting SNH on the revised proposal and further information submitted in support of the above application. This new information has allowed us to consider the proposal more widely within its landscape and townscape context and we have provided advice below.*

#### *Landscape and Visual Impacts*

*We note the further information that has been submitted, including new montaged visualisations which now illustrate the outline massing and profile of built development which is likely to be seen from wider representative viewpoints. This further information includes visualisations which demonstrate the nature of changes in views experienced from the west towards the city centre and the Castle Rock landform within the Old and New Towns of Edinburgh World Heritage Site.*

*We highlight that the Corstorphine Road viewpoint (EIA viewpoint 23) shows the juxtaposition of proposed development in proximity to the visible junction between the steep craggy landform of Castle Rock with the lower lying surrounding landscape/townscape. While the visualisations from this viewpoint show that there is a discernible difference in the height of the currently proposed development, when compared to the original submission (and therefore the landscape impact of the revised proposal compared to the original submission is less than the original), we would nonetheless advise that the Council gives careful consideration to the issues presented by this viewpoint as representative of an important approach to the city centre.*

*More generally in this regard and as seen from other areas of the city, we would advise that care should be taken so as to ensure that the scale, positioning, massing, or future detailed design details (such as external colour or roofscape), does not significantly detract from allowing the wider appreciation of the steeply sided iconic profile of the Castle Rock landform and Edinburgh Castle and the strongly juxtaposed position it has with the lower lying landscape and townscape context.*

#### *Public Access and Movement Network*

*We note further information on this issue and as highlighted in our response to the original development proposal, we broadly welcome the proposed new routes for pedestrians and cyclists connecting the proposal with adjoining streets and attractions. We advise that these routes, if delivered to suitable standards of detailed design, will also support the wider strategic network for walking and cycling.*

#### *European protected species*

*Our previous advice to you regarding potential impacts on bats remains unchanged. Please let me know if any clarification is required.*

## **SEPA**

*We have no objection to the consulted on planning application and supporting ES. Please note our advice provided below.*

*This advice is given without prejudice to any decision made on elements of the proposal regulated by us, which may take account of factors not considered at the planning application stage.*

*Advice for the planning authority*

### *1. Flood Risk*

*1.1 We have reviewed the information provided in this consultation and it is noted that the application site (or parts thereof) lies within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of surface water flooding.*

*1.2 Review of the Flood Risk and Drainage, chapter 13, indicates that mitigation measures will be in place during and after construction to deal with any surface water runoff. Discharges into the combined sewage will be assessed during the detailed design stage and an assessment of the capacity of sewage will be undertaken to ensure that the sewage capacity will be adequate for discharge and upgrades/maintenance will be undertaken to ensure the flood risk will be minimised. We support these statements*

*1.3 Any drainage or SUDs proposed are for the council to satisfy themselves that the arrangements will be appropriate and in accordance with any internal guidance.*

### *2. Drainage*

*2.1 Drainage is a material planning consideration as set out in PAN 79 Water and Drainage. Planning authorities have been designated responsible authorities under the Water Environment and Water Services (Designation of Responsible Authorities and Functions) Order 2006. As such authorities are required to carry out their statutory functions in a manner that secures compliance with the objectives of the Water Framework Directive (i) preventing deterioration and (ii) promoting improvements in the water environment in order that all water bodies achieve "good" ecological status by 2015 and there is no further deterioration in status This will require water quality, quantity and morphology (physical form) to be considered.*

#### *Foul Drainage*

*2.2 The applicant is proposing to discharge foul drainage arising from the development to the public drainage network vested by Scottish Water (SW).*

*2.3 We note that the applicant is dealing directly with SW to confirm that the existing sewerage infrastructure has sufficient capacity to accept the volume of foul drainage arising from this development proposal. We will expect SW to ensure that this connection will not cause or contribute to the operation of existed consented sewer overflows.*

#### *Surface Water*

*2.4 In accordance with the requirements of The Water Environment (Controlled Activities) (Scotland) Regulations 2011, also known as The Controlled Activity Regulations (CAR) surface water runoff arising from the hardstanding areas, inclusive of road and roofs will require to be collected, treated and disposed of using sustainable drainage techniques.*

*2.5 The applicant has outlined within the application that surface water arising from the development will be discharged into the combined system.*

2.6 It should be noted that SW only accepts surface water into a combined system in exceptional circumstances. Removing surface water from the combined sewer is beneficial as it, increases capacity in infrastructure for future development and reduces the risk of pollution events.

2.7 Should the application be altered in the future in that surface water will discharge to the water environment then we will expect to be re-consulted. In that instance the applicant will be required to provide SUDS in line with CIRIA 697. For the avoidance of doubt we would outline that the proposed storage tanks mentioned on table 3.6, in part 13 of the technical appendices, of the ES, is not recognised as appropriate SUDS and therefore this would not be acceptable by SEPA as a required level of treatment should the normal requirements apply.

### 3. Waste Management

3.1 Consideration should be given prior to construction to any waste material generated from this development. Waste generated on site and any movement of waste off site, including soils, must comply with the Environment Protection Act 1990. A site waste management plan should be submitted as part of the CEMP to address these issues.

### 4. Air Quality

4.1 The local authority is the responsible authority for local air quality management under the Environment Act 1995. Therefore we recommend that you consult with your environmental health colleagues regarding this element of the proposal.

4.2 They can advise on the submitted Air Quality assessment contained within the ES. They can also advise on potential impacts such as exacerbation of local air pollution, noise and nuisance issues and cumulative impacts of all development in the local area.

### 5. Contaminated Land

5.1 The Local Authority is the lead authority in relation to contaminated land and we therefore request that you consult your Environmental Services Department and those responsible for implementing the contaminated land regime regarding this proposal. These contaminated land specialists will take a lead on commenting on the planning application, with SEPA's contaminated land specialists providing input directly to them in relation to impacts upon the water environment.

### Detailed advice for the applicant

#### 6. Flood Risk Caveats & Additional Information for the applicant

6.1 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km<sup>2</sup> using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess, flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit [http://www.sepa.org.uk/flooding/flood\\_maps.aspx](http://www.sepa.org.uk/flooding/flood_maps.aspx).

6.2 We refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from [www.sepa.org.uk/flooding/planning\\_flooding.aspx](http://www.sepa.org.uk/flooding/planning_flooding.aspx). Please note that this document should be read in conjunction with Policy 41 (Part 2).

6.3 Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete

and will assist our review process. It can be downloaded from [www.sepa.org.uk/flooding/planning\\_flooding/fra\\_checklist.aspx](http://www.sepa.org.uk/flooding/planning_flooding/fra_checklist.aspx)

6.4 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

6.5 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Stirling Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from [www.sepa.org.uk/planning/flood\\_risk.aspx](http://www.sepa.org.uk/planning/flood_risk.aspx).

*Regulatory advice for the applicant*

### *7. Regulatory requirements*

7.1 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website.

## **Scottish Water**

*Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following: There is currently sufficient capacity in the Glencorse Water Treatment Works to service this development. Please note that further investigations may be required to be carried out once a formal application has been submitted.*

*- There is currently insufficient capacity in the Edinburgh Waste Water Treatment works to service this development. Please note that further investigations may be required to be carried out once a formal application has been submitted.*

*Please note: Due to the capacity at the treatment works, to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water. The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website at the following link: [www.scottishwater.co.uk/business/connections/connecting-your-property/new-developmentprocess-and-applications-forms/pre-development-application](http://www.scottishwater.co.uk/business/connections/connecting-your-property/new-developmentprocess-and-applications-forms/pre-development-application)*

*The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.*

### *Infrastructure within boundary*

*According to our records, the development proposals may impact on existing Scottish Water assets.*

*- On review of the application I can see that there is both water and foul Scottish water infrastructure within the boundary of this development.*

*The applicant should identify any potential conflicts with Scottish Water assets. I can confirm that I have made our Asset Impact Team aware of this proposed development however the applicant will be required to contact them directly at [service.relocation@scottishwater.co.uk](mailto:service.relocation@scottishwater.co.uk).*

*The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.*

### *Surface Water*

*For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.*

*There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.*

*In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.*

*General notes: Scottish Water asset plans can be obtained from our appointed asset plan providers: Site Investigation Services (UK) Ltd*

*Tel: 0333 123 1223 Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk) [www.sisplan.co.uk](http://www.sisplan.co.uk)*

*- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.*

*- If the connection to the public sewer and/or water main requires to be laid through land outwith public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.*

*- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.*

*- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.*

### *Next Steps:*

*- Single Property/Less than 10 dwellings*

*For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.*

*- 10 or more domestic dwellings:*

*For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water. This will allow us to fully appraise the proposals.*

*Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution*



regulations. The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website using the following link.

[www.scottishwater.co.uk/business/connections/connecting-your-property/new-developmentprocess-and-applications-forms/pre-development-application](http://www.scottishwater.co.uk/business/connections/connecting-your-property/new-developmentprocess-and-applications-forms/pre-development-application)

- Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)

- Trade Effluent Discharge from Non Dom Property:

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject 'Is this Trade Effluent'. Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link

<https://www.scottishwater.co.uk/business/our-services/compliance/tradeeffluent/trade-effluent-documents/trade-effluent-notice-form-h>

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection.

The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

## **Network Rail**

Whilst Network Rail has no objections in principle to the proposal, due to its location above Haymarket Tunnels, we would request that the following matters are taken into account, and if necessary and appropriate included as conditions or advisory notes, if granting the application:

*There must be no additional loading/surcharge on Haymarket Tunnels (including sidewalls) by the proposed development. All proposed works adjacent to and above the tunnels must be subject to further discussions and agreement with Network Rail prior to works commencing on site.*

*Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Engineer before development can commence.*

*Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any supporting structures which are in close proximity to their development.*

*- Details of all changes in ground levels, laying of foundations/piling works, and operation of mechanical plant in proximity to Haymarket Tunnels must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a 'fail-safe' manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a 'possession' which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.*

*The developer must contact our Asset Protection Engineers regarding the above matters.*

## **West End Community Council - response dated 13/09/2017**

*Planning Application Ref: 17/02227/PPP 2 Dewar Place*

*In its capacity as a consultee, the West End Community Council submits the following views with regard to the August 2017 revisions:*

### *1 Height and mass:*

*In general we are appreciative of the effects of the revisions to height and massing. Reductions in height have lessened the impact as seen from:*

*Dewar Place and Morrison Street junction. Ref: 16.8m (ii) Viewpoint 2*

*West Maitland Street and Torphichen Street junction. Ref: 16.8 (vii)*

*Canning Street and Torphichen Street junction. Ref: 16.8 (i.a) Viewpoint 1*

*The increased setback at the corner tower on Dewar Place has improved the relationship to the Listed Building. Ref: p41 Supplementary Information*

*The remaining CC concerns are:*

*The new build still seems overpowering as viewed from Rutland Street in the WHS.*

*The view from Walker Street to Atholl Crescent is still affected. The roofline has already been interrupted by the Exchange Tower, but further interruption should attempt to retrieve the setting of the roofline of this A Listed Georgian terrace. The proposed varied hotel roof heights are an improvement, but care must be taken over the materials that are specified. Ref: 16.8 (vii) Viewpoint 15.*

*There is some concern that increased massing at ground level will harm the public realm provision and landscape design.*

*2 Options for new entrance to hotel - A single storey hotel entrance is preferred.*

*The enlarged version, although it interferes with the integrity of the original structure, allows a lining through of the first floor fenestration. It creates a pend effect. The setbacks, e.g. of the stair, are an improvement.*

*If approval is granted, WECC suggests that there should be tight control of the heights of the hotels at the next stage in the application.*

*We trust that the above comments will be taken into consideration.*

## **Edinburgh Urban Design Panel comments**

### *Executive Summary*

*The proposal for review is a masterplan for the proposed Exchange 2 development at Dewar Place, situated to the south west Edinburgh City Centre. The site has been identified for consideration by the Panel due to its prominent city centre location and the complexity of the site. The Panel welcomed the opportunity to review the proposals at this early stage in the design process.*

### *Main Report*

#### *1 Introduction*

*1.1 The proposal for consideration is a site masterplan for the on-going redevelopment of the Scottish Power sub-station site bounded between Dewar Place, the Western Approach Road, Canning Street and Rutland Court Lane.*

*1.2 The proposed development site, covers an area of 1.55 hectares. The site is currently occupied by an existing electrical substation with vacant land to the north east. The substation would be incorporated in to the proposed development. The retained frontage of the electricity company's former offices lines the site frontage on Dewar Place. It is category 'B' listed (LB reference:- 03/007/B, Date of listing:- 23 March 2001). The northern section of the site is underlain by railway tunnels.*

*1.3 The site fronts on to the east side of Dewar Place and is flanked to the east by the Western Approach Road. The 5 to 6 storey building at Conference House lies immediately south of the site and fronts on to Morrison Street. The vacant land opposite the site, on the west side of Dewar Place, is subject of a planning application for a hotel development which is currently under consideration (Application reference:- 16/00700/FUL).*

*1.4 The site lies within the Central Area as identified in the Edinburgh City Local Plan (ECLP) and with the City Centre as identified in the Second Proposed Local Development Plan (LDP). The proposals will need to be considered in terms of their compliance with Policy Ca 1 of the ECLP, and its equivalent policy in the proposed development plan, which amongst other considerations provide for a mix of use appropriate to the location of the site, its accessibility and the character of the surrounding area.*

*1.5 The boundary of the Old and New Towns of Edinburgh World Heritage Site lies to the north west of the site. The application site is located within the New Town and West End Conservation Areas.*

1.6 A Proposal of Application notice (PAN) has been submitted informing of a forthcoming application for a Planning Permission in Principle for a mixed use development including office (Class 4), hotel (Class 7), retail (Class 1), food and beverage (Class 3), education (Class 10), flats and student accommodation and enabling development, including deck construction and access from Dewar Place, Canning Street and the Western Approach Road.

1.7 No declarations of interest were made by any Panel members in relation to this scheme.

1.8 The Panel noted that proposals for the general principles of the Exchange 2 Masterplan for Dewar Place were previously reviewed by the Edinburgh Urban Design Panel in June 2009.

1.9 This report should be read in conjunction with the pre meeting papers which provide illustrative materials of the proposals and site analysis.

1.10 This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations who are represented at the Panel forming a differing view about the proposals at a later stage.

## 2 Contextual response and Development Concept

2.1 The Panel recognised that the site is transitional in terms of character, forming an interface between the hard landscape of the Exchange Quarter to the east and the West End to the north and west. The Canning Street area and the lanes to the north possess a human scale and finer grain of development which contrast with the immediate surroundings. The Panel considered that the development of this site could start to connect a number of adjacent elements together including the EICC, Atria building, Conference House (Scottish Enterprise) and the Canning Street tower, but no details were provided by the design team to demonstrate how the massing, height transition and response to each of the adjacent areas would be handled. The Panel suggested that a physical model should be prepared to further understand the design implications relating to the proposed height and mass of the development.

2.2 The Panel felt that the surrounding streets and spaces are disconnected and the thrust of the proposal could help open up the area. New links across the site are therefore critical and the Panel welcomed the principle of a new pedestrian link between the development site and Conference Square to the east. However, the Panel also noted the limitations of a Planning Permission in Principle (PPP) application in resolving detailed design issues at this stage.

2.3 The Panel welcomed the retention of the listed facade which could help anchor the identity of the development within the adjacent streets and urban grain.

2.4 The Panel expressed concern about the nature of the existing environment of Conference Square which is north facing and now more greatly enclosed by high buildings. Given the level of overshadowing and absence of active ground floor frontage the Panel queried if it would be realistic to suggest that the character of space could be significantly changed, e.g. through the introduction of street cafes. However,

*the Panel considered that the Square is not a presently a lively or happy place and increased footfall from the west could help facilitate activity within the space.*

*2.5 The Panel commented that the pedestrian connection across the site to Conference*

*Square could lack legibility and the entrance to this route must appear inviting. The design team stated that a retail unit was being considered to Dewar Place in order enliven this section of frontage and enhance the legibility of this route. The Panel suggested that the treatment of all site edges could further enliven the adjacent routes and integrate the development between the various character zones. The relationship between public and private elements of the development also requires further consideration.*

*2.6 The Panel enquired whether the constraints of the site almost result in a pre-ordained shape for the development. The design team responded that the substation building was future proofed with a podium deck to create the next phase of development. The Panel commented that seeking to achieve a particular development quantum for the site may not necessarily be the best approach for the site, rather it will be the use type which will be critical. Whilst the Panel noted that the technology used within the substation facility is highly sophisticated, development costs could still increase significantly to deliver certain types of use, e.g. residential. A careful balance must therefore be struck.*

*2.7 The Panel also noted the site constraints to the eastern corner of the site which contains a ventilation shaft to the railway tunnels beneath and this may limit the level of development which can be achieved in this part of the site.*

*2.8 The Panel queried whether this site was identified in the Terry Farrell masterplan. The design team confirmed that this was not included however sketches had indicated a curved façade to the block to the south. The Panel stated that it would be useful to understand what was said at the time.*

*2.9 The Panel remarked that the site area is relatively overshadowed in nature due to presence of surrounding high buildings. Further modelling is therefore required in respect of daylighting levels.*

*2.10 In summary, the Panel were supportive of the development in principle, recognising the strategic opportunities that the site presents for the city centre, particularly the EICC and Haymarket development to the west. The Panel welcomed the aspiration to improve connectivity across the site.*

### *3 Scale, height and impact on key views*

*3.1 The Panel remarked that the height of buildings will be critical in this location, with the EICC already representing a large element on the skyline, particularly when viewed from western part of the city. The impact of the height and mass of the development upon both short and distant views must be carefully assessed as part of the design development.*

*3.2 The Panel stated that the height of the EICC and Canning Street tower should not inform heights of the development.*

3.3 *The preparation of a physical model as previously outlined in 2.1, could further assist in understanding the height and scale of the development.*

#### *4 Transport and Accessibility*

4.1 *The Panel commented on the poor quality pedestrian environment in the vicinity of the site, including Morrison Street, Dewar Place and the Canning Street area. This situation could be improved with potential developer contributions and Council capital funding. The design team indicated they would be keen to promote a more pedestrian friendly environment particularly at the junction of Dewar Place and Morrison Street.*

4.2 *The Panel stated the proposals should address the requirements of the new Edinburgh Street Design Guidance and seek to avoid a minimal footway particular given the nature of the surrounding streets.*

4.3 *The Panel commented on the pronounced 9 metre level change within the site, this presenting potential issues in terms of accessibility and meeting DDA requirements. The design team stated that they were proposing to use closes to take the pedestrians through the site via steps. However, the Panel recognised that this may present issues in terms of DDA compliance.*

4.4 *The Panel queried how the development would improve facilities for cyclists, particularly cycle access from the west of the site and how the proposals would respond to the existing north - south cycle route in Conference Square.*

4.5 *The design team outlined that the proposed development would include minimal parking provision, this being difficult to implement due to the constraints of the site, but the location is also highly accessible and well served by public transport. This aspect of the proposal was welcomed by the Panel.*

4.6 *The Panel enquired how the Western Approach Road would be handled in relation to the development also noting the difficult traffic conditions which are currently evident in the vicinity of the site. The Panel also noted that the proposed development would be serviced from the Western Approach Road and asked how traffic would egress from this route. The design team outlined that no discussions had taken place on transport issues as part of the current application. However, they recognised issues arising from the presence of the Western Approach Road and potential opportunities to improve the current situation. This could include reducing the current speed limit.*

#### *5 Sustainability and Environmental Considerations*

5.1 *The Panel commented on the built-up character of the locality, with limited planting in evidence. This development could provide an opportunity for greening and improving biodiversity, through measures such as green roofs, internal or external atria and planting to the site edges.*

5.2 *The Panel also observed that the site presents other challenges in terms of environmental factors, particularly traffic noise and fumes from the Western Approach Road and overshadowing from adjacent high buildings. These factors will demand a particular design response.*

5.3 The Panel recognised the nature of the site could present opportunities for sustainable design particularly the use of heat recovery from the sub-station, the orientation and size of atria and stairwells, the use of photo-voltaics and advanced technological approaches to lighting and plant. In response to this, the design team stated that an open stair arrangement could facilitate lighting. The Panel also caveated that the use of photovoltaics may also present visual issues, particularly in key views of the site.

5.4 The Panel felt that the design approach should seek to maximise the use of sustainable design and features to improve biodiversity and would strongly encourage BREAMM certification and other environmental criteria be pursued within the development.

## 6 Security Considerations

6.1 The Panel commented that the sub-station represents a critical piece of national infrastructure and as such a major counter terrorism threat. In view of this, protection measures to mitigate this need to be carefully considered as part of the design development process including access control to the site and effective CCTV coverage. Technology is rapidly advancing in this area and techniques such as facial recognition should be considered.

6.2 The Panel also commented that radio communications for the emergency services are due to move from an airwave system to 4G network from 2020. Whilst this will improve coverage in many areas, the area around this site contains many high buildings. Adequate network coverage must be maintained throughout the site, particularly in areas such as subterranean car parks and in proximity of thick concrete walling.

## 7 Recommendations

7.1 In developing the design, the Panel supports the following aspects and therefore advocates that these should remain in the proposals:

*Recognition of the transitional nature of the site, which forms an interface between areas of contrasting character*

*Development of a legible pedestrian route through the site to link Dewar Place with Conference Square*

*A minimal level of vehicle parking within the development*

*The retention of the listed façade on Dewar Place*

*Recognising the significance of the Sub Station site as an important piece of national infrastructure*

7.2 In developing the proposals the Panel suggests the following matters should be addressed:

*Prepare a physical model of the proposals to aid the understanding of issues relating to the scale, height and mass of the development*

*Consider how the development of a pedestrian route to Conference Square could enliven and facilitate activity both within the site and adjacent spaces*

*consider the types and balance of uses which could be compatible with the operational requirements of the Sub Station to determine the development quantum*

*Consider other site constraints which may have a bearing upon the overall levels of development*

*Issues relating to overshadowing from adjacent buildings and how daylighting levels within the development could be maximised*

*The height of the proposed buildings and potential impacts upon short and distant views*

*Seek to enhance the pedestrian environment in the vicinity of the site in conjunction with the development proposals, e.g. junction of Dewar Place and Morrison Street*

*Consider pedestrian accessibility through the site which provides a suitable response to the pronounced level change, including DDA compliance*

*The development of cycle facilities, including the relationship to the existing north-south cycle route in Conference Square*

*Vehicular access arrangements from the Western Approach Road and measures to improve upon the current situation relating to traffic levels*

*The environmental challenges presented by the Western Approach Road including noise and traffic levels*

*Sustainable design measures including heat recovery from the Sub Station and measures to improve biodiversity*

*Use of suitable environmental accreditation for the development, e.g. BREAMM*

*Design measures and features to enhance the level of security within the development, particularly to acknowledge the significance of the Sub Station as a major piece of national infrastructure*

*Ensure adequate coverage within the development for emergency communications, including the move to 4G technology in 2020*

### **Economic Development service - response dated 16/06/2017 + Addendum dated 30/08/2017**

*Edinburgh's economic strategy, A Strategy for Jobs 2012-17 aims to achieve sustainable economic growth through supporting the creation and safeguarding of jobs in Edinburgh. A key element of delivering jobs-driven economic growth is the provision of an adequate supply of workplaces.*

*Commentary on existing use*

*The application relates to 1.24 hectares of land bounded by the West Approach Road to the east; Morrison Street to the south; Conference House to the southwest; Dewar Place to the west; and the Exchange Tower and Caledonia Exchange on Canning Street to the northwest. The railway tunnels linking Haymarket and Edinburgh Waverley stations run beneath the northern section of the site.*

*The land in question is currently occupied by a substation complex, comprising a modern podium building along with a yard containing transformers and other equipment, some of it now decommissioned. It is noted that the substation is proposed to remain in place and operational throughout the redevelopment of the site and beyond and so there would be no loss of economic impact associated with the decommissioning of the substation.*

*Dewar Place was identified in 2012 as one of the Edinburgh 12 - 12 gap sites in central Edinburgh with the greatest potential economic impact. Dewar Place is recognised as occupying a prime location but as presenting substantial practical challenges from a development perspective including the rail tunnels that partly undercut the site; the need to preserve the substation in place; the need to preserve ventilation shafts; the limited frontage; the listed façade onto Dewar Place; and the change in levels across*



*the site. The site has been the subject of multiple development proposals, most significantly the 2010 "Exchange 2" masterplan prepared by PLP Architecture which proposed a wider redevelopment incorporating Conference House and the vacant land between Torphichen Street and Dewar Place Lane delivering 10,143 sqm of hotel space; 9,945 sqm of office space; 4,645 sqm of residential space; 3,054 sqm of leisure space; and 3,028 sqm of retail space.*

#### *Commentary on proposed use/uses*

*The site in question falls within the city centre as identified by the Local Development Plan (LDP) for Edinburgh. A relevant policy is Del 2A, which states, 'where practicable, major mixed use developments should provide offices, particularly on upper floors.'*

#### *Class 1 - Shops/Class 3 - Restaurants and cafés*

*The development as proposed would deliver 206 sqm (gross) of class 1 (shop) / class 3 (restaurant and café) space. Given average ratios of net to gross space for retail buildings of 90:100, this is calculated to represent approximately 185 sqm (net) of class 1 / class 3 space.*

*Average employment densities for shops and restaurants and cafés range from one full-time equivalent (FTE) employee per 15 sqm (net) to one FTE employee per 20 sqm (net). This indicates that the shops / restaurants and cafés could be expected to directly support between 9 and 12 FTE jobs if fully occupied, giving a median figure of approximately 11 FTE jobs.*

*The average gross value added (GVA) per annum for the distribution, transport, accommodation, and food sector in Edinburgh was £24,444 as of 2015. Multiplying this average GVA per employee figure by the median employment estimate would give an estimated annual GVA from the shop / restaurant and café space if fully occupied of £0.27 million per annum (11 x £24,444).*

*The drawings provided suggest that the retail / food and drink elements of the development would comprise a restaurant fronting onto Dewar Place along with a shop and café fronting onto the new elevated plaza proposed to be created opposite Conference Square. This could be expected to help animate Dewar Place and to help draw footfall into Conference Square via the plaza.*

#### *Class 4 - Office*

*The development as proposed would deliver 4,559 sqm (gross) of class 4 (office) space. Given average ratios of net to gross space for office buildings of 80:100 to 85:100, this is calculated to represent approximately 3,761 sqm (net) of office space.*

*Average employment densities for office space range from one FTE employee per eight sqm (net) for call centres to one FTE employee per 13 sqm (net) for corporate offices. This indicates that the office space could be expected to directly support between 289 and 470 FTE jobs if fully occupied, giving a median figure of 380 FTE jobs.*

*The average GVA per annum for the information and communication; financial and insurance activities; real estate activities; and business service activities sectors in Edinburgh (the sectors that primarily account for office demand) was £87,377 as of 2015. Multiplying this average GVA per employee figure by the median employment estimate would give an estimated annual GVA from the office space if fully occupied of £33.20 million per annum (380 × £87,377).*

*It is noted that the office elements of the development account for 15.1% of the total gross floor-space delivered but 52.7% of the projected employment and 79.9% of the projected GVA. This reflects the relatively high employment density of office buildings and the relatively high average output of the sectors that typically occupy offices.*

*The drawings provided indicate that the office block would be located in the extreme north of the application site, fronting onto Canning Street. The Planning Statement describes this as 'a landmark building to take advantage of the character of Canning Street/Rutland Square, and to deliver a high quality statement building in this somewhat neglected, yet highly prominent gateway to the site.' The Planning Statement also suggests the block would be divided into small units of 500 sqm aimed primarily at technology companies. The Planning Statement indicates that development of the office block would be contingent upon securing pre-lets for at least 60% of the building.*

*The proposed quantum of office space within the development is lower than previously mooted which is unfortunate given the highly strategic location of the development within the Exchange District and the increasingly scarce number of sites suitable for office development in the city centre. However, it is recognised that the constraints on the site make the lower risk option of hotel development more attractive from an investment perspective.*

#### *Class 7 - Hotels and hostels*

*The development as proposed would deliver 25,330 sqm (gross) of class 7 (hotels and hostels) space, representing 550 bedrooms across two hotels, one of 300 bedrooms and one of 250 bedrooms.*

*Average employment densities for hotels range from one FTE employee per five bedrooms in a budget hotel to one FTE employee per bedroom in a luxury hotel. This indicates that the hotels could be expected to directly support between 110 and 550 FTE jobs if fully occupied, giving a median figure of approximately 330 FTE jobs.*

*The average GVA per annum for the distribution, transport, accommodation, and food sector in Edinburgh was £24,444 as of 2015. Multiplying this average GVA per employee figure by the median employment estimate would give an estimated annual GVA from the hotel space if fully occupied of £8.07 million per annum (330 × £24,444).*

*It is noted that the Edinburgh International Conference Centre (EICC) has suggested that a lack of large four-star hotels in its immediate vicinity makes it more challenging for it to attract conferences. The creation of 550 hotel bedrooms adjacent to the EICC could address this and help the EICC attract additional conferences.*

## Sundry

*The Design and Access Statement for the proposed development includes a 'future masterplan opportunity' plan showing potential developments outwith the application boundary area. This plan does not include the Conference House office building, which it is anticipated is likely to come forward as a development opportunity in future. Given the increasingly limited development opportunities in this part of Edinburgh, it is considered crucial that the redevelopment potential of Conference House be safeguarded. The land immediately north of Conference House is currently used as a service yard; this land could at present support a future redevelopment and expansion of Conference House. It is therefore suggested that the development as proposed should not preclude the future redevelopment and expansion of Conference House.*

*The bridge over the West Approach Road linking the elevated plaza with Conference Square would significantly enhance permeability through the Exchange District. It is noted that proposals have made previously for a more extensive deck over the West Approach Road. While it is recognised that this is outwith the scope of the current proposals, it is suggested that the development as proposed should not preclude the future creation of a deck.*

## SUMMARY RESPONSE TO CONSULTATION

*The development as proposed would if fully occupied, deliver a projected direct employment impact of 721 FTE jobs (11 + 380 + 330) and a direct GVA impact of £41.54 million per annum (£0.27 million + £33.20 million + £8.07 million). These are gross figures that do not consider multipliers, displacement, etc. The office elements of the development account for 53% of the jobs and 80% of the economic output. There is therefore a considerable impact on the economic impact of the development if the office block does not proceed.*

*It is suggested that safeguards be put in place to ensure that the proposed development does not preclude either a redevelopment and expansion of Conference House or the formation of a deck over the West Approach Road.*

*This response is made on behalf of the Economic Development service.*

## ADDENDUM - 30 AUGUST 2017

I Additional information was provided by the applicant in August 2017 in response to issues raised by various consultees. This information has been reviewed and the following information added.

### Economic impact

The applicant has provided a socio-economic impact assessment of the development produced by Colliers. The assessment states that both hotels would be four-star, with 550 bedrooms supporting approximately 330 full-time equivalent (FTE) jobs. The Employment Density Guide (3rd edition) published by the UK Homes and Communities Agency states that 'upscale' hotels support on average 1 FTE job per 2 bedrooms (giving an expected total of 275 FTE jobs), while 'luxury' hotels support on average 1 FTE job per bedroom (giving an expected total of 550 FTE jobs). The projection of 330 FTE jobs therefore appears reasonable. This figure is equal to the original estimate provided by the Economic Development service.

The socio-economic impact assessment suggested that the 330 direct jobs will support a further 790 jobs in the wider economy via indirect and induced impacts (multiplier effects) and the impact of visitor expenditure, giving a total of 1,120 jobs. The assessment also suggests that the hotels will support an increase in the gross domestic product of Edinburgh of £28.6 million annually. These estimates are tested below.

Data from the Scottish Government Input-Output tables suggests that every job in the accommodation sector supports a further 0.3 jobs in the wider economy via multiplier effects (a combination of indirect effects - the impact of supply chain expenditure - and induced effects - the impact of employee expenditure). This suggests that the 330 jobs would support a further 84 jobs in the wider economy. Data from the same dataset suggests that every pound of GVA in the accommodation sector supports a further 0.4 pounds of GVA in the wider economy. Based on the estimated GVA figure for the hotels of £8.07 million quoted above, this suggests that multiplier effects would support a further £3.36 million of GVA per annum.

The hotels could be expected, assuming all bedrooms were available year-round by a single occupant and an indicative occupancy rate of 80%, to support a total of 160,710 bed-nights in Edinburgh throughout the year ( $550 \times 365.25 \times 80\%$ ). This figure would rise if the proportion of bedrooms shared by guests or the occupancy rate was to rise.

Data from VisitScotland indicates that visitor expenditure in Edinburgh averaged approximately £108 per bed-night in 2015. This suggests that the 160,710 bed-nights would translate to approximately £17.36 million of expenditure in the local economy by visitors per annum. It could be argued that visitors staying in four-star hotels could be assumed to have more disposable wealth than the average visitor and that they would therefore likely spend higher-than-average sums in the local economy. However, this must be offset against the argument that visitors who are spending significant sums on occupation may opt to spend less on other aspects of their trip than those visitors staying in low-cost accommodation.

Data from the Edinburgh Visitor Survey indicates that accommodation accounts for approximately 37% of daily expenditure by overnight visitors to Edinburgh, while eating/drinking accounts for 29% shopping for 17%; entertainment for 11%; and travel/transport for 6%. This suggests that expenditure by visitors on items other than accommodation will total £10.93 million: £5.03 million on eating/drinking; £2.95 million on shopping; £1.91 million on entertainment; and £1.04 million on travel/transport.

Based on average turnover per employee and gross value added per employee in the relevant sectors as quoted in the Scottish Annual Business Statistics, it is estimated that this £10.93 million of expenditure would support a total of 151 jobs and £4.58 million of GVA per annum (2015 prices) (92 jobs and £2.96 million of GVA in the food and beverage service sector; 27 jobs and £0.81 million of GVA in the retail sector; 24 jobs and £0.27 million of GVA in the arts, entertainment and recreation sector; and 9 jobs and £0.53 million of GVA in the transport and storage sector).

Overall, it is estimated that the hotels could be expected to support an overall total of 565 jobs (330 direct jobs + 84 indirect and induced jobs + 151 jobs supported by visitor expenditure) and £16.01 million of GVA per annum (£8.07 million direct GVA + £3.36 million indirect and induced GVA + £4.58 million of GVA supported by visitor

expenditure). This is considerably lower than the 1,120 jobs and £28.6 million per annum of gross domestic product quoted in the socio-economic impact report. It is therefore suggested that the figures quoted in the socio-economic impact report somewhat overstate the likely impact of the hotels.

Additionally, it is noted that the office space is estimated to, if fully occupied, support an increase in the GVA of Edinburgh of £33.20 million per annum (2015 prices). This figure is substantially higher than the applicant's estimate of the economic impact of the hotels, despite the relatively low proportion of the site allocated to office uses. This emphasises the large contribution to the overall economic impact of the development made by the office components. This is due to the high employment density of office uses and the relatively high value nature of the sectors that typically occupy offices.

#### Conference House

It was previously suggested that safeguards be put in place to ensure that the proposed development did not preclude a redevelopment and/or an expansion of Conference House. The public realm diagram provided by the applicant suggests that the land immediately north of Conference House will be used as a service yard. It is anticipated that this could be addressed in the detailed designs.

#### Deck

It was previously suggested that safeguards be put in place to ensure that the proposed development did not preclude the formation of a deck over the West Approach Road. It is anticipated that this could be addressed in the detailed designs.

#### SUMMARY OF ADDENDUM

It is reiterated that the office elements of the development account for most of the projected directly-supported jobs and a large majority of the projected direct economic impact, and that there is therefore a considerable impact on the economic impact of the development if the office block does not proceed.

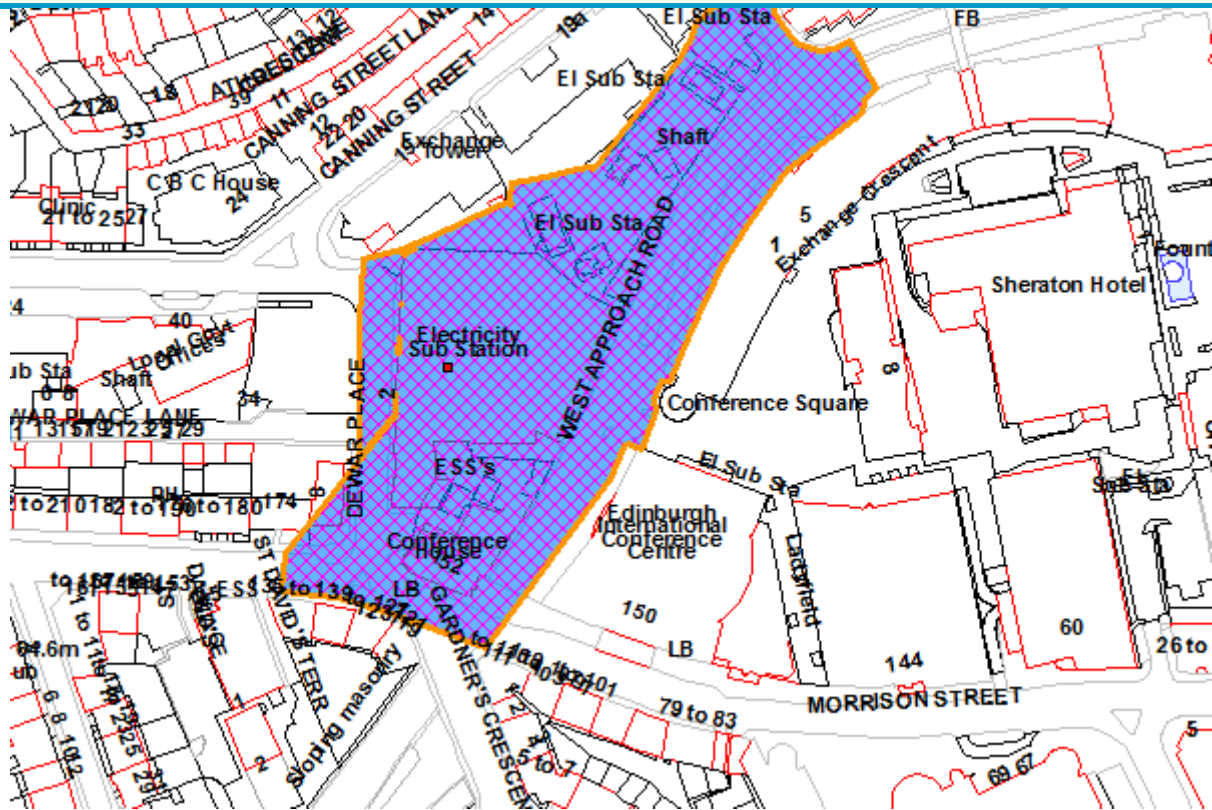
It was previously suggested that safeguards be put in place to ensure that the proposed development did not preclude a redevelopment and/or an expansion of Conference House, or the formation of a deck over the West Approach Road. The development as proposed does not appear to preclude either of these aspirations. It is anticipated that these matters could be addressed if detailed designs are submitted.

#### **Economic Development - response dated 23/11/2017**

*The points made in the August addendum to our original response are re-iterated.*

*In terms of the EIA, the addendum looks at the 'SOCIO-ECONOMIC IMPACT' statement from Colliers submitted in August 2017. This has slightly different figures in it to the socioeconomic impact chapter of the EIA; as it was submitted at a later date. It is assumed that the new figures supersede the old ones. Colliers' submission suggested the jobs/GVA impact of the hotels was potentially overstated.*

## Location Plan



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**END**

# Development Management Sub Committee

Wednesday 7 March 2018

## Application for Listed Building Consent 17/02228/LBC At 2 Dewar Place, Edinburgh, EH3 8ED Demolition of rear part of original electricity generating station, partial demolition, refurbishment and integration of retained façade into proposed hotel building (as amended)

Item number	7.5(b)
Report number	
Wards	B11 - City Centre

### Summary

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The proposed alterations are compatible with the character of the existing building and will not result in any unnecessary or unjustifiable damage to its historic structure or architectural interest. The proposals therefore comply with the requirements of LDP policy Env 3 (Listed buildings - Alterations and Extensions), as well as the non-statutory guidance on Listed Buildings and Conservation Areas. Furthermore, the proposals meet the requirements of the Historic Environment Scotland Managing Change guidance on Alterations to Listed Buildings.

### Links

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[Policies and guidance for this application](#) CRPWEN, LDPP, LEN04, LEN03, NSG, NSLBCA,

# Report

## **Application for Listed Building Consent 17/02228/LBC At 2 Dewar Place, Edinburgh, EH3 8ED Demolition of rear part of original electricity generating station, partial demolition, refurbishment and integration of retained façade into proposed hotel building (as amended)**

### **Recommendations**

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- 1.1 It is recommended that this application be Minded to grant - Scottish Ministers subject to the details below.

### **Background**

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#### **2.1 Site description**

The application site, which covers an area of 1.24 hectares, lies on the south west side of the city centre. The site slopes upwards from north to south, towards Morrison Street, on its Dewar Place frontage.

The site fronts on to the east side of Dewar Place and is flanked to the east by the Western Approach Road. The 5 to 6 storey building at Conference House lies immediately south of the site and fronts on to Morrison Street. Existing office buildings including Exchange Tower and Conference Exchange, are located to the north of the site. Planning permission was recently granted for a hotel development on the vacant land opposite the site, on the west side of Dewar Place (application reference 16/00700/FUL).

The site is currently occupied by an existing electrical sub-station with vacant land to the north east. The retained facade of this former electricity station headquarters lines the site frontage on Dewar Place. The only part of the original building which is retained intact is the three storey, vacant office accommodation, situated at its south west end. The building is category 'B' listed (listed building reference LB47721) (listed 23 March 2001). On the northern part of the site, the original transformers and switch room are located and these were decommissioned as part of the new substation development. These structures and buildings were all installed or erected after 1946, with other original buildings on this part of the site being previously demolished.

The boundary of the Old and New Towns of Edinburgh World Heritage Site lies to the north west of the application site.

This application site is located within the West End Conservation Area.



## 2.2 Site History

10 May 2007 and 15 July 2007 - Planning permission and listed building consent granted for demolition of substation building, restoration of Dewar Place façade and construction of a replacement substation facility, podium deck and pavilion space (07/02421/FUL and 07/02421/LBC).

19 May 2011 - Planning permission and listed building consent granted for amendments (including revised facade design & removal of roof top restaurant) to planning permission ref: 07/02421/FUL for construction of an electricity substation development (11/01064/FUL and 11/01064/LBC).

09 March 2015 - Planning permission granted for reconfiguration of access and erection of external staircase and safety barrier(15/00354/FUL).

18 May 2017 - application for planning permission in principle submitted for a mixed use development, including hotel(s), offices, retail use, restaurant(s), pedestrian deck, bridge link and accesses from Western Approach Road, Dewar Place and Canning Street; as well as detailed approval for siting, maximum height & limits of deviation of proposed buildings, partial demolition and refurbishment of façade of former electricity station. This application is currently under consideration (17/02227/PPP).

18 May 2017 - Application for demolition of transformers and switch room building. This application is currently under consideration (17/02229/CON).

## Main report

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### 3.1 Description Of The Proposal

The following alterations to the listed building fabric are proposed, in association with the mixed use development proposed under the associated application for planning permission in principle (17/02227/PPP).

The proposals to the retained part of the listed building include:

- Down-taking of the interior of the remaining three storey office floor space, at the south west corner, to form the hotel entrance lobby at podium level, with reinstated floor plate, providing guest accommodation at the upper level.
- Part demolition and part retention of the slate roof above the retained façade at the south and west corner of building.
- Installation of glazed doors and surround within section of the facade on Dewar Place, to form a single storey height, hotel entrance.
- Window alterations, including the installation of opaque glazing, to blocked up windows on the west elevation.
- Alterations to the boarded up window and door opening at the south west corner, to form a new entrance to the public route leading to the new footbridge proposed over West Approach Road (under application 17/02227/PPP).

The proposals constitute an amended scheme (scheme 3). The following proposals were included under the original application and in the first amended scheme:

### **SCHEME 1**

A three storey glazed entrance was proposed on the south facing, Dewar Place façade of listed building, requiring demolition of full height section of façade on this frontage. A full height open foyer space was proposed behind the corner of the listed building on its Dewar Place corner façade. The new build hotel was set back by 3.1 metres on west elevation a 1.7 metres on south elevation from the listed building façade.

### **SCHEME 2**

The scale of entrance lobby was reduced from three to one storey in height. The set back of the new building on the south elevation was increased to 3.1 metres, on both elevations. Integral hotel accommodation was introduced above the proposed entrance to the public stairway.

## **3.2 Determining Issues**

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.

## **3.3 Assessment**

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

i) Impact of proposed alterations on the character of the listed building.

Scottish Planning Policy states that the planning system should:

- *promote the care and protection of the designated and non-designated historic environment;*
- *(Including individual assets, related settings and the wider cultural landscape) and its contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning; and*
- *enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use.*

*Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced.*

The proposals for demolition under the current application relate to the rear elevation of the southern part of this building, and a section of the original roof on Dewar Place frontage, along with its internal floor plates. The original façade would be retained, with the exception of down takings, where new entrances are proposed. These alterations to the listed building fabric are required, in order to allow for the new development above this building and are assessed under the terms of LDP policy Env 4 (Listed Buildings- Alterations and Extensions).

This policy states that proposals to alter or extend a listed building will be permitted where:

- a) Those alterations or extensions are justified;
- b) There will be no unnecessary damage to historic structures or diminution of its interest; and
- c) Where any additions are in keeping with other parts of the building.

The Historic Environment Scotland listing for this category 'B' listed building states that:

*'The Electric Light Works former power station was constructed in the Italian palazzo style. In 2017, only the Dewar Place façade of the building remains, this being shored up from the interior and on the roof of the modern electricity sub-station. The windows and other openings onto Dewar Place have been infilled, and some vandalism of the exterior has taken place.'*

This description highlights the currently poor condition of this listed asset and the limited extent of building fabric which remains. However, the distinct character of this red sandstone building, with its ornamental frontage, including the turret feature at its southern corner, makes a significant contribution to this part of the conservation area. This is recognised in the West End Conservation Area Character Appraisal which highlights the building as one of just three noteworthy buildings in this part of the conservation area.

#### External Alterations

The finalised proposals include the retention of the street facing, slate roof plane, at the corner of the listed building with Morrison Street and the majority of the remaining facade of the listed building. The retention of this roof plane will also provide for a greater set back from the building line of the new build element above, as proposed under the accompanying application for planning permission in principle. This should result in an improved impact of any such extensions on the listed building setting, as acknowledged by Historic Environment Scotland in its response.

The revisions to the original proposals include a significant reduction in the height of the fascia of the proposed hotel entrance foyer on Dewar Place. This change has allowed for the retention of a much greater extent of the original building fabric and architectural integrity than originally proposed. The amended scheme accords with the objectives of LDP policy Env 4 and the Historic Scotland guidance on Managing Change in the Historic Environment 2010, which states that: *The minimum historic fabric should be removed.*

The design of the proposed entrance to the foyer, which is relatively contemporary in form, is considered an appropriate design solution in this situation and accords with the Managing Change guidance which states that:

*'a clearly modern intervention of high quality design may be appropriate'.*

The proposed entrance to the public stairway, which is suitably proportioned and sensitively designed, is respectful to the character of this building. The proposed re-instatement of existing windows and other window alterations and the formation of a new entrance to a public stairway, would help activate and enliven this building, enhancing its character and appearance. Further details would be required, including full specifications of the proposed window designs, in order to ensure that these modifications are compatible with the character and special interest of the listed building. Conditions are included, requiring these relevant details. Further details will also be required of the proposed stonework, including specifications for the course work treatment.

### Internal Alterations

There are no significant features of interest in the remaining interior of the building referred to in its HES listing. However, the re-instatement of the original floor level above the corner entranceway, would help protect the building's character and special interest. The occupation of this part of the building would enhance its appearance through the re-animation of this frontage.

The extensions proposed under the associated PPP application for this site would potentially have a significant impact on the setting of the remaining listed building. However, such impacts also require consideration in the light of the wider benefits to the area's economic and physical regeneration, as considered in the assessment of the relevant application for planning permission in principle. The extent of such impacts on the listed building cannot be fully assessed until further details come forward at AMC stage, when the related LBC application will also require consideration.

### Conclusion

The proposed alterations are compatible with the character of the existing building and will not result in any unnecessary or unjustifiable damage to its historic structure or architectural interest. The proposals therefore comply with the requirements of LDP policy Env 3 (Listed buildings - Alterations and Extensions), as well as the non-statutory guidance on Listed Buildings and Conservation Areas. Furthermore, the proposals meet the requirements of the Historic Environment Scotland Managing Change guidance on Alterations to Listed Buildings.

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

It is recommended that this application be Minded to grant - Scottish Ministers subject to the details below.

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. Prior to the commencement of development, a 1:20 drawing shall be submitted for the approval of the Planning Authority, providing full details of the stone coursing treatment and jointing treatment, at the locations where sections of the listed building facade are to be removed to allow for the formation of new entrances and doorways.
2. Full details of the proposed replacement and re-instated windows, including scaled drawings demonstrating the design and dimensions and materials of the framework, as well as glazing and profile details, shall be submitted to and approved by the Planning Authority, prior to the commencement of development.
3. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
4. Sample/s of the proposed shall be submitted to and approved in writing by the Planning Authority before work commences on site.

#### **Reasons:-**

1. In order to safeguard the character of the statutorily listed building.
2. In order to safeguard the character of the statutorily listed building.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. In order to safeguard the character of the statutorily listed building.

#### **Informatives**

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

### **Financial impact**

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#### **4.1 The financial impact has been assessed as follows:**

A legal agreement is required under the associated application for planning permission in principle, requiring a financial contribution towards the Edinburgh tram network and local transport infrastructure.

### **Risk, Policy, compliance and governance impact**

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**5.1** Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

An equalities and human rights impact assessment has been undertaken in respect of the related application for planning permission in principle (17/02227/PPP).

## **Sustainability impact**

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### **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**

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### **8.1 Pre-Application Process**

Pre-application advice was given in respect of the relevant application for planning permission in principle (17/02227/PPP).

### **8.2 Publicity summary of representations and Community Council comments**

The application was advertised on 2 June 2017 and 18 August 2017, following the receipt of amended plans. No representations were received on this application. However, some concerns have been raised in relation to the proposed works to the listed building, in the representations received on the respective application for planning permission in principle, (17/02227/PPP). These issues are addressed in the relevant application for planning permission in principle.

## **Background reading/external references**

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- 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**

Within the adopted Edinburgh Local Development Plan (LDP) the site is located in the City Centre.

The application site is within the area included in the Exchange 2 Masterplan for Dewar Place (the principles of which were approved by Planning Committee on 25 February 2010).

The site is included within the West End Conservation Area.

**Date registered**

24 May 2017

**Drawing numbers/Scheme**

01a,02b - 06b,

Scheme 3

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Carla Parkes, Senior Planning Officer

E-mail: [carla.parkes@edinburgh.gov.uk](mailto:carla.parkes@edinburgh.gov.uk) Tel: 0131 529 3925

**Links - Policies**

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**Relevant Policies:**

The West End Conservation Area Character Appraisal emphasises that the area is characterised by mixed, residential commercial buildings. The central section of the conservation area is a major modern financial area consisting of modern offices. The Georgian and Victorian tenements within the area are mainly 4-6 storeys, and constructed of stone with pitched, slated roofs.

## **Relevant policies of the Local Development Plan.**

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 Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

## **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.



# Appendix 1

## **Application for Listed Building Consent 17/02228/LBC At 2 Dewar Place, Edinburgh, EH3 8ED Demolition of rear part of original electricity generating station, partial demolition, refurbishment and integration of retained façade into proposed hotel building (as amended)**

### **Consultations**

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#### *Historic Environment Scotland reponse 7 July 2017*

Whilst Historic Environment Scotland does not object to the proposals, we have concerns in regard to the potential negative impact the development may affect to the Outstanding Universal Value (OUV) of Edinburgh World Heritage Site. We have suggested ways in which the detailed design could be taken forward in the attached annex.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our decision not to object should not be taken as our support for the proposals. You should also seek advice from your archaeology and conservation service for relevant matters.

#### Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us. We recognise that we have been consulted in regard to OUV by way of the submission of the Planning in Principle, we would request as a matter of course that we are re-consulted in regard to OUV as the planning process proceeds.

#### ANNEX

*Designed in an Italian palazzo style, the (former) Central Electricity Lighting Station built in 1894 is a significant surviving example of Edinburgh's 19th century industrial past. Since its inception the site has continually evolved and changed, firstly being downgraded to sub-station status with the arrival of the National Grid. The 1990s saw the highly-coloured and sculptural open sub-station located to the east side of the 1990s. More recently the open-substation has become redundant, with a new facility located behind the retained envelope of the former electricity station. A previous consent removed the workshops to the north.*

#### *Context and Background*

*In assessing this application, it is relevant to briefly identify previous discussions regarding the site. In 2009/10 all relevant stakeholders were made aware of proposals coming forward for the redevelopment of this site in its entirety, this was known as the Exchange 2 Masterplan. Historic Environment Scotland, then Historic Scotland, was represented.*

*We are aware that the Exchange 2 Master plan which was presented to the Edinburgh Planning Committee on 25 February 2010, the committee agreed to approve the general principles contained therein. Therefore, it is within this already established framework we offer the following comments regarding the physical changes proposed to the remaining listed elements.*

#### *Re-use of Listed Building*

*We welcome the retention of the external envelope facing Dewar Place and its return to the highly visible junction at Morrison Street. Whilst we are aware that in essence what is proposed is a façade retention, retaining the building's envelope to both these highly visible and prominent elevations, should in our view, ensure a degree of integrity to the building's special form and character. We would suggest care is taken to retain the 3D nature of the structure, including a rebuild of its roof form.*

*We welcome the aspiration to reactivate Dewar Place, particularly re-using the existing openings to re-animate and re-energise the street.*

*Heritage Impact and Way Forward. We would ask that further consideration is given to retaining the elevation in its entirety rather, than as proposed, to demolish the 3-bay office section and insert an access-core for the hotel. Losing this element of the building, with its skilfully composed ground-floor design, would in our view be a retrograde step, both in terms of the detrimental impact it would have to the appearance and character of this elevation, and in terms of signalling a significant departure from the 'spirit' of the 2010 Masterplan. It would also lose an element of integrity to the whole structure.*

*We hope We hope that the applicant will be amenable to exploring other ways to intuitively work with the building, rather than as currently proposed compromise this cohesive elevation.*

*As with our comments above in seeking to maintain a degree of integrity for the building, particularly as the scheme effectively proposes façade retention, we welcome that the historic elevation appears to be meaningfully tied into the floorplates of the newbuild, this should create an interesting dialogue between the old and the new. Where however we would ask for further significant revision, is in regard to the relationship between the set-piece corner Bartizan tower, and how the new development relates and responds to it. Currently the new development due to its proximity, and sheer scale, overwhelms this important landmark/townscape feature. We would therefore encourage further consideration to giving the tower a better defined breathing space, effectively pulling the newbuild away from it, thus allowing it to retain its architectural significance. As above, a retention of the original roof-form to the corner building would assist this process.*

*If helpful we would welcome further input regarding the specific comments we have made about the works to the listed building.*

#### **Historic Environment response 12 October 2017**

*The revised drawings have addressed some of the concerns we raised in our letter of 30 June. We welcome the intention to retain the three-bay upper floors of the B-listed Dewar Place façade, initially proposed for removal. However, the loss of the ornate ground floor is regrettable.*

*We still have concerns with the treatment of the corner building, specifically designed to address the corner with its bartizan turret. As before, we would suggest that the integrity and authenticity of this corner building would be aided by retaining its current roof form (it could be rebuilt) and setting back the proposed development further behind it. The slate roof of the building and its skew chimneystack can be clearly seen from Morrison Street, as can the return (cornice and parapet) of the previously façade-retained Dewar Place block. We would suggest the scheme is revised to retain more of the 3-D nature of the buildings including divisions between buildings and the return and masonry elements.*

*As before, we welcome the aspiration to reactivate Dewar Place, particularly re-using the existing openings to re-animate and re-energise the street. This will help provide a degree of integrity for the listed building.*

*Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.*

#### *Further Information*

*This response applies to the application currently proposed. An amended scheme may require another consultation with us.*

*Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at [www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/](http://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/). Technical advice is available through our Technical Conservation website at [www.englished.org](http://www.englished.org).*

*As this application involves the demolition of a listed building, if consent is granted there is a separate requirement through section 7 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) to allow us the opportunity to carry out recording of the building. To avoid any unnecessary delay in the case of consent being granted, applicants are strongly encouraged to complete and return the Consent Application Referral Form found at [www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme](http://www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme).*

#### **Historic Environment Scotland- response dated 29 November 2017 on further revisions**

*Thank you for your consultation which we received on 10 November 2017. We have considered it and its accompanying Environmental Statement Addendum in our role as a consultee under the terms of the above regulations and for our historic environment remit as set out under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Our remit is World Heritage Sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories.*

*This response should be read alongside our previous responses to consultations on this scheme. These include two letters on the planning application and EIA consultation (dated 30 June 2017 and 22 September 2017) and our letter dated 23 November 2017 in response to your consultation on listed building consent application 17/02228/LBC. You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.*

*Our Advice*

*As stated in our letter dated 30 June 2017, we do not object to the proposals. We note the further amendments to the scheme.*

*We welcome the inclusion of further visualisations for our interests in the Addendum. This was very helpful in enabling us to see the progression of the design over the course of the application and two amendments.*

*We are content to agree with the conclusions presented in the Addendum that the level of impacts for our historic environment interests under the EIA regulations (as above) have not been significantly altered. We therefore have no further comments on this. For our comments on the scope and methodology of the assessment, we refer you to our letter of 30 June 2017.*

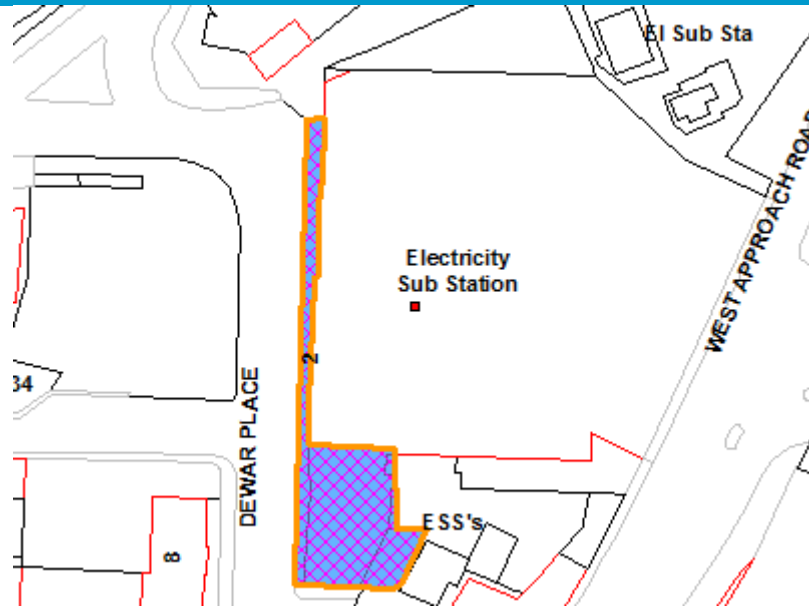
*As detailed in our letter of 23 November 2017, we are content that the alterations to the proposals have addressed our main concerns regarding impacts on the category B listed building 2 Dewar Place, Scottish Power Offices, Formerly Central Electricity Lighting Station Including Boundary Walls, Gates and Gatepiers, West End. These impacts do not form part of our interest under the EIA regulations.*

*Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object.*

*However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.*

## Location Plan

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**END**

# Development Management Sub Committee

Wednesday 7 March 2018

## Application for Conservation Area Consent 17/02229/CON At 2 Dewar Place, Edinburgh, EH3 8ED Complete demolition in a conservation area of electricity transformers and switch room building

Item number	7.5(C)
Report number	
Wards	B11 - City Centre

### Summary

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The demolition of these unlisted buildings is acceptable and complies with Historic Environment Scotland Policy, as well as the terms of policy Env 5 of the Edinburgh Local Development Plan. Conditions are included requiring that the existing buildings and structures are recorded on site prior to their demolition and that archaeological investigations are undertaken and any relevant findings recorded, prior to the commencement of construction works.

### Links

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<a href="#">Policies and guidance for this application</a>	LEN05, LDPP, LEN06, LEN09, NSGD02, NSLBCA, CRPWEN,
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# Report

## **Application for Conservation Area Consent 17/02229/CON At 2 Dewar Place, Edinburgh, EH3 8ED Complete demolition in a conservation area of electricity transformers and switch room building**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The proposed development site, which covers an area of 1.24 hectares in total, lies to the south west of the city centre. The site slopes upwards from north to south, towards Morrison Street, on its Dewar Place frontage.

The site fronts on to the east side of Dewar Place and is flanked to the east by the West Approach Road. The 5 to 6 storey building at Conference House lies immediately south of the site and fronts on to Morrison Street. Existing office buildings, including Exchange Tower and Conference Exchange which front on to Canning Street are located to the north of the site.

The buildings included in this conservation area consent application are located within the northern section of this site, which is partially underlain by railway tunnels. The original workshop buildings which occupied this site were demolished as part of the works granted under the 2007 planning and listed building applications for the building of a podium above the listed electricity station building, to accommodate new development above (07/02421/FUL and LBC). The transformers and switch room remaining in this area were decommissioned as part of the new substation development.

The retained frontage of the electricity company's former headquarters building is located towards the southern end of the site and has a frontage onto Dewar Place. It is category 'B' listed (listed building reference 03/007/B) (listed 23 March 2001).

The boundary of the Old and New Towns of Edinburgh World Heritage Site lies to the north west of the application site.

This application site is located within the West End Conservation Area.

#### **2.2 Site History**

19 December 2006 - Planning permission for rear extension granted (06/04671/FUL).

26 January 2007 - Listed building consent for rear extension granted (06/04671/LBC).

30 May 2007 - Listed building consent granted for removing internal structure (07/01009/LBC).

30 May 2007 and 15 July 2007 - Planning permission and listed building consent granted for demolition of substation building, restoration of Dewar Place façade and construction of a replacement substation facility, podium deck and pavilion space (07/02421/FUL and 07/02421/LBC).

25 February 2010 - The principles of the Exchange 2 Masterplan for Dewar Place were approved by the Planning Committee.

19 May 2011 - Planning permission and listed building consent granted for amendments (including revised facade design and removal of roof top restaurant) to planning permission ref: 07/02421/FUL for construction of an electricity substation development. (11/01064/FUL and 11/01064/LBC).

09 March 2015 - Planning permission granted for reconfiguration of access and erection of external staircase and safety barrier (15/00354/FUL).

18 May 2017 - Planning Permission in principle submitted for hotel(s) (Class 7), office (Class 4), retail (Class 1), restaurant(s) (Class 3), pedestrian deck, bridge link and accesses from Western Approach Road, Dewar Place and Canning Street; detailed approval for siting, maximum height and limits of deviation of proposed buildings, partial demolition and refurbishment of façade of former electricity station. This application is currently under consideration (17/02227/PPP).

18 May 2017 - Application for listed building consent submitted for demolition of rear part of original electricity generating station, partial demolition, refurbishment and integration of retained façade into proposed hotel building. This application is currently under consideration (17/02228/LBC).

## **Main report**

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### **3.1 Description Of The Proposal**

The proposal is for the demolition of all Scottish Power Electricity Network buildings and structures, including disused transformer equipment, on the northern part of the site subject to the planning application in principle, for a proposed mixed use development with related infrastructure, including access routes and other works (application 17/02227/PPP). The only structures which would be retained on this part of the site are the ventilation shaft over the rail network tunnels and the boundary wall.

The works are proposed in order to make way for the proposed development described on the report on application 17/02227/PPP.

### **3.2 Determining Issues**

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of consent.



### 3.3 Assessment

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

- a) Demolition is acceptable with regard to the Scottish Historic Environment Policy;
- b) Demolition is acceptable with regard to local planning policy;
- c) Equalities and Rights have been addressed; and
- d) Representations have been addressed.

#### a) Demolition and the Historic Environment Scotland Policy

Historic Environment Scotland Policy Statement states that:

*The demolition of even a single building and the construction of a new building or buildings in its place could result in harm to the character or appearance of a conservation area, or part of it. In deciding whether conservation area consent should be granted, planning authorities should therefore take account of the importance of the building to the character or appearance of any part of the conservation area, and of proposals for the future of the cleared site. If the building is considered to be of any value, either in itself or as part of a group, a positive attempt should always be made by the planning authority to achieve its retention, restoration and sympathetic conversion to some other compatible use before proposals to demolish are seriously investigated. In some cases, demolition may be thought appropriate, for example, if the building is of little townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or location makes its re-use extremely difficult.*

The remaining ancillary buildings and plant on this site, which were installed or erected after 1946, do not constitute part of the category 'B' listed building at 2 Dewar Place and do not therefore require listed building consent for demolition.

As noted by Historic Environment Scotland, the colour and lighting scheme introduced by Scottish Power, in the mid 1990's was designed to enhance the appearance and visual interest of the electricity transformers, whilst their presence was required for operational reasons. However, this equipment is no longer required, as the remaining substation plant is all located within the lower floor level of the listed, former, electricity headquarters building. Although their role, as works of 'public art' is noted in the West End Conservation Character Appraisal, the redundant transformers and the related outbuildings, do not in themselves make a significant contribution to the character of the West End Conservation Area. In fact, the appraisal notes that:

*'these electricity sub stations (of which this equipment forms part) do not provide activity and hence the streets have a feeling of emptiness.'*

The unlisted buildings and structures do not make a positive contribution to the character of the West End Conservation Area and their removal, to make way for a new urban redevelopment scheme, was an integral part of the Exchange 2 Masterplan, the principles of which remain relevant to the current planning and related applications for this site.

The demolition of these unlisted buildings complies with Historic Environment Scotland Policy.

b) Demolition and local planning policy

Policy Env 5 - Conservation Areas - Demolition of Buildings of the Edinburgh Local Development Plan states:

*Proposals for the demolition of an unlisted building within a conservation area but which is considered to make a positive contribution to the character of the area will only be permitted in exceptional circumstances and after taking into account the considerations set out in Policy Env 2 above.*

*Proposals for the demolition of any building within a conservation area, whether listed or not, will not normally be permitted unless a detailed planning application is submitted for a replacement building which enhances or preserves the character of the area or, if acceptable, for the landscaping of the site. Conservation Area Consent will be subject to conditions or legal agreement to ensure that demolition does not begin until evidence has been given that contracts have been let for the approved replacement development.*

The application for planning permission in principle (17/02227/PPP) which accompanies this application, provide details of the overall layout, massing, maximum heights, uses and pedestrian and vehicular routes through the wider PPP site. However, it does not include the detailed design proposals for this scheme, which would be subject to further applications for the approval of reserved matters.

A condition is included, requiring that the existing buildings and structures are recorded on site, prior to their demolition and that archaeological investigations are undertaken and any relevant findings recorded, in accordance with the advice of the City Archaeologist, prior to the commencement of construction works.

The demolition is acceptable in relation to policy Env 5 of the LDP, subject to the use of the above condition.

c) Equalities and Rights

There are no impacts on equalities or rights resulting from the proposed demolition.

d) Representations

Material Comments

- There are no material objections or comments in support made in relation to the proposed demolition of these buildings and structures.

## Non-Material Comments

- Concerns regarding impacts of development during the construction phase of development - these matters are outwith the planning function and would be addressed under separate legislation.
- Request for condition requiring use of mitigation measures during construction phase - these matters would be controlled under separate legislation.

## Conclusion

The unlisted buildings and structures do not make a positive contribution to the character of the West End Conservation Area and their removal, to make way for a new urban redevelopment scheme, was an integral part of the Exchange 2 Masterplan, the principles of which remain relevant to the current planning and related applications for this site.

The demolition of these unlisted buildings is acceptable and complies with Historic Environment Scotland Policy, as well as the terms of policy Env 5 of the Edinburgh Local Development Plan. Conditions are included, requiring that the existing buildings and structures are recorded on site, prior to their demolition and that archaeological investigations are undertaken and any relevant findings recorded, prior to the commencement of construction works on site.

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

### 3.4 Conditions/reasons/informatives

#### Conditions:-

1. No demolition or development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis and reporting) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. This scheme shall further include the recording and archiving of the existing electrical transformer equipment at the site, prior to its demolition.

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

#### Reasons:-

1. In order to safeguard the interests of archaeological heritage.

#### 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.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **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**

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### **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**

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### **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 15 August 2017.

Three representations were received from neighbouring business occupiers which covered both this application and the related application for planning permission in principle (PPP). However, the issues raised in these representations relate mainly to the redevelopment scheme proposed under the PPP application.

## **Background reading/external references**

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- 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**

Within the adopted Edinburgh Local Development Plan (LDP) the site is located in the City Centre.

The application site is within the area included in the Exchange 2 Masterplan for Dewar Place (the principles of which were approved by Planning Committee on 25 February 2010).

The site is included within the West End Conservation Area.

**Date registered**

24 May 2017

**Drawing numbers/Scheme**

01a, 02a,03,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Carla Parkes, Senior Planning Officer

E-mail:carla.parkes@edinburgh.gov.uk Tel:0131 529 3925

**Links - Policies**

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**Relevant Policies:**

LDP Policy Env 5 (Conservation Areas - Demolition of Buildings) sets out criteria for assessing proposals involving the demolition of buildings within a conservation area.

## **Relevant policies of the Local Development Plan.**

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

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

**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, parking, streets 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 West End Conservation Area Character Appraisal emphasises that the area is characterised by mixed, residential commercial buildings. The central section of the conservation area is a major modern financial area consisting of modern offices. The Georgian and Victorian tenements within the area are mainly 4-6 storeys, and constructed of stone with pitched, slated roofs.

# Appendix 1

## **Application for Conservation Area Consent 17/02229/CON At 2 Dewar Place, Edinburgh, EH3 8ED Complete demolition in a conservation area of electricity transformers and switch room building**

### **Consultations**

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#### **Historic Environment Scotland**

*Whilst we have no objection to redeveloping the site which is currently occupied by redundant Scottish Power electrical transformers, we would identify that due to its industrial townscape interest consideration is given to recording prior to demolition. In the mid-1990s, this part of Edinburgh's West End underwent significant re-development. Prominent within this area was this substantial Scottish Power substation which at the time performed a major role in distributing electricity to central Edinburgh and could not be relocated.*

*Scottish Power's response was to employ designers to explore how the visual quality of the plant could be improved. Simple interventions of landscape and colour transformed the machinery by day, and by night light celebrated it. It has become a well-known landmark within the local area, particularly visible when travelling along the West Approach Road by car.*

*For further information please contact our Threatened Buildings Survey Team on 0131 662 1456 or tbs@hes.scot.*

#### **City Archaeologist**

*Further to your consultation request I would like to make the following comments and recommendations concerning this application for planning permission for the complete demolition in a conservation area.*

*The site is occupied by the former late Victorian (1898) municipal electrical station for Edinburgh. This regionally important industrial heritage site (surviving façade and office buildings are both B-listed) lies adjacent to the western limits of Edinburgh's UNESCO World Heritage site and overlying the line of the 1840's mainline railway tunnels between Haymarket & Waverley. The earliest evidence for occupation/use of the site lies in the 12th century when it formed part of the King's Garden. It is recorded as Orchard Field in the 14th century and is likely to have remained open agricultural land until the 18th century when the area was gradually subsumed by the expansion of Edinburgh.*

*Accordingly, this site has been identified as occurring within an area of archaeological significance. This application must be considered therefore under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and Edinburgh Local Development Plan (2016) Policies ENV2, ENV 4 and ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

#### *Listed Electrical Station Buildings*

*As stated in my response to the associated application 17/02227/PPP it is welcomed that the surviving B-listed façade and Office block for the Victorian Central Electrical Lighting Station will be largely retained and incorporated. It is essential that the developer submit a mitigation strategy that will state how this will be achieved during demolition works and subsequent development.*

#### *Buried Archaeology*

*Although the site has been affected by modern development, most noticeably the construction of the Electrical works. Demolition and development works could disturb significant remains relating to the development of site from the medieval period and relating to the site's 18-19th century industrial heritage.*

*It is recommended therefore that a suitable programme of archaeological work is undertaken during demolition and development to fully record, excavate analysis and report upon any significant archaeological remains that may be disturbed by ground breaking works.*

*Accordingly, it is recommended that the following condition be attached consent, if granted, to ensure that this programme of archaeological works is undertaken either prior to or during construction.*

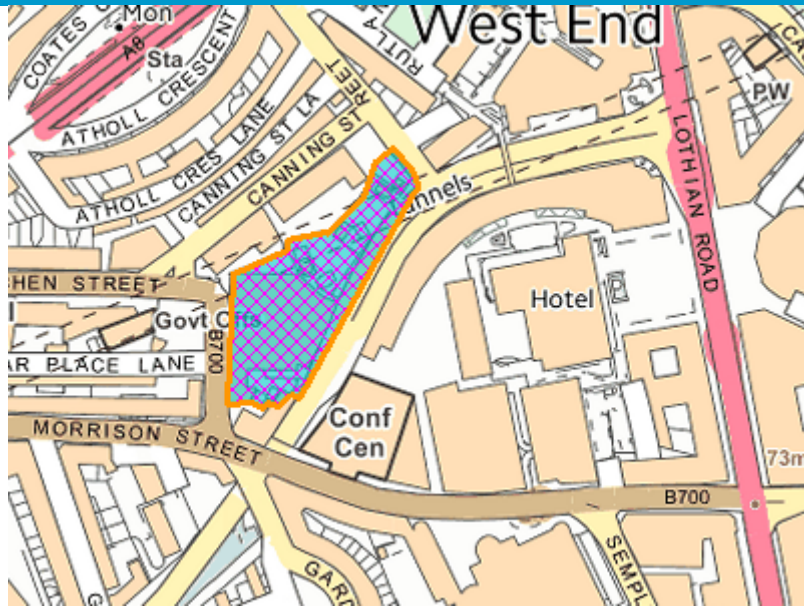
*'No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'*

*The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.*



## Location Plan

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**END**

# Development Management Sub Committee

**Wednesday 7 March 2018**

**Report for forthcoming application by**

**City Of Edinburgh Council. for Proposal of Application Notice**

**18/00237/PAN**

**At Site 117 Metres Northeast Of 3, Burdiehouse Crescent, Edinburgh**

**The erection of a new-build school for children with additional support needs including all associated hard & soft landscaping, external stores, boundary fencing, car parking with drop off areas and upgrading of the existing access road.**

<b>Item number</b>	9.1
<b>Report number</b>	
<b>Wards</b>	B16 - Liberton/Gilmerton

## **Summary**

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The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for a new school at Burdiehouse Crescent, Edinburgh.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicant submitted a Proposal of Application Notice 18/00237/PAN on 17 January 2018.

## Links

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**Coalition pledges**

**Council outcomes**

**Single Outcome Agreement**

## Recommendations

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1.1 It is recommended that the Committee notes the key issues at this stage and advises of any other issues.

## Background

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### 2.1 Site description

The development site, covering an area of 3.4 hectares, lies in south east Edinburgh and is currently an area of hardstanding and landscaping. It is the site of the former Burdiehouse Primary School, which has been demolished.

The site is located to the south of Southhouse Crescent and to the north of the Burdiehouse Burn Valley Park. It is bounded by trees on all sides.

The majority of the site is within the Urban Area, although there are some areas of designated Open Space within the application site. The site is also within an Area of Importance for Flood Management. The land to the south, east and west is within the Burdiehouse Valley Park, which is a Local Nature Conservation Site in the Local Development Plan (LDP). The areas to the north comprise mainly of housing developments.

### 2.2 Site History

The site was the location of the former Burdiehouse Primary School, which was demolished in 2010.

## Main report

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### 3.1 Description Of The Proposal

An application for planning permission will be submitted for the erection of a new school for children with additional support needs, with associated hard and soft landscaping, external stores, boundary fencing and car parking. No details have been submitted regarding access, landscaping or design.

### 3.2 Key Issues

The key considerations against which the eventual application will be assessed include whether:

**a) The principle of the development is acceptable in this location;**

The site is within the Urban Area in the LDP. Some parts of the site are designated Open Space.

Parts of the site lie within a Local Nature Conservation Site and an Area of Importance for Flood Management.

If development is proposed within these areas, due consideration of the constraints and any supporting information will be essential.

**b) The design, scale and layout are acceptable within the character of the area; and does the proposal comply with the Edinburgh Design Guidance;**

A design and access statement will be required to accompany the application. Regard must be given to the design policies in the LDP and the Edinburgh Design Guidance.

**c) Access arrangements are acceptable in terms of road safety and public transport accessibility;**

The proposal should have regards to transport policies of the LDP and the Edinburgh Design Guidance. Consideration should be given to the impact on traffic flows on local roads, access to public transport, and sustainable travel.

Supporting transport information will be required to support the application.

**d) There are any other environmental factors that require consideration;**

The applicants will be required to submit sufficient information to demonstrate that the site can be developed without having a detrimental impact on the environment. This will include extensive flood risk data and hydrology information, as well as ecology information and detailed sections of any land-raising. In order to support the application, the following documents will be submitted:

- Pre-Application Consultation report;
- Planning Statement;
- Design and Access Statement;
- Transport Information;
- Landscape and Visual Impact Appraisal;
- Flood Risk Assessment and Surface Water Management Plan;
- Hydrology Report;
- Tree Survey;
- Noise Impact Assessment; and
- Phase 1 Habitat and Protected Species Survey.

### **3.3 Assessment**

This report highlights the main issues that are likely to arise in relation to the various key considerations. This list is not exhaustive and further matters may arise when the new application is received, and consultees and the public have the opportunity to comment.

## **Financial impact**

---

4.1 The forthcoming application may be subject to a legal agreement.

## **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 This is a pre-application report. When a planning application is submitted it will be assessed in terms of equalities and human rights.

## **Sustainability impact**

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7.1 A sustainability statement will need to be submitted with the application.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

The Proposal of Application Notice (reference: 18/00237/PAN) outlined a public exhibition to be held on 14 March 2018 at Valley Park Community Centre.

The results of the community consultation will be submitted with the application as part of the Pre-application Consultation Report.

## **Background reading/external references**

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- To view details of the proposal of Application Notice go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)

### **David R. Leslie**

Chief Planning Officer

PLACE

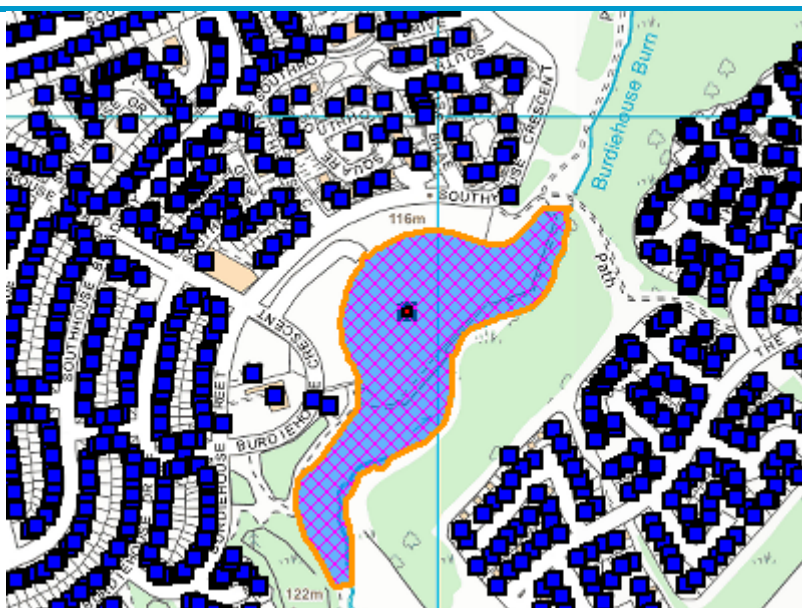
The City of Edinburgh Council

Contact: Lesley Carus, Senior Planning Officer

E-mail:lesley.carus@edinburgh.gov.uk Tel:0131 529 3770

## Location Plan

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# Development Management Sub Committee

**Wednesday 7 March 2018**

**Report for forthcoming application by**

**Mactaggart And Mickel Commercial Development Ltd. for  
Proposal of Application Notice**

**17/06066/PAN**

**At 181,183,185,187,189,191,193-195, St John's Road,  
Edinburgh**

**Mixed use development incorporating residential  
development (Class 9 and sui generis flats) together with  
commercial space (including Class 1, 2 and 3) and hot food  
takeaway (sui generis), car parking and associated works.**

<b>Item number</b>	9.2
<b>Report number</b>	
<b>Wards</b>	B06 - Corstorphine/Murrayfield

## **Summary**

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The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming detailed application for mixed use development comprising residential development (class 9 or sui generis flats) together with commercial space (including Class 1, 2 and 3), car parking and associated works at St John's Road.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicant has submitted a Proposal of Application Notice on 20 December 2017 (17/06066/PAN).



## Links

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**Coalition pledges**

**Council outcomes**

**Single Outcome Agreement**

## **Recommendations**

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- 1.1 It is recommended that the Committee notes the key issues at this stage and advises of any other issues.

## **Background**

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### **2.1 Site description**

The site is 0.56 hectares and is located on the south side of St John's Road, east of the junction with Manse Road. It currently accommodates a two storey flat roof shop at the eastern most end before dropping down to a single storey flat roof parade of seven shops. It includes the former Woolworths and a hot food takeaway. The retail units provide an active frontage onto St John's Road. A service yard, accessed from Manse Road, is located to the rear and enclosed by a high stone wall. Two mature trees, Oak and Corsican Pine, flank the access to the service yard and car park. A mature sycamore is located in the service yard and an early mature Silver Birch is positioned on the corner of Manse Road and St John's Road.

The site is located in the Corstorphine Town Centre. The surrounding area is mixed use with a strong commercial presence on St John's Road and a residential character on Manse Road. The south side of St John's Road is characterised by three storey tenement blocks with ground floor shops. Manse Road is characterised by stone built terraced houses and semi-detached cottages ranging from one-and-a-half storeys to two storeys in height. Manse Road is a one-way street where vehicles travel north onto St John's Road.

The site is bound by the Manse and its curtilage to the south. The Manse is a large detached dwelling set in a generous garden with mature trees.

This application site is located within the Corstorphine Conservation Area.

### **2.2 Site History**

6 July 2015 - demolition of existing shopping parade and erection of food retail development including ancillary cafe at ground floor level, parking, infrastructure and landscaping. (application reference: 15/02898/FUL) - refused.

6 July 2015 - application for conservation area consent received for the demolition of the existing shopping parade (application reference: 15/03169/CON) - refused.

## **Main report**

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### **3.1 Description Of The Proposal**

An application for detailed planning permission will be submitted for a mixed use development comprising residential development (class 9 or sui generis flats) together with commercial space (including Class 1, 2 and 3), car parking and associated works.

### **3.2 Key Issues**

The key considerations against which the eventual application will be assessed include whether:

**a) The principle of the development is acceptable in this location;**

The site is located within Corstorphine Town Centre, as defined by the Edinburgh Local Development Plan (LDP). The site forms part of the frontage known as 181-195 St John's Road, as identified in the Corstorphine Town Centre Supplementary Guidance.

**b) The design, scale and layout are acceptable within the character of the area and wider regeneration;**

The proposal will be considered against the provisions of the Edinburgh Local Development Plan and Edinburgh Design Guidance.

A Design and Access Statement will be provided with the application.

**c) Access arrangements are acceptable in terms of road safety and public transport accessibility;**

The proposals should have regard to the Council's parking standards, LDP transport policies and the requirements of the Edinburgh Street Design Guidance. Transport information will be required to support the application to assess the effect of the proposal on local roads and the accessibility of the site.

**d) There are any other environmental factors that require consideration;**

The application will need to be screened for an Environmental Impact Assessment (EIA) including the cumulative impact of the proposals. In order to support the application, the applicant will likely be required to submit the following documents:

- Planning Statement;
- Design and Access Statement;
- Daylighting, Sunlight and Privacy Analysis;
- Pre-Application Consultation Report;
- Site Investigation Report;
- Transport Information;
- Flood Risk Assessment and Surface Water Management Plan;
- Drainage Impact Assessment;
- Archaeological Assessment;
- Air Quality Impact Assessment;
- Noise Impact Assessment; and
- Sustainability Statement.

### **3.3 Assessment**

This report highlights the main issues that are likely to arise in relation to the various key considerations. This list is not exhaustive and further matters may arise when the new application is received, and consultees and the public have the opportunity to comment.

### **Financial impact**

---

4.1 The forthcoming application may be subject to a legal agreement.

### **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 This is a pre-application report. When a planning application is submitted it will be assessed in terms of equalities and human rights.

### **Sustainability impact**

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7.1 A sustainability statement will need to be submitted with the application.

### **Consultation and engagement**

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#### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

#### **8.2 Publicity summary of representations and Community Council comments**

Three public exhibitions have taken place at McDonald's Restaurant, Glasgow Road on 29 January 2018 12pm to 7pm, on 30 January 2018 10.30am to 12.30pm and on 1 February 12pm to 4pm.

Corstorphine Community Council, Western Edinburgh Neighbourhood Partnership and the four ward Councillors have been notified of the proposal.

The results of the community consultation will be submitted with the application as part of the Pre-application Consultation Report.

## **Background reading/external references**

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- To view details of the proposal of Application Notice go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)

### **David R. Leslie**

Chief Planning Officer

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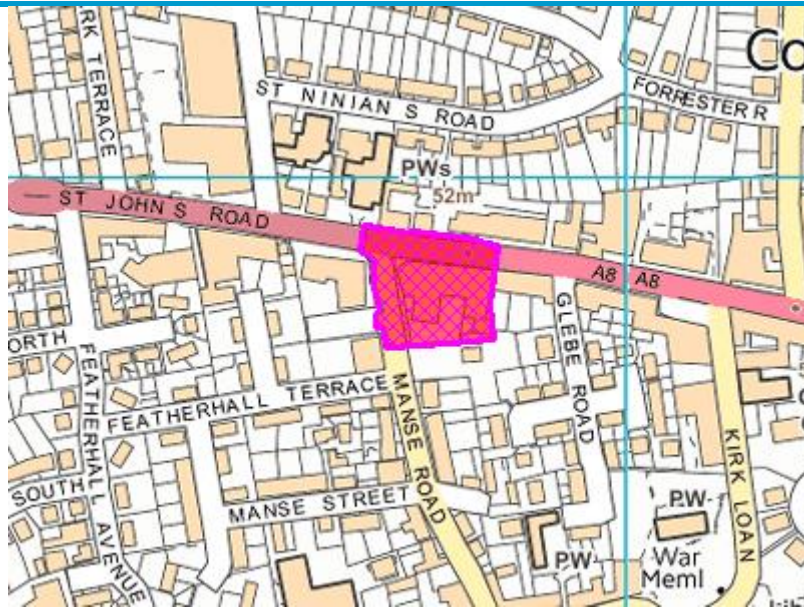
The City of Edinburgh Council

Contact: Emma Fitzgerald, Planning Officer

E-mail:emma.fitzgerald@edinburgh.gov.uk Tel:0131 529 3794

## Location Plan

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# Development Management Sub Committee

**Wednesday 7 March 2018**

**Report for forthcoming application by**

**Springfield Properties PLC. for Proposal of Application Notice**

**18/00456/PAN**

**At South East Wedge Development Site, Old Dalkeith Road, Edinburgh**

**Residential development of approximately 500 dwellings, landscaping works and associated ancillary works.**

<b>Item number</b>	9.3
<b>Report number</b>	
<b>Wards</b>	B17 - Portobello/Craigmillar

## Summary

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The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for planning permission for residential development of approximately 500 dwellings, landscaping works and associated ancillary works at the South Edge Wedge, Edinburgh.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicants submitted a Proposal of Application Notice 18/00456/PAN on 1 February 2018.

## **Links**

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**Coalition pledges**

**Council outcomes**

**Single Outcome Agreement**



## **Recommendations**

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- 1.1 It is recommended that the Committee notes the key issues at this stage and advises of any other issues.

## **Background**

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### **2.1 Site description**

The site covers approximately 40 hectares of green belt land in the Edmonstone area of south-east Edinburgh. It comprises open grassland and scrubland with occasional mature trees and informal paths and desire lines traversing the site. Areas of dense woodland exist in the far north and south-west portions of the site. The site undulates throughout, sloping from east to west towards the valley at Little France Drive.

The Edinburgh Royal Infirmary and the initial phases of the Edinburgh BioQuarter development are situated to the west of the site, beyond which lies the A7 Old Dalkeith Road and the suburb of Moredun. Residential properties forming the area of Danderhall (within the jurisdiction of Midlothian Council) are located adjacent to the south east, immediately beyond The Wisp. The A6106 (The Wisp) is adjacent to the east of the site and forms the boundary with Midlothian Council. The areas of Craigmillar, Greendykes and Niddrie are situated to the north. New residential properties are currently under construction adjacent to the north of the site in the vicinity of Greendykes.

The East Lodge is a category B listed building (LB reference: LB49519, listed on 10 July 2003) and is located just outwith the site at the partially constructed road on the south east corner. Also within the site is the Home Farm Enclosure, which is a scheduled monument.

The ruins of the former Edmonstone House are located to the south of the site.

### **2.2 Site History**

This site:

20 December 2017 - Application submitted for the development of the South East Wedge with an active travel route from Little France Drive in the north to the Wisp in the south. It also connects Phase 1 of the project heading west and linking in with the ERI (application number: 17/05986/FUL).

19 September 2017 - Application withdrawn for proposed residential development, community parkland and a primary school on land at Edmonstone, the Wisp, South East Edinburgh (application number 16/05417/PPP).

4 November 2016 - Application withdrawn for proposed residential development, community parkland and a primary school on Land at Edmonstone, the Wisp, South East, Edinburgh (application number: 15/05074/PPP).

11 January 2017 - Application withdrawn for the development of an area of existing open space into public parkland, to include new active travel links with lighting, paths, landscaping, habitat creation/enhancement and tree planting (application number: 16/02661/FUL).

8 August 2013 - The Craigmillar Urban Design Framework is approved.

Other relevant applications within the area:

14 February 2008 - outline planning permission for an 80 bed private hospital on the site of the former house, granted subject to a legal agreement to secure the reinstatement of the designed landscape including use of the policies as a country park and transport contributions (application number: 04/03551/OUT).

27 July 2010 - outline planning permission for a residential care village on the field to the south of the hospital site (and south and west of this application site), granted subject to a legal agreement to secure a landscape strategy and transport contributions (application number: 08/00934/OUT).

27 July 2010 - outline planning permission for the erection of a care home in the walled garden (to the west of this site), granted subject to a legal agreement to secure a landscape strategy and transport contributions (application number: 08/00936/OUT).

6 December 2011 - Proposal of Application Notice for residential development of two storey houses with associated roads and landscaping on land to the west of the site (and access to the north) (application number: 11/03928/PAN).

8 November 2011 - full planning permission granted to form access road at the north of the site to serve private hospital, care home, care village (application number: 11/02143/FUL).

11 November 2011 - listed building consent granted to relocate existing stone gate posts at the East Lodge (application number: 11/02145/LBC).

11 October 2012 - planning permission for residential development with associated roads and landscaping refused on land largely to the west of the site in the walled garden and eight acre field. The decision to refuse the application was appealed to the Scottish Ministers. The appeal was allowed, subject to a legal agreement, and a decision notice was issued on 20 September 2013 (application number: 12/01624/FUL).

15 April 2014 - listed building consent granted to alter and renovate derelict listed south lodge (545 Old Dalkeith Road) to form single dwellinghouse, with associated access and landscaping (application number: 14/00695/LBC).

24 April 2014 - application granted for renovations and alterations to the listed south lodge (545 Old Dalkeith Road) to form single dwellinghouse with associated accesses and landscaping (application number: 14/00694/FUL).

25 November 2014 - application granted to amend existing consent 12/01624/FUL (residential development) to revise housing mix and elevations (application number: 14/00578/FUL).

12 February 2015 - Reporter from the Department of Planning and Environmental Appeals granted planning permission in principle for residential development, ancillary uses and associated development (application number: 14/01057/PPP).

23 April 2015 - planning permission was granted for ground stabilisation works (application number: 14/01166/FUL).

23 April 2015 - application granted for a cemetery (including provision for woodland burials), memorial garden, chapel of rest and associated development (application number: 13/05235/PPP).

24 April 2015 - application granted on the same site for a cemetery, crematorium, memorial garden, chapel of rest and associated development (application number: 13/05302/PPP).

2 February 2017 - section 42 application granted to extend the outline hospital consent (04/03551/OUT) for a further 3 years (application number: 12/00764/FUL).

## **Main report**

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### **3.1 Description Of The Proposal**

An application for planning permission will be submitted for residential development of approximately 500 dwellings, landscaping works and associated ancillary uses. No details have been submitted regarding the precise number of units, type of housing, access or design.

### **3.2 Key Issues**

The key considerations against which the eventual application will be assessed include whether:

#### **a) The principle of the development is acceptable in this location;**

The site is designated as Green Belt in Local Development Plan (LDP).

The site is also designated as a specific Green Space proposal (GS4) in the LDP.

The proposal is therefore contrary to policy and a reasoned justification to allow development within the Green Belt and Green Space will be required.

#### **b) The design, scale and layout are acceptable within the character of the area; and does the proposal comply with the Edinburgh Design Guidance;**

A design statement will be required to accompany the application.

**c) Access arrangements are acceptable in terms of road safety and public transport accessibility;**

The proposal should have regards to the transport policies of the LDP and Designing Streets, as well as the cumulative cross-boundary impacts. Consideration should be given to the impact on traffic flows on local roads and access to public transport.

Transport information will be required to support the application.

**d) There are any other environmental factors that require consideration;**

The applicants will be required to submit sufficient information to demonstrate that the site can be developed without having a detrimental impact on the environment. The application will be screened for an Environmental Impact Assessment. In addition, in order to support the application, the following documents will require to be submitted:

- Pre-Application Consultation report;
- Planning and Policy Statement;
- Design Statement;
- Transport Information;
- Landscape and Visual Impact Appraisal/Assessment;
- Flood Risk Assessment and Surface Water Management Plan;
- Air Quality Impact Assessment;
- Noise Impact Assessment; and
- Phase 1 Habitat and Protected Species Survey.

### **3.3 Assessment**

This report highlights the main issues that are likely to arise in relation to the various key considerations. This list is not exhaustive and further matters may arise when the new application is received, and consultees and the public have the opportunity to comment.

## **Financial impact**

---

**4.1** The forthcoming application may be subject to a legal agreement.

## **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**

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**6.1** This is a pre-application report. When a planning application is submitted it will be assessed in terms of equalities and human rights.

## **Sustainability impact**

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**7.1** A sustainability statement will need to be submitted with the application.

## Consultation and engagement

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### 8.1 Pre-Application Process

There is no pre-application process history.

### 8.2 Publicity summary of representations and Community Council comments

The Proposal of Application Notice (reference: 18/00456/PAN) outlined a public exhibition to be held on 27 and 28 February 2018 at Craigmillar Library and Moredun Library. The results of the community consultation will be submitted with the application as part of the Pre-application Consultation Report.

### Background reading/external references

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- To view details of the proposal of Application Notice go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)

#### David R. Leslie

Chief Planning Officer

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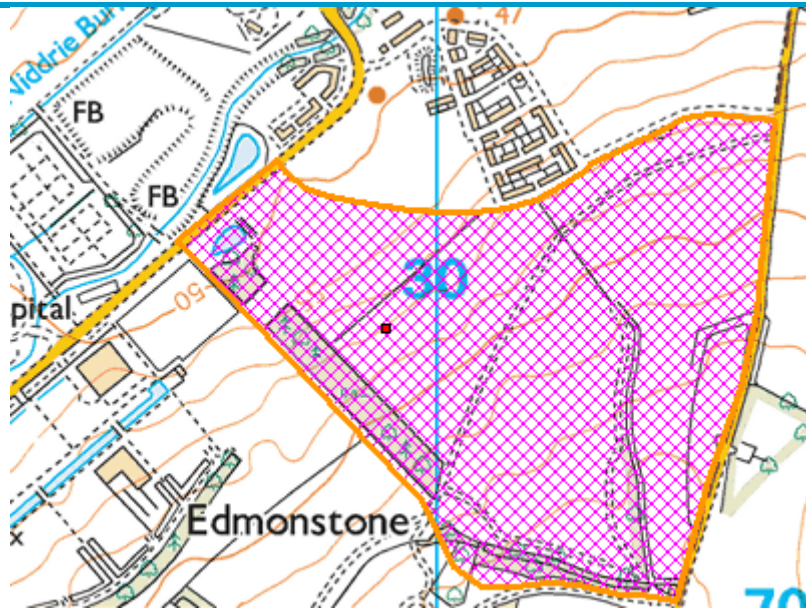
The City of Edinburgh Council

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## Location Plan

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