

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

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

[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

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

Background

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

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 (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.

Financial impact

4.1 The financial impact has been assessed as follows:

The application is subject to a legal agreement for developer contributions.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

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

- 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

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Links - Policies

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

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 (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*

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.

