

# Development Management Sub Committee

Wednesday 26 September 2018

## Application for Approval of Matters Specified in Conditions 17/04341/AMC

At 101 Edinburgh Park, Edinburgh,  
Application for matters specified in condition 5 of planning permission 09/00430/FUL (amended).

Item number	Item 7.2
Report number	
Wards	B03 - Drum Brae/Gyle

### Summary

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The proposals to approve the matters specified in condition 5 are considered on balance to be acceptable. The proposed development will create a high quality development incorporating a variety of open spaces and quality public spaces. Concerns remain in relation to the operation of The Street and specifically the proposed tram crossing as considered in application 17/04391/FUL. A condition is recommended linking these applications and delivery of this route.

### Links

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<a href="#">Policies and guidance for this application</a>	LDPP, LDEL01, LDEL04, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES09, LDES10, LDES11, LEN09, LEN12, LEN15, LEN16, LEN18, LEN19, LEN20, LEN21, LEN22, LEMP01, LTRA01, LTRA02, LTRA03, LTRA04, LRS06, NSG, LTRA08, LTRA09, LTRA10, LRS01, NSGD02, NSGSTR, SUPP,
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# Report

## **Application for Approval of Matters Specified in Conditions 17/04341/AMC**

**At 101 Edinburgh Park, Edinburgh,  
Application for matters specified in condition 5 of planning permission 09/00430/FUL (amended).**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The site comprises approximately 7.16 hectares of land between the existing Edinburgh Park Northern Phase One and vacant land to the south, with the Edinburgh Park Rail Station beyond. The City Bypass lies directly to the west, with East of Milburn beyond, and the South Gyle Business Park lies to the east. The Edinburgh tram line runs through the site on a north/ south axis. The site is vacant apart from hardstanding used for parking.

The site is part of a wider project for the development of the southern phase of Edinburgh Park dealt with in planning permission reference 09/00430/FUL, which covers approximately 18.45 hectares.

Edinburgh Park is located in West Edinburgh, approximately four miles from the City Centre and two miles from Edinburgh Airport.

Vehicular and pedestrian access to the site is from Lochside Court and Lochside Way on the east and Lochside Avenue on the west. There is additional pedestrian and cycle access from two tram stops, Edinburgh Park Central and Edinburgh Park Station, and the public Gogar Burn route under the bypass. A spur of Lochside Avenue heads east from a mini roundabout on Lochside Avenue towards the south boundary of the site. Two sets of barriers are located on Lochside Avenue to the north and east of the Lochside Avenue mini roundabout.

Core paths and cycle routes 7 and 13 run close to the site.

The partly culverted Gogar Burn runs through the site.

## 2.2 Site History

11 April 2003 - planning permission granted by Scottish Ministers for the Southern Phase of Edinburgh Park to develop offices and other business use, hotel and supporting facilities with associated road works and car parking (application number: 99/02295/OUT).

12 October 2009 - application granted under section 42 of the Town and Country Planning (Scotland) Act 1997 to vary the terms of condition 1 of planning permission 99/02295/OUT by extending the time period by 10 years (application number: 09/00430/FUL).

A series of applications was submitted and approved between 2003 and 2011.

14 July 2011 - Planning permission granted for proposed hotel with restaurant, licensed bar, meeting rooms and coffee shop, associated access, car parking and landscaping (variation to 10/00113/AMC) (application number: 10/00113/VARY).

11 August 2016 - planning permission granted for erection of five storey extension adjacent to existing hotel to provide 80 additional bedrooms, A/C compound, single storey extension to restaurant and associated reconfiguration and extension of car park and external landscaping (application number: 16/02265/FUL). Includes 50 additional car parking spaces.

### Related application

22 September 2017- application for full planning permission for new and upgraded road and infrastructure works with associated landscaping (amended) at land adjacent to, Lochside Way, Edinburgh (application number: 17/04391/FUL).

22 March 2018 - proposal of application notice for application for planning permission proposing the development of the southern phase of Edinburgh Park to comprise a mix of uses including offices (Class 4), residential (Class 9 houses & Sui Generis flats), creche (Class 10) leisure (Class 11), hotel (Class 7), ancillary Class 1, 2 and 3, energy centre, car parking, landscaping and associated works at land adjacent to Lochside Way, Edinburgh (reference: 18/01012/PAN).

### Site to west (East of Milburn)

18 April 2016 - application minded to grant for planning permission in principle for proposed residential development, local centre (including Class 1, Class 2 and Class 3 uses), community facilities (including primary school and open space), green network, transport links, infrastructure, ancillary development and demolition of buildings (application number: 15/04318/PPP) subject to conclusion of legals. The application was called in by the Scottish Ministers on 25 July 2016. The Department of Planning and Environmental Appeals is currently considering the application.

## Main report

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### 3.1 Description Of The Proposal

The application seeks approval for matters specified in condition 5 of planning permission in principle application reference 99/02295/OUT varied by application 09/00430/FUL for office, hotel and ancillary development at Edinburgh Park. Condition 5 states:

Before any work on the site is commenced, details of the undernoted reserved matters shall be submitted to and approved in writing by the planning authority; the submission shall be in the form of a detailed layout of the site (including landscaping and car parking), and detailed plans, sections and elevations of the building/s.

Reserved matters:

- Siting, height, floorspace, levels, external appearance, materials;
- Sustainability of each individual development plot;
- Parking, access, road layout, servicing areas, layout of proposed highway works and crossing facilities for cyclist and pedestrians;
- Details of facilities for buses, taxis, provision of footpaths, cycle routes, cycle storage facilities;
- Hard and soft landscaping;
- Boundary treatment;
- Open space provision; and
- Drainage.

#### Scheme 2

The proposal provides office-led, mixed-use development, with new public space, landscaping and roads. The buildings are: seven office blocks; two multi-storey car park and an energy centre. Within these buildings are also supporting facilities for a development of this scale. These facilities include, class 1 retail, class 3, a health centre and leisure facilities.

The offices are broken down into the following blocks with Gross Floor Areas in square metres as follows:

NW1a - 11,042  
NW1b - 11,182  
NW2a - 25,453  
NW3a - 9,297  
NW3b - 7,811  
NE1a - 15,213  
NE1b - 5,839

Two office blocks and a multi-storey carpark are laid out in a row to the east of the tram line, along the proposed new east/ west road. The remainder of the blocks are on the west of the tram line and grouped around the proposed new public space with sports court. A continuation of the proposed new road is on the south.

The maximum height of the buildings is 74.950 AOD.

The proposed materials are brick, polyester powder coated aluminium, concrete, composite timber cladding and timber lattice, metal (unspecified) doors and panels, glazing. The colour palette is bronze, various shades of grey, tan and yellow. Partial, extensive green roofs (sedum) and service plant areas are marked indicatively on some buildings. Roof mounted solar panels are also proposed although not identified on the submitted drawings.

A fenced outdoor sports court is also proposed in the main public square. Segregated cycle paths would run beside a new two-way, east/west road which contains a series of raised tables. A small roundabout on Lochside Avenue would be removed, along with the existing connection to the internal road, Station Park, and its vehicle barrier. The vehicle barriers on Lochside Avenue would be moved.

The following parking provision is proposed:

- •930 cycle spaces distributed between internal parking in the buildings and external uncovered short stay parking in public areas. Showering and changing facilities are provided for employees in the buildings;
- Two bus stops on the new street (Cross Street), one east-bound, one west-bound;
- 72 motorcycle spaces, of which 36 on street; and
- Two multi-storey car parks totalling 1,372 spaces and 72 spaces for disabled parking. Office basement parking of 58 spaces, and 24 on-street car parking spaces, of which two are taxi parking stands and two are car club spaces.

## **Scheme 1**

Since submission of the application, there have been amendments to the proposal. The main changes are:

- Four-lane road reduced to mainly two lanes;
- Building heights reduced;
- Re-alignment of buildings;
- Landscape and drainage alterations; and
- Design changes to building elevations.

## Supporting information

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

- Ancillary Uses Report;
- Design and Access Statement;
- Ecology Survey;
- Flood Risk Assessment;
- Geoenvironmental Development Appraisal and Appendices;
- Indicative Masterplan;
- Planning Statements;

- Sustainability Statement;
- Surface Water Management Plan and Appendices;
- View Analysis; and
- Transport Statement, appendices and supplementary information.

### **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 proposals are acceptable in principle;
- b) the siting, height, floorspace, levels, external appearance and materials are acceptable;
- c) road layout, transport and active travel are acceptable;
- d) site landscaping and open space are acceptable;
- e) other material issues have been addressed;
- f) sustainability is acceptable;
- g) any impacts on equalities or human rights are acceptable; and
- h) comments raised have been addressed.

#### **a) Principle**

##### Principle of use

The 2009 permission established the general principle of the development. This was assessed in relation to planning policy and guidance applicable at the time. The details reserved by virtue of Condition 5 of the 2009 permission are now assessed in relation to present planning policy and guidance.

The 2009 permission extends the time period of a 2003 permission (planning application reference 99/02295/OUT). The latter is to 'erect offices and other business use, hotel and supporting facilities with associated roadworks and car parking'. In addition to referencing the 2003 permission, the 2009 permission refers to and conditions 'ancillary use'.

The application refers to a mix of uses. The applicant has put forward detailed arguments as to why all the uses it proposes fall within the scope of the outline permission. Some of the uses, such as the proposed offices and parking, are specifically established by the 2009 permission. The status of other proposed uses is less obvious.

### Other business use

While 'other business use' is not defined in the decision letter for the 2009 permission, the Use Classes Order (1997) gives a standard definition. Class 4 (Business) of the order, covers a spectrum of business uses, from offices which are not open to the public, to light industrial use. Studio space for artists, the bicycle workshop and fall within Class 4 and are therefore within the ambit of the outline permission.

### Supporting Uses

The outline permission refers to 'supporting facilities' and does not define them. It is reasonable to consider that small scale class 1 and class 3 uses support the office development and are ancillary to the main use of the area. Due to the scale of the overall office proposed as part of this submission and the wider context of Edinburgh Park the health centre (Class 2 - Financial, professional and other services) could be regarded as a supporting facility in the context. The leisure facilities (Class 11 - Assembly and Leisure) can also be considered within this regard and it is not unusual for an office development/ complex to offer some health and wellbeing benefits to its staff members.

In summary, the proposed uses fall within the scope of the outline permission and are considered to be supporting facilities to an office development of this scale and for the number of employees anticipated within the development.

## **b) Siting, height, external appearance and materials**

While the AMC uses are established by the 2009 permission, the detail of the AMC should be considered in relation to current planning policy and guidance. The design policies of the Edinburgh Local Development Plan (LDP) aim to ensure that: new development is of the highest quality; development takes place in an integrated and sustainable manner; and new and distinctive places are created which support and enhance the special character of the city and meet the needs of users.

The LDP Development Principles for Edinburgh Park/ South Gyle envisage a thriving business and residential community, well integrated with the rest of the city through good transport links, and with a more balanced mix of uses and facilities and high quality public realm and green spaces. The general principles state that proposals should help contribute towards realising the long term vision for Edinburgh Park/ South Gyle, incorporate good cycle and pedestrian links through the site and that a flood risk assessment is to be carried out to inform design and layout of development proposals.

### Siting

Condition 5 calls for a detailed site layout plan. There is no approved site layout plan for the Southern Phase, although the LDP contains principles and an indicative layout plan.

The applicant, in support of this AMC application, has submitted an indicative layout masterplan for the entire southern phase. It has not been fully tested and evidenced and has little weight. LDP policy Des 2 (Co-ordinated Development) encourages a comprehensive approach to re-development and regeneration wherever possible, in order to identify the full design potential for creating successful places.

Masterplan discussions with the same applicant about the southern phase as a whole, are at pre-application stage. Architecture and Design Scotland (A&DS) provided the applicant with some pre-application design input and a proposal of application notice (18/01012/PAN) was submitted for a potential masterplan application. While the A&DS report on the masterplan will not be available until a masterplan application is submitted, A&DS has made limited comment on the AMC proposal. The refinement of the proposed new Cross Street from a dual carriageway to a mainly two lane road, and the inclusion of additional water features, accord with elements of A&DS comment.

The proposed density is greater than the existing development at Edinburgh Park. This reflects the LDP approach to density in this area and is supported, subject to other considerations in creating place.

The building line, height, views in and out, and landscape are crucial elements in the area's character. The proposed AMC layout partially reflects the existing development at Edinburgh Park, with elements of grid layout. LDP policy Del 4 Edinburgh Park/ South Gyle includes a requirement in principle for proposals to include an extension of the existing green space corridor (known as the Lochans) space.

The proposal does not continue the existing building line or the characteristic landscape Lochans space. Instead, it places two office buildings on what would be the continuation. A balance has to be brought to the scheme and the change in density and characteristics of the site. It is also interesting to note that the original Meier Masterplan incorporated a building set within the Lochans which altered the building line within this location. It is considered appropriate to allow a change in characteristics of this area with a different landscape treatment. The positioning of the buildings is accepted. The overall quality of place created and different character is acceptable.



## Height

The proposed building heights are greater than the existing scale of development found across Edinburgh Park. The building adjacent to the development at 8 Lochside Avenue has an AOD height of 68.906m with the proposed new blocks of NW1a and NW2a extending to a height of 73.475m and 74.450m respectively. The increase in height recognises the new phase of development and is considered appropriate within this urban context.

In supporting an increased density on the site and maximising the development potential of the area as set out in policy Del 4 there is a change in character of the area. The proposed offices blocks will change the view from within the existing development at Edinburgh Park. Sufficient space will be provided between the proposed buildings to allow local characteristics including views to the Pentland Hills to be maintained. There are no key views impacted from the proposed development.

The proposed landscaped public realm, including in the new public square and the strips of 'rain garden' in the north east of the site, offer some green elements. The concurrent planning application reference 17/04391/FUL, includes a landscaped travel corridor and running track beside the tramline. It is proposed to include a condition to deliver this prior to occupation of the first office.

The proposed main public square does not meet the Edinburgh Design Guidance recommended minimum sunlighting. It does meet the BRE guidelines for sunlighting. In the dense urban context, this is acceptable. A vibrant square needs active uses at ground floor level and the scheme has potential for this. The proposal would generally provide a positive pedestrian experience during working hours. The public realm west of the energy centre, with its high boundary and lack of overlooking or active frontage is an exception. The individual buildings are generally thoughtful and well-designed. Road layout is addressed in section 3.3.c).

## External appearance

The external design of the individual offices is generally of high quality. The elevations, punctured by setback windows and balcony voids, together with ground floor colonnade elements, are well-balanced and interesting. The west car park is of a strong faceted design and would act as a buffer between the adjacent city by pass and the inner parts of the site. The base of the carpark is at a lower ground level than the bypass and the carpark would be partially softened by trees.

However, its height and length are substantial, particularly in relation to existing structures at Edinburgh Park. Careful choice of materials and colour may help lessen the visual impact. It is therefore recommended that a condition is attached to allow further consideration of the use of the materials on this building.

In summary, the siting, height, materials and external appearance of the proposed development are considered acceptable in establishing a new higher density area within Edinburgh Park. In order to maintain consistency and a quality palette of materials to be used a condition is recommended requiring further submission of materials and a sample panel on site. This expansion will create a strong sense of place by establishing a new phase of commercial development.

## **c) Road Layout, Transport and Active Travel**

### Road Layout

The application proposes a new east- west road ('The Street') to the south of the development blocks. This new street provides access to an internal road and provides an all vehicle linkage between Lochside Avenue and Lochside Court. The Street would cross the tram line and this is considered in a separate application (17/04391/FUL).

The application originally proposed that The Street would be formed of 4 lanes. This has been amended to a single lane in each direction. The reduction of the width of this road is welcomed and reduces the dominance of the road on this area.

The Street would replace the function of Station Park road in providing access for bus services currently servicing Edinburgh Park Station, Edinburgh Park and The Gyle. This alternative bus route is acceptable and will bring public transport into the heart of this scheme.

However, Transport Planning has expressed concerns regarding this route as an all vehicle access across the site. It is considered that the dominance of the car fails to provide the strong public transport connections and priority as required by Policy TRA 1 of the LDP.

It is considered appropriate to limit the crossing of the tram route determined under application (17/04391/FUL) in order to promote the use of active travel and public transport options within the site. It is therefore recommended that a TRO is promoted to limit the movement of traffic towards the tram crossing to only public transport.

In addition there have been extensive discussion between Transport and the applicant with regards to the design of the junctions at either end of 'The Street'. Concerns remain in relation to the scale of the proposed traffic signal controlled junctions. The junctions are widened to two lanes which results in a pedestrian crossing in two sections rather than a single point. The junction footprints are considered to be excessive and fail to comply with the Edinburgh Street Design Guidance. It is recommended that this element of the proposal is further reserved by planning condition to allow for the reduction in size of the junctions.

### Pedestrian Access

The development is within close proximity to the Edinburgh Park Tram Stop. A strong pedestrian connection is provided under planning application 17/04391/FUL to the development. These paths provide segregated provision directly into the existing pedestrian network within Edinburgh. A condition will be required to ensure that these linkages are delivered prior to the occupation of the first office development.

## Parking Provision

Car parking is proposed within two multi- storey car parks. One is positioned on the west side of the site at Lochside Avenue and one to the east at Lochside Way. The total number of parking spaces proposed across the site amounts to 1, 566 spaces. This includes disabled user spaces and spaces for electrical charging. This provision is calculated to be 93 spaces less than the permitted level of car parking established through the original planning permission in principle application. Therefore the proposed parking levels are acceptable.

## Cycle Provision

A total of 930 cycle spaces are proposed across the site. This includes a range of provision within buildings, communal areas and outside public facilities. The provision is in excess of the 871 spaces set out within the standards. The cycle parking proposals are acceptable.

The proposed transport and public transport alterations are generally supported and will provide good connections to the wider public transport network. A condition will be required linking this application to the delivery of the tram crossing and details of the road junctions.

## **d) Site Landscaping and Open Space**

The site landscaping incorporates a number of areas of landscaping within the central area of the development and along the edges of the site. The central open space area combines three different characteristic areas. The main square will have an area of 1225 square metres, and quadrant garden of 1575 square metres and the multiple use games area of 1600 square metres. This diversity of spaces and uses within the central area of the site adds to creating a vibrant public space.

In addition to these central areas there are north- south lines of tree planting between the buildings which continues the language of the wider Edinburgh Park Estate. The Street will also incorporate boulevard tree planting as a separation between the road and pedestrian routes.

Further landscaping is incorporated within the related application 17/04391/FUL.

The proposed landscaping and open space will provide a positive contribution to the development of this area and provides an interesting variety of spaces. A condition will be required linking the delivery of the landscaping to the delivery of the buildings.

## **e) Other Material Considerations**

Advertisement consent - A separate application for advertisement consent will be required, including any high level signage annotated on the drawings. For clarification these elements are not approved.

Flooding - Flood prevention has confirmed that there are no issues.

Air quality - Environmental Protection has concerns about car parking numbers and the potential impact on air quality and recommends refusal on that ground. The applicant has/ not provided an air quality impact assessment. When the outline application was approved, air quality was not fully understood and there are no specific conditions or recommendations on air quality made within condition 5. It is therefore not possible to request any additional information on this matter.

East of Milburn - The outcome of East of Milburn Tower planning application potentially affects the design of this site. However, that does not justify failing to determine this AMC application.

Ecology - The site has the potential to support protected species. Should Committee be minded to grant the application, a Construction Environmental Management Plan (CEMP) should be put in place to ensure any potential species on site are protected during construction. This should include the ecology report's recommended measures to protect wildlife during site clearance and construction. Other mitigation, survey work and site ecology development, including that detailed in the ecology report, should fully compensate for the loss of habitat and improve biodiversity. The proposed rain gardens in the east of the site and sensitively planted green roofs may help with this.

Economic - Economic growth is a key aim of the Strategic Development Plan and the Council's economic strategy seeks sustainable growth through investment in jobs. The proposal would support employment in a highly sustainable location and on a site that has been substantially vacant for over a decade. Economic Development estimates that the development as proposed could, if fully built and occupied, could support 5,315 full time equivalent jobs.

Public art - The proposal refers to public art. This is not in the outline permission and cannot be dealt with in this application.

## **f) Sustainability**

The application includes a district energy centre and incorporation of renewable energy are very positive parts of the proposal and support LDP aims for sustainable development. The applicant proposes installing electrical vehicle charging points, which is also a positive move.

## **g) and human rights**

The proposal has been considered in terms of equalities and human rights and no adverse effects are identified. The applicant will be required to comply with the provisions of the Equality Act 2010 and building regulation standards. The site is located within an excellent location for active travel and connections into existing networks.

## **h) Representations**

### Scheme 1

## **Material Objections**

- Southern Phase of Edinburgh Park should take account of whole of Edinburgh Park - addressed in section 3.3.a);
- Proposed offices will not contribute to ensuring a balanced community - addressed in section 3.3.a);
- Multi-storey car parks are contrary to current policy, would substantially increase car use and lead to significant increase in traffic congestion - addressed in section 3.3.c);
- Additional cars will have adverse safety implications for cyclists and pedestrians - addressed in section 3.3.c).
- Dual carriageway in a 20mph zone - addressed in section 3.3.c,
- Public transport provisions should be promoted rather than roads and car parks - addressed in section 3.3.c);
- Proposals are contrary to current CEC policies, which aim to prioritise public transport, cycling and walking - addressed in section 3.3.c);
- Proposals do not encourage active travel. Attractive and safe walking and cycling routes through the area are needed - addressed in section 3.3.c);
- Treatment at eastern end of boulevard off-putting to cyclists - addressed in section 3.3.c);
- Western end of boulevard, underpass, will be key link. Unclear how active traveller will be able to get to and from this without multiple stage crossings of roads - addressed in section 3.3.c);
- A proper end to end journey plan is needed for people arriving, leaving and travelling through the site by bike - addressed in section 3.3.c);
- No clear access routes to ground floor and basement cycle parking - addressed in section 3.3.c); and
- Air pollution concerns - addressed in section 3.3.e).

## **Non-material comments**

- Potential loss of membership and adverse impact on local health and fitness centre - this is not a planning issue;
- Dissatisfaction expressed with the consultation process - consultation took place in line with legislative requirements; and
- Residential areas welcomed - this application does not include residential use.

## **Scheme 2 - Additional Comments**

### **Material Objections**

- •New development within the Community Links PLUS West Edinburgh
- Active Travel Network (WEATN) area, should adopt the design principles of Community Links PLUS - addressed in section 3.3.c);
- •Given excellent public transport links, car parking numbers lack ambition - addressed in section 3.3.c); and
- •Priority or at grade single stage toucan crossings should be provided at junctions. - addressed in section 3.3.c).

## Conclusion

The proposals to approve the matters specified in condition 5 are considered on balance to be acceptable. The proposed development will create a high quality development incorporating a variety of open spaces and quality public spacing. Concerns remain in relation to the operation of The Street and specifically the proposed tram crossing as considered in application 17/04391/FUL. A condition is recommended linking these applications and delivery of this route.

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

### 3.4 Conditions/reasons/informatives

#### Conditions:-

1. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis and reporting, publication public engagement, interpretation) in accordance with a written scheme of investigation, which has been submitted by the application 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 programmed archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

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. Prior to the development of the multi- storey car parks details of the proposed 122 motorcycle spaces shall be submitted to and approved by the Planning Authority and implemented prior to the occupation of the final building.
4. Prior to the commencement of development a phasing schedule for the delivery of the landscaping and open spaces shall be submitted to and agreed in writing by the Planning Authority. Thereafter the landscaping and open space shall be implemented in accordance with the approved phasing schedule.

5. Notwithstanding the approved plans, prior to the commencement of development full design details of the proposed traffic signal control junctions at the east and west limits of the cross street shall be submitted for approval by the Planning Authority in consultation with the Roads Authority. For the avoidance of doubt the currently layout incorporating staggered pedestrian crossings is not supported. Subsequently, all works are to be carried out at no cost to the Council.
6. No development shall take place until full agreement is reached with the Edinburgh Tram Team with regards to the implementation of application 17/04391/FUL and the crossing of the tram line with the written confirmation of the Planning Authority.
7. 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.
8. Prior to the commencement of development on each building a detailed plan shall be submitted illustrating the positioning and profile of the proposed solar panels located in the roof for the written approval of the Planning Authority.

**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. In order to ensure that the level of off-street parking is adequate.
4. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
5. In order to safeguard the interests of road safety.
6. In order to safeguard the public transport corridor.
7. In order to enable the planning authority to consider this/these matter/s in detail.
8. In the interests of sustainability.

**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 matters required to be addressed by TRO promotion;

- 1) contribute the sum of £2,000 to limit traffic in a westwards direction along The Street to public transport only;
  - 2) contribute the sum of £2,000 to limitat traffic along The Street from Lochside Court to the tram crossing to public transport only;
  - 3) contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
  - 4) contribute the sum £2,000 to promote a suitable order to introduce a 20mph speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council.
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;
  3. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent.
  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), secure cycle parking, 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. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed 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 as part of any sale of land or property.

## **Financial impact**

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

A legal agreement was concluded in respect of the outline application which this application partially implements. The Council has an arm's length interest in the tram operators.



## **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**

Pre-application discussions took place on this application.

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

This application was advertised on 4 October 2017. The proposals that formed Scheme 1 received nine objections and one neutral comment. One representation was withdrawn prior to determination. Following re-advertisement on 25 May 2018, three representations were received for Scheme 2; two objections and one neutral comment.

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

#### Edinburgh Local Development Plan

In the LDP the application site is identified as being within Area EP1, a mixed use area, with business, residential and ancillary uses and commercial hub.

### Date registered

22 September 2017

### Drawing numbers/Scheme

1,2,4,10,31,36-38,42-47,55-57,61-65,73-75,83,110,131-133,,  
137- 140, 142, 149-151, 155-158, 167-169, 183- 189, 03a, 5a,,  
6a- 9a, 11a- 30a, 32a- 35a, 39a- 41a, 48a- 54a, 58a- 60a,,  
66a- 72a, 76a- 82a, 84a- 109a, 111a- 130a, 134a- 136a, 141a,,  
143, 144a- 148a, 152a- 154a, 159a- 166a, 170a- 182a,

## David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Elaine Campbell, Team Manager

E-mail: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 Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Del 4 (Edinburgh Park/South Gyle) sets criteria for assessing developments within the boundary of Edinburgh Park/South Gyle.

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 9 (Urban Edge Development) sets criteria for assessing development on sites at the Green Belt boundary.

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

LDP Policy Des 11 (Tall Buildings - Skyline and Key Views) sets out criteria for assessing proposals for tall buildings.

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

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

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

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 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 Emp 1 (Office Development) identifies locations and circumstances in which office development will be permitted.

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

### **Relevant Non-Statutory Guidelines**

LDP Policy Tra 8 (Provision of Transport Infrastructure) sets out requirements for assessment and mitigation of transport impacts of new development.

LDP Policy Tra 9 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

LDP Policy Tra 10 (New and Existing Roads) safeguards identified routes for new roads and road network improvements listed.

LDP Policy RS 1 (Sustainable Energy) sets criteria for assessing proposals for environmentally sustainable forms of energy systems.

**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 - 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.

# Appendix 1

## **Application for Approval of Matters Specified in Conditions 17/04341/AMC**

**At 101 Edinburgh Park, Edinburgh,  
Application for matters specified in condition 5 of planning permission 09/00430/FUL (amended).**

### **Consultations**

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#### **Transport Scotland**

*The Director does not propose to advise against the granting of permission.*

#### **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**

*The following are the comments and recommendations concerning the above planning applications for matters specified in condition 5 of planning permission 09/00430/FUL.*

*As stated in response to the 2009 and 2017 AMC application (17/01210/AMC) for extension to time limits, the site is regarded as being of archaeological significance with the possibility of containing remains dating back to early prehistory. As such a condition (9) was attached to the 2009 planning consent requiring the undertaking of a programme of archaeological works across the site prior to development.*

*As Condition 9 has yet to be fully discharged as development over much the area has yet to be undertaken it is recommended that original condition be replaced by the following updated and current CEC condition to ensure that this programme of archaeological works is undertaken. This condition reflects more accurately the archaeological requirements for the site.*

*'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, publication, public engagement, interpretation) 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.*

### **Archaeology revised scheme**

*Having assessed the new revised documents, I can confirm that my earlier comments and recommendations (see memo of the 18th October 2017) in respect to the original application remain unaltered and are as follows:*

*As stated in response to the 2009 and 2017 AMC application (17/01210/AMC) for extension to time limits, the site is regarded as being of archaeological significance with the possibility of containing remains dating back to early prehistory. As such a condition (9) was attached to the 2009 planning consent requiring the undertaking of a programme of archaeological works across the site prior to development.*

*As Condition 9 has yet to be fully discharged as development over much the area has yet to be undertaken it is recommended that original condition be replaced by the following updated and current CEC condition to ensure that this programme of archaeological works is undertaken. This condition reflects more accurately the archaeological requirements for the site.*

*'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, publication, public engagement, interpretation) 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.*

### **Economic Development**

#### *Commentary on existing use*

*The application relates to 7.16 hectares of land between Lochside Avenue and Lochside Court. The site is bisected from north to south by the Edinburgh Tram Line. The site lies immediately south of the existing Edinburgh Park business park and has long been earmarked for an expansion thereof.*

*The land in question is currently undeveloped other than car parking to the east of the site. The land in question therefore is not currently thought to support any economic activity beyond that associated with the operation of the car park, which is assumed to be negligible.*

*There is an existing planning consent for the land in question (reference 09/00430/FUL) for the development of 198,361m<sup>2</sup> (gross) of class 4 (office) space and 14,610m<sup>2</sup> (gross) of class 7 (hotels and hostels) space, which the application in question seeks to amend. This consent has been partially implemented with the construction of a 5,283 sqm hotel in 2011 (reference 10/00113/AMC).*

*The Edinburgh Local Development Plan identifies Edinburgh Park as part of the West Edinburgh Strategic Development Area, one of four such areas that are expected to be the largest areas of development in Edinburgh over the plan period. The LDP sets a vision for the Edinburgh Park/South Gyle area of creating "a thriving business and residential community" with "a more balanced mix of uses and facilities". The application site sits within Area EP1 as identified by the LDP, which states that "proposals should incorporate a mix of business and residential uses and ancillary uses".*

#### *Commentary on proposed use/uses*

##### *Class 1 - Shops*

*The development as proposed would deliver 998m<sup>2</sup> (net) of class 1 (shops) space comprising ground-floor retail units within two of the office buildings fronting onto the civic square at the centre of the development.*

*Per the Employment Densities Guide (3rd edition), the mean employment density for shops is one full-time equivalent (FTE) employee per 17.5 sqm. This indicates that the retail units could, if fully occupied, be expected to directly support approximately 57 FTE jobs (998 ÷ 17.5). The average gross value added (GVA) per annum for the retail sector in Edinburgh was £30,116 as of 2015. Multiplying this figure by the estimated number of jobs would give a projected direct GVA for the retail units of £1.72 million per annum (2015 prices) (57 × £30,116).*

*It is noted that, while the schedule in the Design and Access Statement submitted by the application describes this space as "retail" (class 1) space, other documents refer to this space as "food and beverage" (class 3) units. The economic impact of class 3 units as opposed to class 1 units would be unlikely to be substantially different so this distinction is not regarded as significant from an economic development perspective.*

##### *Class 2 - Financial, professional and other services*

*The development as proposed would deliver 1,063m<sup>2</sup> (net) of class 2 (financial, professional and other services) space comprising a health centre within one of the office buildings.*

*Per the Employment Densities Guide (3rd edition), the mean employment density for finance and professional services units is one full-time equivalent (FTE) employee per 16 sqm. This indicates that the health centre could, if fully occupied, be expected to directly support approximately 66 FTE jobs (1,063 ÷ 16). The average gross value added (GVA) per annum for the education, human health and social work activities sector in Edinburgh was £19,326 as of 2015. Multiplying this figure by the estimated number of jobs would give a projected direct GVA for the health centre of £1.28 million per annum (2015 prices) (66 × £19,326).*

##### *Class 4 - Business*



The development as proposed would deliver 59,220m<sup>2</sup> (net) of class 4 (business) space comprising seven office buildings ranging in size from 4,421m<sup>2</sup> to 18,770m<sup>2</sup>.

Per the *Employment Densities Guide* (3rd edition) published by the Homes and Communities Agency, the mean employment density for offices occupied by professional services firms is one FTE employee per 12 sqm (net), while the mean employment density for offices occupied by technology, media, and telecom firms is one FTE employee per 11 sqm. These two sectors have in recent years accounted for the greatest quantity of office lettings in Edinburgh and so a mean density of one FTE employee per 11.5 sqm has been assumed. This indicates that the office space could, if fully occupied, be expected to directly support circa 5,150 FTE jobs (59,220 ÷ 11.5).

The average GVA per annum for the information and communication sector in Edinburgh was £95,991 as of 2015, while the average GVA per annum for the professional, scientific and technical activities sector was £74,444, giving a median GVA per annum of £85,218. Multiplying this figure by the estimated number of jobs would give a projected direct GVA for the office elements if fully occupied of £438.87 million per annum (2015 prices) (5,150 × £85,218).

As reported to the Economy Committee on 22 November 2016, there is a growing shortage of office space in Edinburgh due to a combination of strong demand, a relatively weak development pipeline, and the loss of existing office space to alternative uses. These pressures have intensified since November 2016; the available supply of office space in Edinburgh in March 2017 was 160,944m<sup>2</sup> - the lowest figure on record since 2001 (source: Ryden), while take-up in the second quarter of 2017 was over 49,700m<sup>2</sup> - the highest ever recorded quarterly figure (source: Cushman and Wakefield). The delivery of additional office space will help address this shortage.

The development as proposed represents a significant reduction in the quantum of office space on the scheme consented in 2007: from 198,361m<sup>2</sup> to 88,762m<sup>2</sup>, a reduction of 109,599m<sup>2</sup> (55%). It is noted that the application in question relates only to the northern part of the wider site covered by the 2007 consent, however the applicant's Design and Access Statement includes a masterplan indicating that no commercial space is proposed for the southern part of the wider site. The reduction in office space is unfortunate given the pressures on office space in Edinburgh but is consistent with the aspiration to deliver a more balanced mix of uses at Edinburgh Park as set out in the LDP. It is noted that the LDP supports the creation of "a commercial hub adjacent to Edinburgh Park station".

#### *Class 11 - Assembly and Leisure*

The development as proposed would deliver 1,734m<sup>2</sup> (gross) of class 11 (assembly and leisure) space comprising a "leisure hub" with facilities such as a gym, swimming pool, and sports hall, along with an adjacent multi-use sports pitch.

Per the *Employment Densities Guide* (3rd edition), the median employment density for a mid-market fitness centre is one FTE employee per 65 sqm. This indicates that the leisure hub could, if fully occupied, be expected to directly support approximately 27 FTE jobs (1,734 ÷ 65). The average GVA per annum for the arts, entertainment and recreation sector in Edinburgh was £11,607 as of 2015. Multiplying this figure by the estimated number of jobs would give a projected direct GVA for the leisure hub of £0.31 million per annum (27 × £11,607).

### *Sui generis*

*The development as proposed would deliver a 522m<sup>2</sup> energy centre. Per the Employment Densities Guide (3rd edition), the mean employment density for industrial and manufacturing units is one FTE employee per 36 sqm. This indicates that the energy centre could, if fully occupied, be expected to directly support approximately 15 FTE jobs (522 ÷ 36).*

*GVA per annum figures for the electricity, gas, steam and air conditioning supply sector in Edinburgh are unavailable, but the wider manufacturing sector had an average GVA per annum of £62,139 as of 2015. Multiplying this figure by the estimated number of jobs would give a projected direct GVA for the energy centre of £0.93 million per annum (15 × £62,139).*

### **SUMMARY RESPONSE TO CONSULTATION**

*It is estimated that the development as proposed could, if fully built and occupied, be expected to directly support approximately 5,315 full-time equivalent (FTE) jobs (57 + 66 + 5,150 + 27 + 15) and £443.11 million of gross value added per annum (2015 prices) (£1.72 million + £1.28 million + £438.87 million + £0.31 million + £0.93 million). By comparison, it is estimated that the uses currently on the site directly support a negligible level of jobs and economic output.*

### **Waste Services**

*As this is a commercial development, the Council will not be the provider of waste management services to this property. 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. Depending on the size and use of the property it may also be that they are required to segregate other streams such as fluorescent lamps, batteries and electrical equipment as well.*

*It would be the responsibility of any third party commercial organisations using the site to source their own trade waste uplifts.*

### **SEPA**

#### *Advice for the planning authority*

*We object to this planning application on the grounds of a lack of information relating to flood risk and surface water drainage. We will review this objection if the issues detailed in Section 1 and 2 below are adequately addressed.*

#### *1. Flood Risk*

*1.1 We object to the proposed development on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy.*

*1.2 In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.*

## *Technical Report*

1.3 We previously responded to this application on the 8 of May 2017. We had no objection to the development and advised that no built development should be located over this culvert.

1.4 Review of drawing titled AMC Application Proposed Site Plan, indicates that additional culverting is proposed over the open section of the Gogar Burn, east of Lochside Avenue. It has been confirmed by the applicant that it is proposed "that a roof is placed on a short section to allow the road and junction to be constructed - the rest would be left exactly as is." As this "roof" will not impact on the capacity or conveyance of the existing culvert we accept this this approach. These works will not require authorisation from SEPA under the Controlled Activities Regulations.

1.5 We previously advised that no built development should be over the culverted Gogar Burn which flows through the site. It has been stated in the Design Statement that there will be no built development over this culvert and a corridor maintained. We would request a post development drawing with the location of the Gogar Burn culvert, as there are contradicting drawings of the location of this culvert from online searching.

1.6 Review of the Flood Risk Assessment indicates that the site is not at risk of flooding from the Gogar Burn. We accept this due to the culvert and embankment underneath the A720 restricting flood flows to the site. However it has been found that the culverted Gogar Burn underneath the proposed development is under capacity to pass the estimated 200 year flow and a small proportion of flooding is predicted upstream of the culvert inlet

1.7 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. Drainage calculations should be undertaken using the FEH13 depth duration frequency statistics.

### *Summary of Technical Points*

1.8 In summary we wish to receive clarification on the following points before we would consider removing our objection to the proposed development:

- o Post development drawing including the location of the currently culverted Gogar Burn.

Our Development Management requirements for district heating are set out in the following background paper, with DM Requirements 1 and 2 being applicable here (page 24 onwards). We would be happy to discuss with you whether you consider this application to constitute a 'significant/anchor development or substantial development' (requirement 1) and whether there are existing heat networks or sources in proximity (requirement 2).

[https://www.sepa.org.uk/media/162921/lups\\_bp\\_gu2c\\_ii\\_land\\_use\\_planning\\_backgrou nd\\_paper\\_on\\_heat\\_networks\\_and\\_district\\_heating.pdf](https://www.sepa.org.uk/media/162921/lups_bp_gu2c_ii_land_use_planning_backgrou nd_paper_on_heat_networks_and_district_heating.pdf)

## **SEPA further comments**

*Our objection is now withdrawn - please see the advice below.*

## *Flood Risk*

*We are now in a position to remove our objection to the proposed development on flood risk grounds. Notwithstanding the removal of our objection, we would expect Edinburgh Council to undertake their responsibilities as the Flood Prevention Authority.*

*1. We previously responded to this application on the 8th of May and most recently on the 23rd of November 2017. We objected and requested further information on the location of the culverted Gogar Burn in relation to the proposed development.*

*2. Review of the existing and proposed site sections, as well as the existing culvert survey, shows the location of the culverted Gogar Burn in relation to the proposed development. It has been confirmed by the drawing proposed site sections that no built development will be over the existing culverted Gogar Burn. We are therefore in a position to remove our objection.*

*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/environment/water/flooding/flood-maps/>*

*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.*

*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 Edinburgh 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 <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>*

### *Surface Water Drainage*

*We are satisfied with the additional information in respect of surface water drainage.*

### **SEPA comment addendum**

*Thank you (the agent) for sending through your additional comments - we note that you have used the FEH13 DDF data and as long as excess water is contained on site and will not increase flood risk elsewhere our position remains that we have no objection to proposal.*

## **ScotWays**

*The National Catalogue of Rights of Way shows that vindicated right of way LC163 is affected by the area outlined in red on the AMC Application Location Plan. Our records indicate that this sign-posted right of way, which runs beside the Gogar Burn under the City bypass, terminates within the AMC application boundary shown on that location plan.*

*A map is enclosed showing the line of right of way LC163 highlighted in orange. As there is no definitive record of rights of way in Scotland, there may be other routes that meet the criteria to be rights of way but have not been recorded as they have not yet come to our notice.*

*You will no doubt be aware there may now be general access rights over any property under the terms of the Land Reform (Scotland) Act 2003. We would strongly recommend that the applicant consult the Core Paths Plan, prepared by the Council's own access team as part of their duties under this Act. If the applicant requires more information with regard to public access in this area we strongly recommend that they consult the Council's access team.*

## **Edinburgh Airport**

*The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the conditions detailed below.*

### *Submission of a Bird Hazard Management Plan*

*Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of:*

- o monitoring of any standing water within the site temporary or permanent*
- o sustainable urban drainage schemes (SUDS) - Such schemes shall comply with Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).*
- o management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 3 'Wildlife Hazards.'*
- o reinstatement of grass areas*
- o maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow*
- o which waste materials can be brought on to the site/what if any exceptions e.g. green waste*
- o monitoring of waste imports (although this may be covered by the site licence)*
- o physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste*
- o signs deterring people from feeding the birds.*

*The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.*

*Reason: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport.*

*The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Edinburgh Airport Airside Operations staff. In some instances it may be necessary to contact Edinburgh Airport Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.*

*The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Scottish Natural Heritage before the removal of nests and eggs.*

#### *Submission of SUDS Details*

*Development shall not commence until details of the Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 3 'Wildlife Hazards'. The submitted Plan shall include details of:*

- o Attenuation times*
- o Profiles & dimensions of water bodies*
- o Details of marginal planting*

*No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.*

*Reason: To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)*

*We would also make the following observations.*

#### *Cranes*

*Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)*

### *Lighting*

*The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in Advice Note 2, 'Lighting' (available at (<http://www.aoa.org.uk/policy-campaigns/operations-safety/>) Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.*

*We, therefore, have no aerodrome safeguarding objection to this proposal, provided that the above conditions are applied to any planning permission.*

### **Edinburgh Airport comment**

*We have reviewed the SUD and Landscape proposals for application 17/04341/AMC and can confirm that it meets all of our safeguarding requirements.*

### **Children + Families**

*Planning has advised that the application does not seek permission for any residential uses. The proposal will therefore not have an impact on education infrastructure.*

### **Environmental Assessment**

*The applicant proposes discharging the matters in condition 5 of the following application;*

*Application under section 42 of the town and country planning (Scotland) Act 1997 - To vary the terms of condition 1 of planning permission 99/02295/OUT by extending the time period by 10 years (09/00430/FUL). The specific condition states the following;*

*5. before any work on the site is commenced, details of the undernoted reserved matters shall be submitted to and approved in writing by the planning authority; the submission shall be in the form of a detailed layout of the site (including landscaping and car parking), and detailed plans, sections and elevations of the building/s.*

*Reserved matters:*

- o Siting, height, floorspace, levels, external appearance, materials;*
- o Sustainability of each individual development plot;*
- o Parking, access, road layout, servicing areas, layout of proposed highway works and crossing facilities for cyclist and pedestrians;*
- o Details of facilities for buses, taxis, provision of footpaths, cycle routes, cycle storage facilities;*

- o *Hard and soft landscaping;*
- o *Boundary treatment;*
- o *Open space provision;*
- o *Drainage.*

*There are a number of applications coming forward regarding this area and Environmental Protection will be commenting on them separately. This consultation is specific to the above condition 5 relating to application 09/00430/FUL. The 09/00430/FUL application was for an extension of time to outline planning application 99/02295/OUT, 'Erect offices and other business use, hotel and supporting facilities with associated road works and car parking', which was approved by Scottish Ministers on 11 April 2003.*

*The application 09/00430/FUL was submitted under section 42 of the Town and Country Planning (Scotland) Act 1997. The outline application was accompanied with an indicative master plan with a vision for a business park environment and an allocation of 201,000 square metres of office space, 14,610 square metres of hotel space, and 4,000 square metres of ancillary space (use classes 1 - retail, 2 - professional, 3 - food and drink).*

*A variation to the planning consent in 2007 (07/04232/FUL) reduced the amount of office space to 198,361 square metres.*

*The planning consent issued by the Scottish Ministers in April 2003 restricts the number of car parking spaces associated with office development to 4,012. The site was allocated for business use in the Development Plan at that time and the tram infrastructure has now been installed as well as a heavy rail hub at Gogar.*

*The site comprises approximately 18.45 hectares of vacant land between the existing Edinburgh Park northern phase one and the Edinburgh Park Rail Station in the south. The City Bypass lies directly to the east, and the South Gyle Business Park to the west.*

*Edinburgh Park is located in West Edinburgh, approximately four miles from the City Centre and two miles from Edinburgh Airport.*

*Residential use in this area will be in general problematic due to odours, local air quality concerns, and noise. It should be noted Environmental Protection welcome the fact this application does not include residential use. However, Environmental Protection do have issue with the proposed number of car parking spaces more than 1500 which seems to contradict the applicants sustainable transport vision.*

*Reducing the need to travel and promoting use of sustainable modes of transport are key principles underpinning the current Local Development Plan (LDP) Strategy. Future growth of the city based on excessive car use and dependency would have serious consequences in terms of congestion and deteriorating air quality. An improved transport system based on sustainable alternatives to the car is therefore a high priority for Edinburgh. This is the central objective of the Council's Local Transport Strategy, which proposes continued investment in public transport walking and cycling. (2nd LDP).*



## Odours

*A Poultry Farm located approximately 250m from the development site. The following information is from the City of Edinburgh Council's, Air Quality Updating and Screening Assessment Report 2009. The Gogar poultry farm on the outskirts of Edinburgh has been identified by Scottish Environment Protection Agency (SEPA) as meeting the criteria to progress to a Detailed Assessment. The poultry farm has a SEPA permitted limit on the maximum number of birds in this facility (451,900). There is one existing residential property located within 24m of the poultry sheds. The poultry sheds are mechanically ventilated and as of 2009 house 81,530 birds in 4 units and 175,950 in 9 units. In 2009 it was determined that there was a need to reconsider this poultry farm when undertaking the citywide Detailed Assessment for PM10. It should also be noted that complaints from odours emanating from the poultry houses have been investigated.*

*Environmental Protection recommend that the applicant takes this site into consideration when designing any units that may be exposed to odours emanating from the poultry farm*

*The applicant should also provide details of flues and where any commercial kitchens serving hotels and restaurants will be located.*

## Noise

*As this proposal does not include the introduction of residential properties the issues regarding noise are not problematic.*

## Local Air Quality

*The existing buildings at Edinburgh Park are aligned along the Lochan park with extensive areas of surface car parking behind. The new development seeks to reduce the amount of surface parking in order to minimise the impact of car parking on the site and create a more pedestrian oriented and active urban space with high quality urban realm. Emphasis should be put on sustainable transport, not introducing over 1500 parking spaces.*

*In order for Environmental Protection to provide accurate recommendations the applicant should submitted a supporting air quality impact assessment. It would be advised that using an air dispersion model ADMS-Roads for assessment purposes, it should be noted that we do not accept DMRB models. The model should consider current year and the year of opening both with and without development to ensure for all scenarios that the National Air Quality Objectives are met. The applicant would need to do some onsite air quality monitoring, it should be noted that this would need to be carried out over a significant period.*

*The applicant should make use existing diffusion tube data to verify the model (we can provide this data if required). On request we may also be able to provide them the applicant with the most up-to-date annual average NO2 concentration for this location for validation purposes.*

*Several Road links would need to be considered in any air quality assessment including some within existing air quality management areas.*

*The following parameters should be input into the ADMS - Roads model interface:-*

- o Background NO<sub>2</sub>, PM<sub>10</sub> and NO<sub>x</sub> concentrations can be obtained from the Scottish Air Quality website for the relevant modelled years;*
  - o Meteorological Data from the Edinburgh Gogarbank monitoring station is appropriate; and*
  - o Annual Average Daily Traffic data calculated to the form 'vehicles per hour'. Diurnal traffic flows can be based on road traffic statistics from the DfT website.*
  - o The canyon effect must be assessed too.*
  - o Committed developments as agreed by Environmental Protection*
- Ozone concentrations, surface roughness and Monin Obukhov length can be determined through the verification process.*

*To assess the potential for impacts on local air quality from traffic emissions and construction phase impacts we advise that applicant uses the criteria defined in Air Quality & Planning Guidance January 2017.*

*Environmental Protection appreciate that this is not something we can enforce based on this application. Local Air Quality Management was not fully understood when the original outline application was submitted therefore no specific conditions or recommendations were made. The applicant will be aware that air quality is now a key consideration therefore it is recommended that further assessment and considerations towards air quality impacts are given.*

*Based on the information currently available, the site is highly accessible by all modes of public transport given the wide choice of transport links that it has to offer and these have been considered carefully from the outset with major public transport infrastructure such as the Tram and heavy rail station already being delivered. The proposed access strategy looks to connect to the existing links, use existing infrastructure and proposes new works to ensure the site is fully accessible to all users.*

*This AMC will only compound the traffic problems already experienced in the area during peak hours. Public transport extremely well serves the site. Movement around the development site should be considered further bike clubs, electric bikes, electric (possibly driverless) vehicles serving the site.*

*The applicant should commit to installing electric vehicle charging points. The applicant should provide detailed plans showing where the chargers will be located. Environmental Protection would be requiring electric vehicle charging points of various outputs to be provided throughout the proposed car. The installation of chargers in a multi storey car park is straightforward. Slower chargers for long stay purposes should be served with 7Kw chargers with 70 or 50kW (125 Amp) DC with 43kW (63 Amp) AC unit made available for at least 10% of your total proposed spaces. 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. It should also be noted that the taxi industry is moving towards plug-in taxis. The latest model of the London taxi is a plug-in electric taxi and with Edinburgh being the second biggest market for London taxis there will many of them on the roads in Edinburgh therefore locating chargers for taxis should be considered.*

*The provision of over 1500 car parking spaces contradicts the applicants vision including - Exceptional transport and connectivity, strategies to encourage pedestrians and cyclists and Sustainability and culture at the heart of the design.*

*The scale of this proposed developments parking numbers is problematic. The potential impacts traffic generated by the site will have on the nearby AQMA. The main source of this pollution is traffic generated and this site will introduce an increased number of vehicles onto the network. The proposed numbers of parking spaces are excessive for a site that is well served by public transport. The applicant has not fully considered the full range of mitigation measures open to them. We would normally encourage developers to work with Environmental Protection 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 electric vehicle charging facilities.*
- 4. Public transport incentives for residents.*
- 5. Improved cycle/pedestrian facilities and links.*
- 6. Taxi specific rapid electric vehicle charging points*

*Environmental Protection would support any recommendations by Transport Planning Officers so as this proposed development funding aspects of the transport related mitigation measures identified in the updated WETA and trams contributions.*

*Chimney Height Calculation must be submitted in regard to the Clean Air Act. We will need details on the proposed centralised energy centre, for example the proposed fuel and size (energy in/output), Environmental Protection will not support biomass and if it's a large gas-powered energy centre we may require secondary abatement technology to be incorporated to ensure NOx emissions are minimised. It is recommended that the applicant submits a chimney height calculation at the earliest possible stage to ensure planning are satisfied with any proposed chimney which may need to be sizable.*

### *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 have concerns with the proposed level of car parking and the potential impacts it may have on local air quality therefore would recommend refusal on this issue alone.*

## **Public + Accessible Transport**

*Our comments are listed below.*

*o Although reduced in size, the boulevard will still require the closure of the tram until the new road can be built. This will require agreement with Edinburgh Trams on how a temporary arrangement can be set up which still allows a full route service to be provided until construction is complete. Any loss of revenue by Edinburgh Trams would be funded by CEC so an agreement will be required so this can be recovered from the developer.*

*o If the crossing of the tramway was restricted to pedestrian/cycle and occasional emergency vehicles then a proprietary product such as Strail could form the crossing and this could be done overnight when services are not running with very little disruption to trams.*

*o Trams operate via line of sight and enclosing them in a corridor bounded by hedging could affect visibility. The rest of the landscaping through this business park is very open and visibility is also very good. During Autumn there are issues with traction elsewhere when leaves land on the tracks so planting a line of trees adjacent to the rail could create ongoing maintenance issues.*

*o The landscape maintenance responsibilities elsewhere in this park are fairly complicated. Edinburgh Park Management look after common ground, the building owner looks after the frontage and CEC looks after the tram corridor. It would be much more straightforward if a condition was put on this application that one maintainer looks after the corridor.*

## **Flood Prevention**

*The only outstanding information on this application was the provision of information about standoff distances from the culvert to the buildings. Upon review of drawing P13-018-01-PA-150 Rev B I can see that the culvert is passing along a route between buildings. For the looks of this it appears as if sufficient stand-off distance has been provided from the buildings to the culvert.*

*It should be reconfirmed through the developer through detailed design that the building foundations position and loading should not have a prejudicial impact upon the culvert that would impair future maintenance or replacement activities.*

*Based upon all the above Flood Prevention are happy for this application to proceed to determination with no further comment from our department.*

## **Architecture+Design Scotland comment**

*Architecture & Design Scotland were requested to provide support to the Edinburgh Park project following discussions with City Of Edinburgh Council and Parabola in October and November 2017. Support was provided in the form of two workshops which provided a locus for dialogue and review of the wider masterplanning for the extension of Edinburgh Park.*

*We were encouraged by the way the design team responded to comments raised at both workshops and acknowledge that a lot of significant work and improvements have been made to the planning application(s) following our discussions.*

*In particular, we welcome the changes made to the Boulevard and the refinement of this to a smaller 'Cross Street'. The reduction in vehicle lanes, introduction of shared space design and general changes to the character of this has positively extended the pedestrian priority which was a key discussion in the workshops. We are also pleased to see the introduction of rain gardens to act as SUD's features and an extension of the culvert; another item which had been discussed in detail at the workshops.*

*We welcome Parabola's intent and vision to transform a business park into a mixed-use area and part of the city of Edinburgh. The presentations and clarity of the drawings brought to both workshops allowed for substantive and meaningful discussions. We feel it would have been useful for this application to include information regarding further phases of the wider masterplan proposals for the site, as we know considerable work and thought have gone into this and that these will be integral to the success of the scheme submitted.*

*We welcome the proposals as a potential model for peripheral sites in Edinburgh in terms of density and urban form. We commend the Client's aspirations and vision for the site and think there is great potential in the approach which has been taken. We also welcome delivery models that demonstrate urban qualities of density, creating vitality and a mix of uses.*

*We would note that the majority of our advice in connection with the project relates to the masterplanning of the wider mixed-use development area proposed and in particular the housing component. However, we consider the current proposals now demonstrate an effective and convincing first step towards realising the wider mixed-use development envisaged.*

## **Transport Authority**

*The application should be refused.*

*Reason(s):*

- 1. The scale of road infrastructure proposed has not been adequately justified; and*
- 2. Insufficient detail has been provided in respect of the proposed crossing of the Edinburgh Tram line within Edinburgh Park.*

*Consideration:*

*This consultation response is a follow up to Transport's initial response of 22 June 2018 and constitutes the conclusion of written discussion with the applicant and their Transport Consultant, WYG, in respect of this application and related 17/04391/FUL for the associated infrastructure works. A meeting was held on 13 August 2018 subsequent to this submission. Some common ground was agreed between the applicant and Transport at this meeting, viz:*

- o Lengthening of the approach gradients to the proposed speed/table crossing of the cross street in order to make them more suitable for use by buses;*
- o All signal controlled toucan/pedestrian crossing to be single staged i.e. performed in one crossing movement, in accordance with the Edinburgh Street Design Guidance.*

*However,*

*The proposals in terms of transport infrastructure are considered contrary to:*

- o The key Development Principles "Vision" for Edinburgh Park, "to create a thriving business and residential community, well integrated with the rest of the city through good public transport, pedestrian and cycle connections....." (Edinburgh Local Development Plan - November 2016, Part 1, Section 5, "A Plan for All Parts of The City," Page 61)*
- o LDP Policy Tra 1, "Location of Major Travel Generating Development," of the LDP states that:*

*"Planning permission for major development which would generate significant travel demand will be permitted on suitable sites in the City Centre. Where a non City Centre site is proposed, the suitability of a proposal will be assessed having regard to:*

- a) the accessibility of the site by modes other than the car*
- b) the contribution the proposal makes to Local Transport Strategy objectives and the effect on targets in respect of overall travel patterns and car use*
- c) impact of any travel demand generated by the new development on the existing road and public transport networks.*

*In general, applicants should demonstrate that the location proposed is suitable with regard to access by walking, cycling and public transport and that measures will be taken to mitigate any adverse effects on networks and bring accessibility by and use of non-car modes up to acceptable levels if necessary,"*

*Both the Edinburgh Park Development Principles and Policy Tra 1 are clearly focussed on seeking the enhancement of both pedestrian and cycle links.*

*The applicant proposes an east - west road link, "The Street," which is a scaled down version of their "Boulevard" proposal and has evolved in the course of the design consultation process for the wider masterplan of the southern phase and herein thereafter referred to as the "cross-street." It incorporates a controlled vehicular crossing of the Edinburgh Tram line. Despite the scaling down of the proposal the fact it is to provide all vehicle access is not conducive to encouraging sustainable alternative modes of travel to the private car.*

*The development proposals include two multi-storey car parks one located at either end of the cross-street. There are three existing points of access into Edinburgh Park providing two possible routes to/from each of these car parks without the proposed all vehicle crossing. It is therefore unclear why it is necessary to provide for all vehicle movements along the full length of the cross-street rather than restricting crossing of the tram line to pedestrians, cyclists and buses. As the proposals sever Station Park Road currently used by regular Lothian Bus services 2, 36, 20 and 63 (which currently serve Edinburgh Park Station, Edinburgh Park and The Gyle), the use of the cross-street by bus services is imperative in order to enable the continuation of these services and avoid unnecessary rerouting.*

*Access to the cross street is provided by two large traffic signal controlled junctions, one to either end of the link road. All approaches are widened to two lanes creating a significant footprint, to the benefit of the motor vehicles that may use them but to the detriment of other road users. For example, in regard to the latter, the proposals will result in pedestrians crossing Lochside Avenue and Lochside Court doing so in two stages. This is not acceptable (Ref: Edinburgh Street Design Guidance: Part C - Detailed Design Manual, Factsheet G4, "Crossings" and G5, "Signalled Crossings at or Near Junctions.")*

*As an employment destination the vehicular traffic flows will be predominantly tidal - morning "in", evening "out." Importantly, it is argued by the applicant's agent that site is located in a highly accessible location and therefore it has to be questioned whether the proposed junction footprints are necessary.*

*No satisfactory justification has been provided in respect to the size of the junctions proposed.*

*The applicant's agent, in the supporting Transport Statement Report, by way of justification of the cross-street and crossing of the tram line simply states that its purpose is, "to reduce the impact of the tram on traffic flows and to also future proof the street for additional future development." It is clear from this statement that it is for the benefit for users of motor vehicles.*

*Transport's initial response (requesting a continuation of the application consultation period) was prepared and provided to the applicant's agents which stated the Council's position in terms of the infrastructure proposals. The opportunity was therefore provided to the applicant and agents to provide further reasoned and quantitative justification of the transport infrastructure and/or to amend their proposals, resulting in the following response:*

*"The Cross Road will be retained for use by all vehicular traffic, including cars and taxis. As well as providing a significant benefit to existing bus operations, it will provide a key link within the park. It will reduce the unnecessary vehicle mileage that is currently required from the various circuitous routes through the Park to / from the barriers, and help to spread traffic flows within Edinburgh Park itself to the wider benefit of all users of the Park;" and*

*"The applicant has considered the Transport consultation response and is comfortable that the proposed design successfully serves the needs of pedestrians, cyclists, buses and private cars. The design is not vehicle dominated and caters for all users via the provision of wide footways, segregated cycleways and buses stopping on the carriageway, rather than the use of laybys."*

*A further "transport summary" was provided in early August 2018 a relevant extract of which is as follows:*

#### *"Cross Street*

*The cross street is a key element of the development proposals, enhancing permeability, sustainability and connectivity.....*

*The cross street allows pedestrians and cyclists to cross the site in a safe and efficient manner, providing access to both the AMC development and the existing business park. It has a number of further advantages:*

- o The provision of a key link for cyclists from the western edge of the site, connecting to the Core Path network and to the wider paths and cycle routes into the city centre and beyond the A720. This significantly enhances cycle access to the area.*
- o The ability of buses to service the heart of Edinburgh Park and achieve closer proximity to the existing and new development has been specifically welcomed by Lothian Buses. This will encourage bus patronage and facilitate the development of new services in future, which accords with both national and local good practice and policy.*
- o The provision of vehicular access reduces unnecessary travel around the perimeter of the park and allows a more efficient travel pattern to be developed.*
- o The creation of a new permeable street environment will allow activity along the length of the street in line with good design practice, reducing cul-de-sac conditions and maximising the opportunities for natural surveillance. If the street is not provided, this would result in the office elements being accessed from segregated loops, which is not supported by the Scottish Government's "Designing Streets" guidance. The same guidance also indicates that straight streets are acceptable in terms of design and that streets should be provided for all users.*

*The cross street was refined and reduced in scale following consultation with Architecture & Design Scotland and we note that they have welcomed these changes, commenting that "the reduction in vehicle lanes, introduction of shared space design and general changes to the character of this has positively extended the pedestrian priority".*

*The junctions for the cross street have been optimised in their design to provide access for all users. The provision of two lanes at either end of the street ensures that queues are minimised, reducing the potential for buses to be delayed on their routes to and from Edinburgh Park rail station.*

*Swept path assessments of the junctions have been carried out to establish that the sizes are appropriate to enable buses to operate safely, whilst also providing for appropriate cyclist and pedestrian infrastructure.*



### *Tram Crossing*

*Parabola have been actively engaged with Edinburgh Trams since August 2017 and we are comfortable that the proposed tram crossing can be achieved. Parabola are aware of the design and maintenance requirements, timescales for implementation, and the need to cover all costs associated with the crossing.*

*Edinburgh Park Central tram stop is currently isolated from other forms of transport and the improved connectivity created by the cross street will provide an opportunity for modal interchange between active and sustainable travel modes and the existing tram halt, and potentially encourage greater use of the tram network.*

### *Third Party/Wider Development Issues*

*It should be noted that the AMC application and associated transport proposals have been lodged in satisfaction of conditions attached to an existing planning consent and should be assessed in that context."*

*Whilst counter comments could be provided for some of the points made by the applicant's agent, the key statement in their summary is the last paragraph. If we are being reminded to consider the application in the context of the extant planning consent then we, as Roads Authority, have to question the scale of infrastructure proposed and an all-vehicle crossing of the Edinburgh Tram, for a development which is circa 50% of that consented.*

*A number of points were raised by the Edinburgh Trams Team in regard to the proposed tram line crossing:*

- o Although reduced in size, the Street will still require the closure of the tram until the new road can be built. This will require agreement with Edinburgh Trams on how a temporary arrangement can be set up which still allows a full route service to be provided until construction is complete. Termination of tram services at the existing switchbacks (Gogar Tram Depot and Edinburgh Park Station) will not be acceptable. The applicant would be required to build a suitable bypass route until this crossing is completed so that tram services are not disrupted. This would be at significant cost to the applicant. Any loss of revenue by Edinburgh Trams would be a cost initially borne by CEC so an agreement will be required so this can be recovered from the developer.*
- o The need for an additional road crossing of the tramway is unclear from the application documents. If the crossing of the tramway was restricted to pedestrian/cycle and occasional emergency vehicles, and possibly extending to buses, then a proprietary product such as Strail could form the crossing, subject to detailed design verification of its suitability by the applicant's engineers and backed up by a suitable maintenance agreement.*
- o Trams operate via line of sight and enclosing them in a corridor bounded by hedging could affect visibility. The rest of the landscaping through this business park is very open and visibility is also very good. During the autumn months there are issues with wheel slippage elsewhere when leaves land on the tracks, so planting a line of trees adjacent to the rail could create ongoing maintenance issues.*
- o The landscape maintenance responsibilities elsewhere in this park are fairly complicated. Edinburgh Park Management Limited look after common ground, the building owners look after the frontage and CEC looks after the tram corridor. It would be much more straightforward if a condition was put on this application that one maintenance partner looks after the whole corridor.*

*Whilst the proposals for the development incorporate new pedestrian and cycle links taking cognisance of the existing Core Path network and West Edinburgh Active Travel Network plans which can be secured/and or improved by suitable planning condition(s), it is the scale of road infrastructure proposed, specifically the proposed traffic signal junctions at the east and west ends of the cross street, and level crossing of the Edinburgh Tram line open to use by all vehicles using Edinburgh Park which is not supported by Transport.*

*Should you be minded to approve the application, the following should be included as conditions or informatives as appropriate:*

- 1. The applicant will be required to:
  - o Contribute the sum of £Nil to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report (see Note 1). The sum to be indexed as appropriate and the use period to be 10 years from date of payment;*
  - o Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*
  - o Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;**
- 2. Before the commencement of development, full details of the crossing of the Edinburgh Tram line must be submitted for approval including (but not limited to):
  - o A full construction method statement which maintains full operation of the Edinburgh Tram network with no severance throughout the period of the works;*
  - o Details of the Engineering Consultancy(ies) appointed to carry out the design of the works;*
  - o An outline stakeholder consultation/engagement framework and programme;*
  - o Design of the proposed crossing;*
  - o An outline construction programme;*
  - o Outline cost of the works to form the crossing; and*
  - o Construction cannot proceed without an Approval to Work, where full construction programme and methodology will need to be approved by Edinburgh Trams Limited before works can commence. The applicant should be made aware that separate RCC approval will be required.**
- 3. Before commencement of the development full design details of the proposed traffic signal junctions at the east and west limits of the cross street must be submitted for approval. Subsequently, all works to be carried out at no cost to the Council;*
- 4. 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;*
- 5. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;*

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), secure cycle parking, 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;*
7. *The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;*
8. *Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed 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 as part of any sale of land or property;*
9. *Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984;*
10. *The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.*
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. *The developer must submit a maintenance schedule for all SUDS infrastructure for the approval of the Planning Authority;*
13. *The minimum number of cycle parking spaces is to be set at 930 spaces (see Note 2);*
14. *The minimum number of motorcycle parking spaces is to be set at 122 spaces (see Note 3);*
15. *The maximum number of parking spaces for the new development is to be set at 1,566 inclusive of spaces suitable for disabled use and dedicated spaces provided with electric vehicle charging points (see Note 4);*

*A number of the conditions relating to the original planning consent for 101 Edinburgh Park (09/00430/FUL) remain applicable to this current application and are reproduced (amended where necessary) below:*

16. *Within one year of signalling the Gyle Roundabout, the traffic signals at the first junction in Edinburgh Park are to be linked to the traffic signal sequence of the Gyle Roundabout. This work is to be carried out to the satisfaction of and at no cost to the Council;*

17. Bus access shall be available to the main internal loop road of the site and to the links to South Gyle Crescent, South Gyle Broadway, Edinburgh Park Rail Station, and to the M8 extension;

18. Prior to the development commencing, details of a strategic cycle network, including a provision that cyclist access shall be available to the whole road and path network of the development, shall be submitted to and approved in writing by the Chief Planning Officer;

19. Other than as provided by Condition 19, there shall be no barriers or obstructions of any kind to control access to the road, footpath, or cycle network, except with the written agreement of the Council;

20. Free and unhindered pedestrian access shall be granted throughout Edinburgh Park;

21. (Formerly Condition 15) The southern access road, connecting with the roundabout to the north of Hermiston Gait, shall be controlled by means of a suitable barrier system, with a maximum throughput of 1,800 vehicles per hour in each direction. The details of the control mechanism shall be submitted to and approved by the Chief Planning Officer in consultation with the Scottish Government. The barrier control shall be operational from the opening of this access road to traffic;

22. (Formerly Condition 16) The average weekday traffic flow (excluding public transport and service vehicles) on the access and egress routes (Redheughs Avenue, the entrance from South Gyle Broadway and the Southern Access) shall not exceed 20,000 vehicles ("the maximum one-way traffic flow") at any time during the lifetime of the permission hereby granted. The actual traffic flow shall be ascertained using data from the automatic traffic monitoring equipment indicated in (a) and (b) below. In respect of the management and enforcement of this condition the following will apply:

a) automatic continuous traffic monitoring shall be installed on the three access/egress routes identified above and the information, in terms of annual average weekday flows, will be analysed and reported upon at six monthly intervals to both the Chief Planning Officer and the Scottish Government. The average daily flow will also be provided to the Chief Planning Officer and the Scottish Government every three months.

b) remote traffic dial-up equipment shall be installed to allow the traffic data to be collected remotely by the Scottish Government for storage and analysis on the Scottish Trunk Road Database System.

c) in the event that either monitoring system described in (a) and (b) above indicates that the traffic flow exceeds that stipulated, the Chief Planning Officer may serve notice of that position on the Edinburgh Park Management Limited.

d) if the traffic levels have not been reduced below the specified maximum figures within 28 days from any such notice served in terms of sub-paragraph (c) the Southern Access shall be closed immediately.

e) in the event of closure of the Southern Access in terms of Clause (d) remedial measures may be presented to the Chief Planning Officer to reduce traffic flows to below maximum specified figures and if these measures are to the satisfaction of the Chief Planning Officer, in consultation with the Scottish Government, they will be implemented and the Southern Access reopened and the effect monitored.

#### Notes:

1. Tram contribution based on the following information supplied by the applicant for the proposed land uses located in Contribution Zone 1:

o Class 1 Retail (1,530m<sup>2</sup>)\* = £140,760

o Class 2 Professional Services (1,630m<sup>2</sup>)\* = £250,066.67

- o Class 4 Office (88,762m<sup>2</sup>) = £6,142,330.40
- o Class 11 Assembly & Leisure (1,695m<sup>2</sup>) = £51,980

Total = £6,585,137.07

*\*Estimated from Nett Internal Area provided by the applicant's agent and may be in excess of actual.*

*It is understood that a contribution has historically been provided in respect of the extant PPP consent by way of the land upon which the Edinburgh Tram line/stop and Edinburgh Park Station have been built. Therefore, no tram contribution is applicable in respect of the current application.*

2. *The applicant proposes 930 cycle parking spaces. These are to be distributed as follows:*

- o 698 spaces located within buildings
- o 212 spaces provided using Sheffield style stands located in the communal areas
- o 8 spaces provided using Sheffield style stands for the Leisure Centre
- o 8 spaces provided using Sheffield style stands for the Health Centre, and
- o 4 spaces provided using Sheffield style stands for the Retail Unit.

*This is in excess of the minimum requirements of the current parking standards, which has been assessed to be 871 spaces.*

3. *The applicant proposes 88 motorcycle parking spaces. These are to be distributed as follows:*

- o 70 spaces located in covered areas for employee use, and
- o 18 spaces provided on-street for visitor use.

*This is below the minimum requirements of the current parking standards, which has been assessed to be 122 spaces. Accordingly motorcycle parking provision should be increased to meet this minimum requirement.*

4. *The application has been assessed under the 2017 parking standards for Zone 2. These permit the following maximum car parking spaces for the proposed development:*

- o Class 1 Retail (1,530m<sup>2</sup>)\* = 51 spaces, including 4 suitable for disabled use
- o Class 2 Professional Services (1,630m<sup>2</sup>)\* = 33 spaces, including 3 suitable for disabled use
- o Class 4 Office (88,762m<sup>2</sup>) = 1,409 spaces, including 45 suitable for disabled use
- o Class 11 Assembly & Leisure (1,695m<sup>2</sup>) = 68 spaces, including 6 suitable for disabled use

Total = 1,659 spaces (inclusive of 98 spaces suitable for disabled use)

*\*Estimated from Nett Internal Area provided by the applicant's agent and may be in excess of actual.*

*The extant consent for the Edinburgh Park Development (198,361 sqm GFA Office, 4,000 sqm GFA Ancillary Uses and 14,610 sqm GFA Hotel) allows for 4,012 car parking spaces for the office uses. The ancillary and hotel uses were permitted additional parking space that would be assessed on merit at the appropriate time. A pro-rata calculation of the permitted car parking based on the revised proposals for the commercial office uses (88,762m<sup>2</sup>) would equate to 1,795 parking spaces (maximum), 386 spaces more than the current Council Standards permitted maximum. Factoring in the proposed ancillary uses the permitted maximum is still less than what the applicant could implement on the basis of the extant consent. The proposed parking provision is 1,566 spaces inclusive of disabled user spaces and spaces provided with EV charging points. Justification has been provided by the applicant for the quantity of car parking proposed. Giving consideration to all of the above facts and that the site is well served by alternative modes of transport to the private car, this proposed provision is considered acceptable.*

3. A question of competency of the AMC application was raised earlier in the planning process on a number of issues, partly in regard to Transport conditions but all relating to the extant PPP consent:

Condition 22 above (Formerly Condition 16 of 09/00430/FUL): the applicant has failed to provide sufficient evidence to demonstrate that their obligations under this condition have been complied with. This remains unresolved.

Condition 17 of 09/00430/FUL: "No reserved matters application can be made in respect of any release of floorspace hereby approved in excess of 85,000 square metres unless the maximum one-way traffic flow specified in Condition 15 has not been exceeded in the three months prior to such an application." In regard to this specific condition, Transport are not aware of the applicant having provided all the necessary information as required by the condition or whether it has been satisfactorily resolved with the Planning Team.

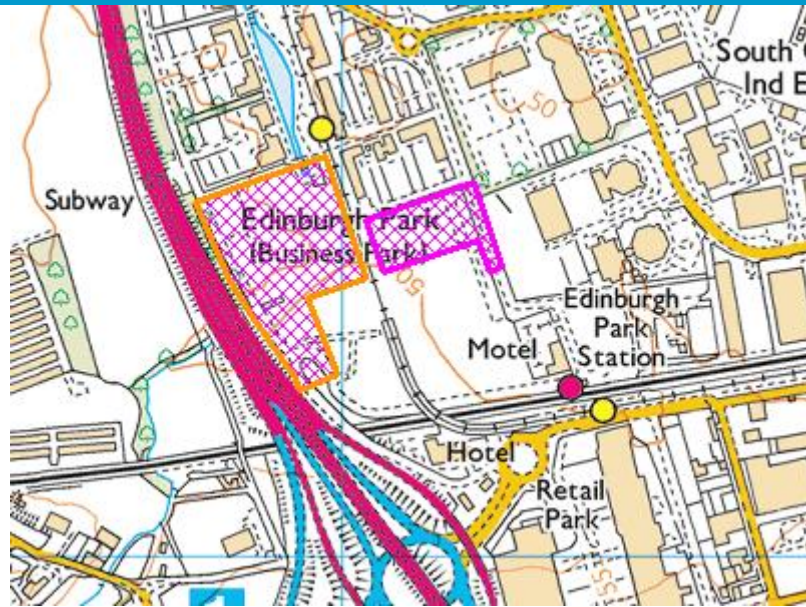
*TRAMS - Important Note:*

The proposed site is on or adjacent to the operational Edinburgh Tram. An advisory note should be added to the decision notice, if permission is granted, noting that it would be desirable for the applicant to consult with the tram team regarding construction timing. This is due to the potential access implications of construction / delivery vehicles and likely traffic implications as a result of diversions in the area which could impact delivery to, and works at, the site. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:

- o Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;
- o Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;
- o Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;
- o Any excavation within 3m of any pole supporting overhead lines;
- o Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use;
- o The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line. See our full guidance on how to get permission to work near a tram way <http://edinburghtrams.com/community/working-around-trams>

## Location Plan

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