

# Notice of meeting and agenda

## Development Management Sub-Committee of the Planning Committee

**10:00am, Wednesday 21 November 2018**

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

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

### Contacts:

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## 1. Order of business

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- 1.1 Including any notices of motion, hearing requests from ward councillors and any other items of business submitted as urgent for consideration at the meeting.
- 1.2 Any member of the Council can request a Hearing if an item raises a local issue affecting their ward. Members of the Sub-Committee can request a presentation on any items in part 4 or 5 of the agenda. Members must advise Committee Services of their request by no later than **1.00pm on Monday 19 November 2018** (see contact details in the further information section at the end of this agenda).
- 1.3 If a member of the Council has submitted a written request for a hearing to be held on an application that raises a local issue affecting their ward, the Development Management Sub-Committee will decide after receiving a presentation on the application whether or not to hold a hearing based on the information submitted. All requests for hearings will be notified to members prior to the meeting.

## 2. Declaration of interests

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

## 3. Minutes

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- 3.1 None.

## 4. General Applications, Miscellaneous Business and Pre-Application Reports

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**The key issues for the Pre-Application reports and the recommendation by the Chief Planning Officer or other Chief Officers detailed in their reports on applications will be approved without debate unless the Clerk to the meeting indicates otherwise during “Order of Business” at item 1**

### **Pre-Applications**

- 4.1 7 East Mains of Ingliston (At Land 91 Metres North of) - Forthcoming application by Flowpearl to erect a 200-bedroomed Hotel, Restaurant and Bar with associated landscaping - application no - 18/04610/PAN - report by the Chief Planning Officer (circulated)
- 4.2 43-59 Jeffrey Street (At Site 37 Metres South of) - Forthcoming application by Jurys Hotel and Management UK Ltd for a mixed development featuring a new hotel, an extension to the existing hotel, two residential blocks, and retail units. Creation of new public space with connections to the High Street and Jeffrey

Street via existing closes and newly created links - application no - 18/09351/PAN – report by the Chief Planning Officer (circulated)

### **Applications**

- 4.3 Stopping Up Order – Baileyfield Crescent, Edinburgh PO/18/02 - report by the Chief Planning Officer (circulated)

It is recommended that the Stopping Up Order be **CONFIRMED**.

- 4.4 25 Glasgow Road, Edinburgh – Proposed installation of bus shelter to include advertising panels – application no 18/03463/ADV - report by the Chief Planning Officer (circulated)

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

- 4.5 236 Gorgie Road, Edinburgh, EH11 2PL - Demolition of existing (Class 1) retail store and erection of purpose-built student accommodation (Sui Generis) with (Class 1) retail on the ground floor (as amended) – application no - 18/03365/FUL – report by the Chief Planning Officer (circulated)

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

## **5. Returning Applications**

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

- 5.1 None.

## **6. Applications for Hearing**

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

- 6.1 None.

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

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

- 7.1 None.

## 8. Returning Applications Following Site Visit

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

- 8.1 1-5 Osbourne Terrace, Edinburgh - Change of Use of the building from office (Class 4) to hotel (Class 7), removal of existing single storey rear extension, erection of 2x new rear extensions and glazed rooftop extension to provide 157 bedrooms, ancillary restaurant and bar - application no 18/02976/FUL- report by the Chief Planning Officer (circulated)

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

### Laurence Rockey

Head of Strategy and Communications

## Committee Members

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

## Information about the Development Management Sub-Committee

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

## Further information

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A summary of the recommendations on each planning application is shown on the agenda. Please refer to the circulated reports by the Chief Planning Officer or other Chief Officers for full details. Online Services – planning applications can be viewed online by going to [view planning applications](#) – this includes letters of comments received.

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

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

If you have any questions about the agenda or meeting arrangements, please contact Committee Services, City of Edinburgh Council, Business Centre 2:1, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG, 0131 529 4240, email [committee.services@edinburgh.gov.uk](mailto:committee.services@edinburgh.gov.uk).

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

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to [www.edinburgh.gov.uk/meetings](http://www.edinburgh.gov.uk/meetings).

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

If you have any queries regarding this, and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact Committee Services ([committee.services@edinburgh.gov.uk](mailto:committee.services@edinburgh.gov.uk)).

# Development Management Sub Committee

**Wednesday 21 November 2018**

**Report for forthcoming application by**

**Flowpearl. for Proposal of Application Notice**

**18/04610/PAN**

**At Land 91 Metres North Of 7 East Mains Of Ingliston,  
Ingliston Road, Edinburgh  
To Erect 200 bedroom Hotel, Restaurant and Bar with  
associated landscaping**

	4.1
Item number	
Report number	
Wards	B01 - Almond

## Summary

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The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for planning permission in principle to erect a 200 bedroomed hotel, restaurant and bar of Ingliston Road, next to the Royal Highland Centre.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997 as amended, the applicant submitted a Proposal of Application Notice 18/04610/PAN on 22 August 2018.

## Links

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**Coalition pledges**

**Council outcomes**

**Single Outcome Agreement**

## **Recommendations**

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- 1.1** It is recommended that the Committee notes the key issues at this stage and advises of any other issues.

## **Background**

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### **2.1 Site description**

The application site is a level green site which lies to the east of Ingliston Road, a narrow category B road.

To the north lies a field currently used for car storage, separated by a small tree buffer. To the south lies Ingliston Cattery and boarding kennels, screened by an established hedgerow. To the west lies Condor Self Drive, to the north of which lies the Royal Highland Centre.

### **2.2 Site History**

The Development Management Sub Committee on 24 April 2011 were minded to grant Planning Permission in Principle for the Royal Highland Showground Masterplan which encompasses this site, subject to a Section 75 Legal Agreement application reference 10/01832/PPP.

On 25 February 2015 the Development Management Sub Committee granted a reduction in financial contributions for application reference 10/01832/PPP.

On 12 August 2015 the Development Management Sub Committee agreed the principal clauses of the Section 75 Legal Agreement to secure financial contributions to tram and other transport infrastructure considered necessary to support the redevelopment of the Royal Highland Centre over time, including the initial phases.

On 20 August 2015 the applicant was issued with a Minded to Grant decision notice with 6 months to sign into the legal agreement, expiring 19 February 2016. On 20 February 2017, in order to progress the Section 75 Legal Agreement in respect of application reference 10/01832/PPP, the Council solicitor sent an email to the solicitors acting for the Royal Highland and Agricultural Society of Scotland requesting confirmation of the extent of the RHASS title. The RHASS has acknowledged receipt of that email.

To date an agreement has yet to be signed. Therefore there is no approved Masterplan for the Royal Highland Centre.

### **Adjacent Site**

On 28 September 2017 Planning permission was granted for the development of a hotel of up to 230 bedrooms with bar, conference, meeting rooms, café and food areas with associated landscaping, car parking access and infrastructure works on a site 250 Metres West Of 100 Eastfield Road, Edinburgh application reference 15/05852/FUL.

Although there was an absence of an approved Masterplan, the principle of the subsequently approved hotel on the corner site was acceptable in policy terms and accorded with the development strategy set out in the Royal Highland Agricultural Society of Scotland Masterplan, as approved in principle subject to the conclusion of a legal agreement. The Masterplan included hotel development of up to 12,391 square metres within close proximity of the airport. The approved site of the now built out Moxy Hotel (15/05852/FUL) was considered to be well located, within walking distance of Edinburgh Airport and the adjacent tram stops and park and ride facilities. It was concluded that the principle of a hotel in that location was acceptable to serve the function of the Royal Highland Centre and Edinburgh Airport.

On 31 July 2015 Planning permission was granted for a 75 bedroom hotel with associated public house facilities, new car parking to accommodate both the existing and the new hotels, access and landscaping (renewal of consent 10/03458/FUL) application reference 15/03041/FUL.

The principle of a hotel in this location was approved in the Royal Highland Showground Masterplan ref 10/01832/PPP (subject to a legal agreement) and approved under planning permission 10/03458/FUL. There has been no significant change in planning policy since the original planning permission was granted. The Edinburgh Local Development Plan continues to support economic growth in this locality. The principle of a hotel on this site also met with the aspirations of the BAA Masterplan to provide further hotel provision around the airport.

The applicant has been unable to sign the Section 75 Legal Agreement for planning permission reference 10/03458/FUL due to lease issues with the Royal Highland Centre.

## **Main report**

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

The application is a Prior Application of Notification for a Planning Permission in Principle for a 200 bedroom hotel, restaurant and bar with associated landscaping. No details are provided at this stage in the process.

### **3.2 Key Issues**

The key considerations against which the eventual application will be assessed include whether:

#### **a) the development would be acceptable in principle having regard to the development plan;**

The application is subject to policy EMP5 Royal Highland Centre of the Edinburgh Local Development Plan.



Policy EMP5 stipulates that the development and enhancement of the Royal Highland Centre (RHC) will be supported within the boundary defined on the Proposals Map, provided proposals accord with an approved Masterplan. Ancillary use will only be permitted where it can be demonstrated that these are linked to the primary activities of the Royal Highland Centre.

All development proposals with the RHC must accord with the other local development plan policies, and the West Edinburgh Strategic Design Framework (WESDF) provides further guidance for such proposals.

To date the Royal Highland Society has not signed the Section 75 Legal Agreement and therefore there is not an approved Masterplan for the site.

**b) the design and layout are acceptable within the character of the area; and does the proposal comply with the Edinburgh Design Guidance;**

The proposal will be required to conform with the Civil Aviation Authority (CAA) requirements. At 200 beds the scale of the hotel is considerable. The design of the building will need to address Ingliston Road. The applicant will be required to submit a detailed landscaping plan that meets with the objectives of the West Edinburgh Strategic Design Framework.

**c) access arrangements are acceptable in terms of road safety and public transport accessibility;**

The application proposals will be required to comply with the requirements of the Developer Contributions and Infrastructure Delivery August 2018, West Edinburgh Transport Contribution Zone.

**d) there are any other environmental factors that require consideration;**

The applicants will be required to submit sufficient information to demonstrate that the site can be developed without having a detrimental impact on the environment. In order to support the application, the following documents will be submitted:

- Pre-Application Consultation report;
- Planning Statement;
- Design and Access Statement;
- Transport Statement;
- Flood Risk Assessment and Surface Water Management Plan;
- Air Quality Impact Assessment;
- Noise Impact Assessment; and
- Phase 1 Habitat and Protected Species Survey.

### **3.3 Assessment**

This report highlights the main issues that are likely to arise in relation to the various key considerations. This list is not exhaustive and further matters may arise when the new application is received, and consultees and the public have the opportunity to comment.

## **Financial impact**

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**4.1** The forthcoming application may be subject to a legal agreement.

## **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** This is a pre-application report. When a planning application is submitted it will be assessed in terms of equalities and human rights.

## **Sustainability impact**

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**7.1** A sustainability statement will need to be submitted with the application.

## **Consultation and engagement**

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

The applicant served notice on the Chair of the Ratho and District Community Council on 21 August 2018.

A public exhibition is proposed at Norton House Hotel on Thursday 22 November 2018 between 14:00hrs and 20:00hrs. This will be advertised in Edinburgh Evening News and a poster will be erected in local public buildings.

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

No representations have been received.

## **Background reading/external references**

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- To view details of the proposal of Application Notice go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Jennifer Paton, Senior Planning Officer  
E-mail:[jennifer.paton@edinburgh.gov.uk](mailto:jennifer.paton@edinburgh.gov.uk) Tel:0131 529 6473

## Location Plan

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**END**

# Development Management Sub Committee

**Wednesday 21 November 2018**

**Report for forthcoming application by**

**Jurys Hotel And Management UK Ltd. for Proposal of  
Application Notice**

**18/09351/PAN**

**At Site 37 Metres South Of 43-59, Jeffrey Street, Edinburgh  
A mixed development featuring a new hotel, an extension  
to the existing hotel, two residential blocks, and retail units.  
Creation of new public space with connections to the High  
Street and Jeffrey Street via existing closes and newly  
created links.**

<b>Item number</b>	4.2
<b>Report number</b>	
<b>Wards</b>	B11 - City Centre

## Summary

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The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for full planning permission A mixed development featuring a new hotel, an extension to the existing hotel, two residential blocks, and retail units. Creation of new public space with connections to the High Street and Jeffrey Street via existing closes and newly created links.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997 as amended, the applicant submitted a Proposal of Application Notice 18/09351/PAN on 25 October 2018.

## Links

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**Coalition pledges**

**Council outcomes**

**Single Outcome Agreement**

## Recommendations

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- 1.1** It is recommended that the Committee notes the key issues at this stage and advises of any other issues.

## Background

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### 2.1 Site description

The site is located in the Edinburgh World Heritage Site on vacant land between Jeffrey Street and the Royal Mile bound in an East to West direction by North Grey's and Chalmers Closes. It is in close proximity to several listed buildings and structures.

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

### 2.2 Site History

24 August 2007 - An application for full planning permission was granted for flatted residential development, hotel bedroom extension and mixed commercial use as amended at former tannery site, 55-61 Jeffrey Street, application reference 02/03306/FUL.

04 June 2008 - An amendment to consent 02/03306/FUL was granted to provide 126 bedrooms extension to existing hotel in place of approved 66 bed extension, deletion of 34 flats and car parking and design detailing changes to elevational treatments of entire new build development, application reference 07/03931/FUL.

17 January 2014- Permission granted for the erection of 101 bed student residences with ground floor management suite and ground floor retail unit, application reference 10/02401/FUL.

## Main report

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### 3.1 Description Of The Proposal

Full planning permission will be sought for a development comprising New Hotel, Extension to existing hotel, 2 x Residential Blocks, Retail Units and creation of a new public space with connections to the High Street and Jeffrey Street via existing closes plus new links.

### 3.2 Key Issues

The key considerations against which the eventual application will be assessed include whether:

- a) the development would be acceptable in principle having regard to the development plan;**

The site is designated as urban area in the Local Development Plan.

The principle of extending the hotel and introducing residential units and retail is supported, subject to compliance with relevant policies in the Local Development Plan.

**b) the design, scale and layout are acceptable within the character of the area; and does the proposal comply with the Edinburgh Design Guidance;**

The application will be for full planning permission. A Design and Access statement will be required to accompany the application.

**c) impact on the Edinburgh World Heritage Site, Old Town Conservation Area and setting of adjacent Listed Buildings;**

The application is a major development and thus will require to be screened for an EIA considering impact on cultural landscape. The forthcoming application should be sensitive to the historic environment and thus the application will also require to be supported by a Landscape and Visual Impact Assessment and a Heritage Statement to demonstrate how the proposal will integrate in to the historic landscape and protect important views.

**d) access arrangements are acceptable in terms of road safety, public transport accessibility, inclusive access and servicing;**

The proposal should have regard to transport policy of the Local Development Plan and Designing Streets. Consideration should be given to the impact of servicing upon existing and proposed uses. Inclusive accessibility and access to public transport should be demonstrated in the application. A Transport statement will be required to support the application.

The application proposals will be required to comply with the requirements of the Developer Contributions and Infrastructure Delivery August 2018.

**e) there are any other environmental factors that require consideration;**

The application should be supported with sufficient information to demonstrate that the site is capable of being developed without having a detrimental impact upon the environment. In order to support the application the following supporting documents should be submitted:

- Pre-application consultation report;
- Planning Statement;
- Design and Access Statement;
- Heritage Impact Assessment;
- Transport Statement;
- Landscape and visual Impact Appraisal;
- Flood Risk Assessment and Surface Water Management Plan;
- Air quality Impact;
- Noise Impact Assessment;
- Tree Survey and Constraints Plan to S 5837:2012; and



- Phase 1 Habitat and Protected Species Survey (including Bats).

### **3.3 Assessment**

This report highlights the main issues that are likely to arise in relation to the various key considerations. This list is not exhaustive and further matters may arise when the new application is received, and consultees and the public have the opportunity to comment.

### **Financial impact**

---

**4.1** The forthcoming application may be subject to a legal agreement.

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

---

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

### **Equalities impact**

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**6.1** This is a pre-application report. When a planning application is submitted it will be assessed in terms of equalities and human rights.

### **Sustainability impact**

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**7.1** A sustainability statement will need to be submitted with the application.

### **Consultation and engagement**

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

The Community Engagement will form part of the pre-application process and is required to be undertaken by the applicant. A summary of this consultation with the community will be submitted with the application via a Pre-Application Consultation (PAC) report.

The PAN identifies notification of the Old Town Community Council and City Centre Neighbourhood Partnership. The applicant has also notified Ruth Davidson MSP and Tommy Sheppard MP.

The PAN identifies a drop in event to be held at Hilton Edinburgh Carlton Hotel 19 North Bridge on 27 November 2018 between 18:00 and 21:00. This will be advertised in the Edinburgh Evening News on 13 November 2018.

The application was presented to the Edinburgh Urban Design Panel on 31 October 2018.

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

No representations have been received.

## Background reading/external references

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- To view details of the proposal of Application Notice go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)

### **David R. Leslie**

Chief Planning Officer

PLACE

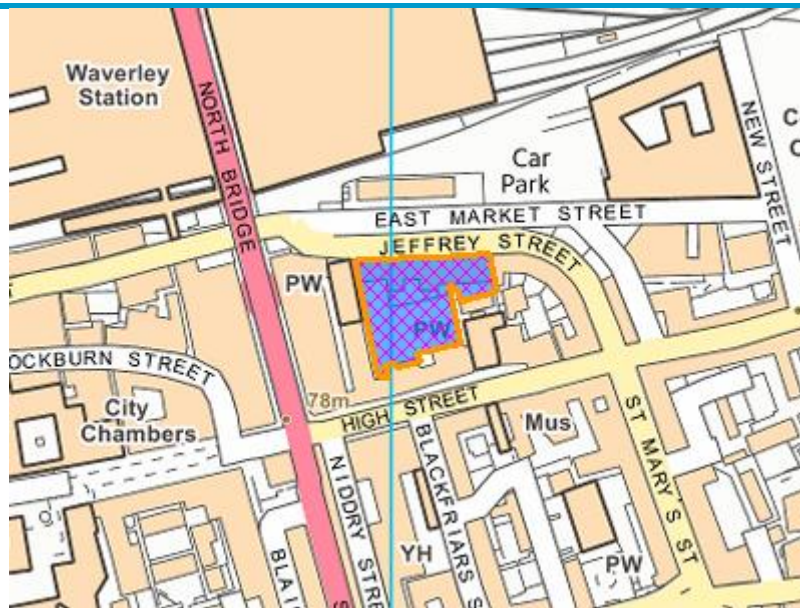
The City of Edinburgh Council

Contact: Euan Mcmeeken, Senior Planning Officer

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## Location Plan

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**END**

# Development Management Sub-Committee

**10.00 am, Wednesday, 21 November 2018**

## **Stopping Up Order – Baileyfield Crescent, Edinburgh PO/18/02**

<b>Item number</b>	4.3
<b>Report number</b>	
<b>Executive/routine</b>	
<b>Ward</b>	17 Portobello / Craigmillar

### **Executive summary**

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The purpose of this report is to request that the Sub-Committee confirm as unopposed. The City of Edinburgh Council (Baileyfield Crescent, Edinburgh) (Stopping Up) Order 2018 was advertised to the public.

### **Links**

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<b>Coalition pledges</b>	
<b>Council outcomes</b>	CO25 – The Council has efficient and effective services that deliver on objectives.
<b>Single Outcome Agreement</b>	

## Stopping Up Order – Baileyfield Crescent, Edinburgh PO/18/02

### Recommendations

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- 1.1 That the Sub-Committee confirms as unopposed The City of Edinburgh Council (Baileyfield Crescent, Edinburgh) (Stopping Up) Order 2018 – PO/18/02 (see Appendix 1).

### Main report

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- 2.1 To facilitate implementation of a grant of approval of full planning permission (reference 16/05898/FUL) for the housing development at the former Baileyfield Industrial Estate, Portobello, a stopping up order is required.
- 2.2 The stopping up of roads was progressed under the terms of the Town and Country Planning (Scotland) Act 1997, Section 207 and was advertised to the public from 13 April 2018 to 11 May 2018. During this period one objection was received. This was reported to the Sub-Committee on 15 August 2018 and then passed to the Scottish Ministers for determination.
- 2.3 On 30 October 2018, the Scottish Minister notified the Council that the objection to the stopping up order had been withdrawn and the Council may proceed to confirm the Order.

### Measures of success

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- 3.1 The stopping up order shall be implemented to facilitate the implementation of planning permission.

### Financial impact

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- 4.1 Associated costs will be met by the applicants.

### Risk, policy, compliance and governance impact

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- 5.1 All statutory procedures for the making of the Order will be correctly followed.

## Equalities impact

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- 6.1 This was assessed in the report to the Development Management Sub-Committee on 22 November 2017 and is contained within the Assessment section of that report.

## Sustainability impact

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- 7.1 This was assessed in the report to the Development Management Sub-Committee on 22 November 2017 and it was considered that these met the sustainability requirements of the Edinburgh Design Guidance.

## Consultation and engagement

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- 8.1 The consultation period as required by the legislation has been carried out.

## Background reading/external references

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Report to the Development Management Sub-Committee on 22 November 2017.

Report to the Development Management Sub-Committee on 15 August 2018.

### David R. Leslie

Service Manager & Chief Planning Officer

Contact: John Richmond, Senior Professional Officer

E-mail: [john.richmond@edinburgh.gov.uk](mailto:john.richmond@edinburgh.gov.uk) | Tel: 0131 469 3765

**Coalition pledges**

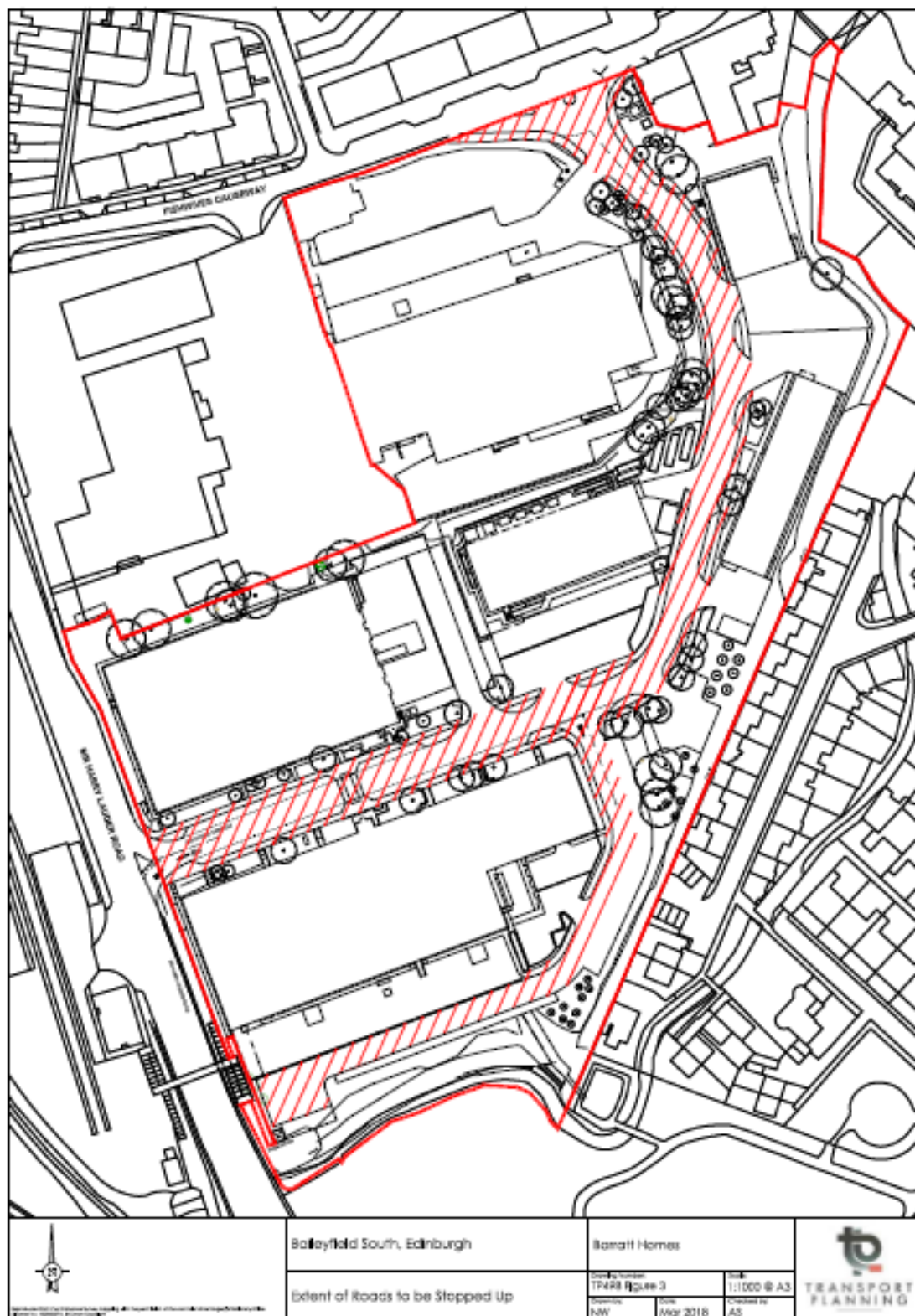
**Council outcomes** CO25 – The Council has efficient and effective services that deliver on objectives.

**Single Outcome Agreement**

**Appendices** Appendix 1  
Plan road to be stopped up.  
Appendix 2  
Plan new road to be provided.

## Appendix 1

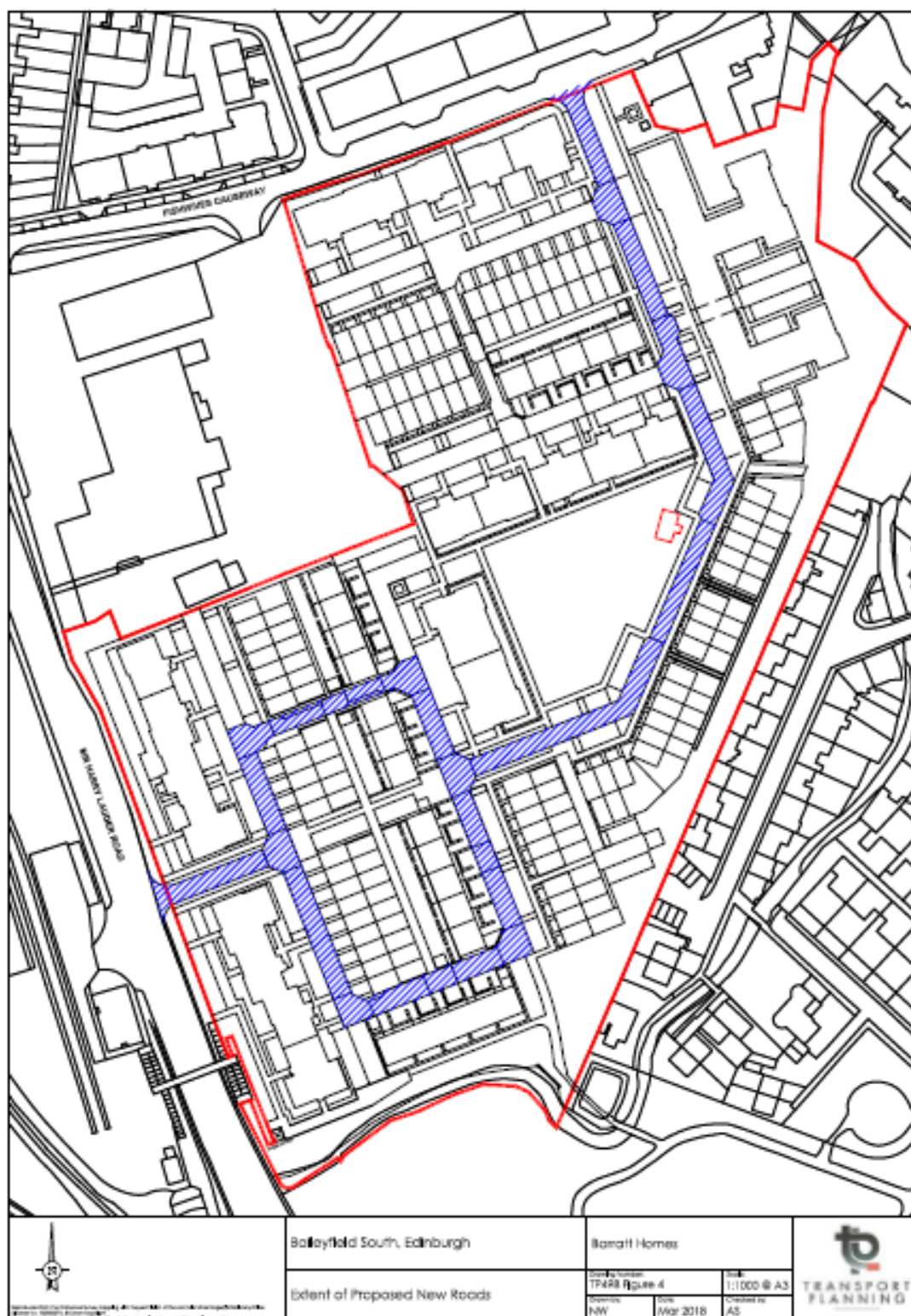
Plan road to be stopped up.





## Appendix 2

Plan new road to be provided.



# Development Management Sub Committee

Wednesday 21 November 2018

**Application for Advert Consent 18/03463/ADV  
At Bus Shelter At 25 Glasgow Road, Glasgow Road,  
Edinburgh  
Proposed installation of bus shelter to include advertising  
panels.**

Item number	4.4
Report number	
Wards	B03 - Drum Brae/Gyle

## Summary

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The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), and the Council's guidance on Advertisements, Sponsorship and City Dressing and Guidance for Businesses. It will have an acceptable impact on the amenity of the location. There are no other material considerations which outweigh this conclusion.

## Links

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<a href="#">Policies and guidance for this application</a>	NSBUS, NSADSP,
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# Report

## **Application for Advert Consent 18/03463/ADV At Bus Shelter At 25 Glasgow Road, Glasgow Road, Edinburgh Proposed installation of bus shelter to include advertising panels.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application site is an existing bus shelter located on the south side of Glasgow Road. Immediately to the east of the bus shelter is a restaurant and petrol filling station, otherwise the area is predominantly residential.

#### **2.2 Site History**

There is no relevant planning history for this site.

### **Main report**

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

This application relates to advertisement consent only. A new bus shelter is being proposed at this location and is being installed under the Council's permitted development rights.

The advertising panel will be double sided and situated on the trailing end of the bus shelter. The advert will comprise an illuminated six sheet display that will show a series of commercial messages and are manually changed every two weeks.

The panel will be designed to fit the shelter but will not be reliant upon it for support. The panel structure will measure approximately 2.1 metres high, 1.33 metres wide and 0.25 metres deep. The display screen areas will be approximately 1.9 square metres and the panel will be constructed from aluminium with a matt grey finish.

### 3.2 Determining Issues

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

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

### 3.3 Assessment

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

- a) the proposal has an acceptable impact on amenity;
- b) the proposal would compromise public safety;
- c) the proposal would have any equalities or human rights impacts; and
- d) public comments have been addressed.

#### a) Amenity

Council guidance states that advertising on bus shelters will not be permitted in visually sensitive locations. Visually sensitive locations include parts of the Edinburgh World Heritage Site where the streets are of primary historic importance (e.g. Royal Mile or George Street) or where advertising would disturb important views or the setting of individual listed buildings. Sensitive locations can also include residential neighbourhoods.

The site is not within the World Heritage Site, a conservation area or near to any listed buildings. The adjacent commercial unit and petrol station has a commercial outlook and a number of existing signs are in place. The proposed advertisement is compatible with this backdrop.

The site is within a wider residential area. The existing bus stop contains an area for advertisements although none are displayed at present. The proposed panel forms an integral part of the shelter design, with the structure providing a level of visual containment to the displays. The introduction of illuminated adverts in this location will not have an adverse impact on the amenity of the area.

The advert will not be detrimental to the amenity of the wider area or the proposed adjacent residential development.

#### b) Public Safety

Transportation has advised that it has no objections to the proposed display with regard to public safety.

c) Equalities and Human Rights

This application has no impact in terms of equalities and human rights.

d) Public Comments

No comments received.

Conclusion

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

The proposal raises no amenity or public safety concerns and accords with requirements of Council guidance covering Advertisements, Sponsorship and City Dressing.

There are no material considerations that outweigh this conclusion.

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

**3.4 Conditions/reasons/informatives**

**Conditions:-**

1. Consent is granted for a period of five years from the date of consent.

**Reasons:-**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

**Financial impact**

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

There are no financial implications to the Council.

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

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

**Equalities impact**

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

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

## **Sustainability impact**

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

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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

There is no pre-application process history.

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

No representations have been received.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development  
Plan Provision**

Edinburgh Local Development Plan - Urban Area.

**Date registered**

5 July 2018

**Drawing numbers/Scheme**

01-05,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

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

**Links - Policies**

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**Relevant Policies:**

**Non-statutory guidelines** 'GUIDANCE FOR BUSINESSES' provides guidance for proposals likely to be made on behalf of businesses. It includes food and drink uses, conversion to residential use, changing housing to commercial uses, altering shopfronts and signage and advertisements.

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

# Appendix 1

## **Application for Advert Consent 18/03463/ADV At Bus Shelter At 25 Glasgow Road, Glasgow Road, Edinburgh Proposed installation of bus shelter to include advertising panels.**

### **Consultations**

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#### Roads Authority

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

1. *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, or disconnect and disable a sign, or take any other steps required to ensure that any display on a sign which constitutes a danger to road users is removed or screened. The Council will seek to recover their costs for undertaking such action.*

#### **ADVERTISING SIGNS**

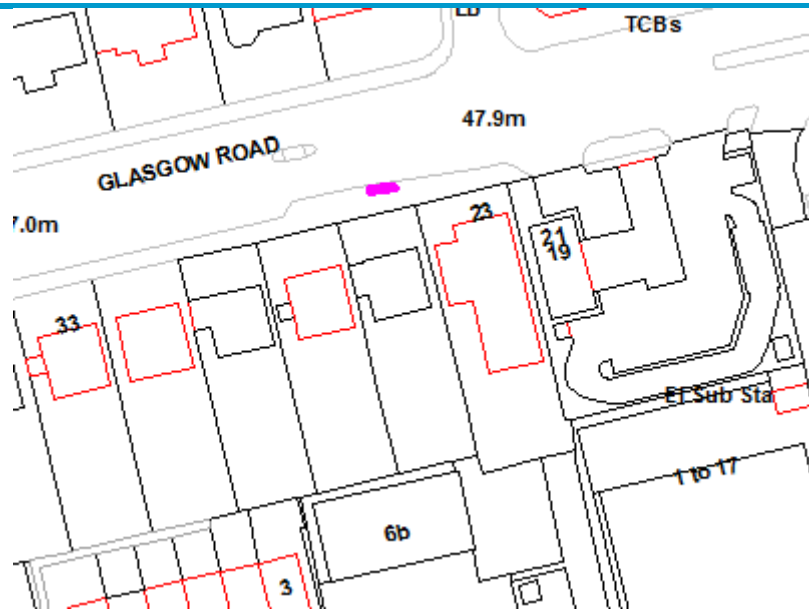
*Note:*

1. *The proposal is a for replacement bus stop shelter at an existing site but with a LED backlit (double-sided) poster advertising panel to one end;*
2. *Whilst not strictly large format advertising, for consistency this application has been assessed against standard criteria in terms of the risk assessment of roadside advertising. This location has been assessed as low risk.*



## Location Plan

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**END**

# Development Management Sub Committee

**Wednesday 21 November 2018**

**Application for Planning Permission 18/03365/FUL  
At 236 Gorgie Road, Edinburgh, EH11 2PL  
Demolition of existing (Class 1) retail store and erection of  
purpose-built student accommodation (Sui Generis) with  
(Class 1) retail on the ground floor (as amended)**

<b>Item number</b>	4.5
<b>Report number</b>	
<b>Wards</b>	B07 - Sighthill/Gorgie

## **Summary**

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The purpose built student accommodation complies with policy Hou 8 Student Housing in terms of its location and concentration in the surrounding area, and retail development is supported in the Gorgie/Dalry Town Centre area. It does not satisfy the requirement of policy Hou 1 d) to prioritise housing delivery.

The building as proposed represents a high density building which is unacceptable in terms of its massing, height, footprint and impact on the privacy and outlook of surrounding properties. The site derives the majority of its amenity value and outlook from surrounding sites which as a design solution is not supported. Whilst the site may offer potential for some development for retail use and student accommodation, the intensity of the proposed building is overdevelopment.

## Links

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

LDPP, LDES01, LDES04, LDES05, LEN09, LEN12, LEN16, LEMP09, LHOU08, LRET01, LRET03, LTRA02, LTRA03, LEN21, NSG, NSGD02, NSGSTU, LHOU01,

# Report

## **Application for Planning Permission 18/03365/FUL At 236 Gorgie Road, Edinburgh, EH11 2PL Demolition of existing (Class 1) retail store and erection of purpose-built student accommodation (Sui Generis) with (Class 1) retail on the ground floor (as amended)**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The site, approximately 0.18 hectares in size, consists of a two storey Scotmid supermarket that fronts on to Gorgie Road and extends back across much of the site. An associated loading bay and staff parking area is located at the rear of the site and is accessed via Wheatfield Terrace.

To the north there is a church hall and back gardens for tenements on Wheatfield Place, to the west are the back gardens of four storey traditional tenements in Smithfield Street. To the east, the site adjoins the tenements of Wheatfield Terrace and their associated back gardens.

#### **2.2 Site History**

19 March 2012 - A minded to grant decision for full planning permission was issued for partial demolition of the Scotmid supermarket and erection of 9 residential flats, car parking, access landscaping and associated works. A legal agreement was not concluded for the application (Application reference: 12/00238/FUL).

### **Main report**

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

##### **Scheme 2**

The applicant proposes to demolish the existing two storey retail store and to erect a six storey building comprising retail space on the ground floor which will be occupied by Scotmid with purpose-built student accommodation above. The building fills most of the depth and width of the site and is set back from adjoining tenements on Gorgie Road. The proposal connects to adjoining tenements at Wheatfield Terrace.

The retail element of the proposal at the ground floor will measure approximately 475 sqm including back of house and waste/plant areas. The new retail store would be serviced from a rear access at Wheatfield Terrace. A bin store and plant for the student accommodation would be serviced from this area as well.

The ground and first floors consist of a mixture of the retail store and student accommodation. The second to fifth floors are dedicated to student accommodation.

The ground floor elevation at Gorgie Road maintains the existing building line. The top floor is set back from Gorgie Road by four metres and the first, second, third and fourth floors are set back from Gorgie Road by two metres. The top floor is set back at the north elevation to provide a rooftop amenity deck space. The building is modern in appearance and has a flat roof. Small green roof features flank the building at the second floor and at the north west elevation.

The top floor roof level, which is set back, measures approximately 64 metres in height above ordnance datum (AOD). The current Scotmid building measures 57.4 metres AOD at the Gorgie Road frontage and 53.6 metres AOD at the rear across the site. Overall across the site to the rear there is an increase of approx. 10 metres.

The student accommodation comprises of 139 bedrooms in a mix of sizes as follows:

- 2 x one bedroom studios;
- 1 x four bed cluster;
- 14 x five bed clusters;
- 4 x six bed clusters;
- 4 x eight bed clusters; and
- 7 x accessible studios (5% of total rooms).

Room sizes in cluster apartments will be approximately 14.5 sqm. Studio rooms will measure approximately 21.7 sqm.

Amenity provision on-site includes a ground floor garden at the west boundary measuring 122 sqm and a rooftop amenity deck at the north of the building's roof space including wild flower planting and extending to 195 sqm. A common room measuring 77 sqm is included at the top floor of the building at the south elevation.

The proposal does not include any vehicle parking and cycle parking spaces are proposed within the ground floor amenity area at the west boundary.

Proposed materials include blonde sandstone at the north and south elevations, light coloured render at the east and west elevations. At the roof level a mixture of timber cladding with large sections of curtain walling and spandrel glazing is proposed.

### **Supporting Statement**

The applicant the following information in support of the application:

- Pre-Application Consultation Report;
- Design & Access Statement;
- Planning Policy Statement;

- Application form, drawings and visualisations;
- Daylight, privacy and overshadowing analysis;
- Transport Statement;
- Landscape information;
- Historic Environment Desk Based Assessment;
- Ecology BREEAM Report;
- Noise Impact Assessment;
- Health and Safety Executive consultation response;
- Flooding, drainage and surface water information;
- Waste management information;
- Sustainability Form S1;
- Student Management Plan; and
- Arboricultural impact assessment and tree constraints plan.

Revised and new information submitted by the applicant for Scheme 2 include:

- Amended plans, drawings and visualisations;
- Design & access statement addendum;
- Revised daylight and sunlight assessment; and
- Summary of amendments.

These are available to view on the Planning & Building Standards Online Services.

### **Scheme 1**

The original scheme was for 152 student flats and retail at the ground floor. The front elevation of Scheme 1 was set further forward facing Gorgie Road at the upper levels by 2m and the top floor by 4m. Scheme 1 was slightly greater in mass, had a larger footprint and proposed materials were honey coloured buff brick, bronze cladding and windows and red pre-cast stone. No amenity space was provided in Scheme 1 and a large willow tree to the north of the site was identified for removal.

### **3.2 Determining Issues**

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

Do the proposals comply with the development plan?

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

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

### 3.3 Assessment

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

- a) the principle of development is acceptable in this location;
- b) the proposed design and layout of the proposal are acceptable;
- c) the proposal raises any issues relating to amenity;
- d) the proposal is acceptable in terms of transport, traffic or road safety;
- e) there are any other material considerations;
- f) the proposal meets sustainability criteria;
- g) there are any impacts on equalities or human rights; and
- h) issues raised in material representations have been addressed.

#### **a) Principle**

The application site is located in the urban area as designated in the Local Development Plan (LDP). Proposals in the urban area must accord with relevant policies in the LDP and guidance. The site is also partially located within the Gorgie/Dalry Town Centre.

#### **Retail**

Proposals for retail and other development is required to follow the sequential approach with regard to location. In this case the applicant, Scotmid, already has a presence at the ground floor and proposes to retain a presence at the ground floor. Policy Ret 1 Town Centres First Policy supports retail development within town centres and the proposal meets the sequential test. Policy Ret 3 Town Centres supports development that is within a town centre and is compatible with the surrounding area. As the retail element of this proposal is a replacement of the existing Scotmid with a newer building with a different floor area the retention of a presence in the area is supported.

#### **Housing**

Policy Hou 1 d) of the LDP prioritises housing delivery to meet housing land supply "on all other suitable sites in the urban area, provided the proposals are compatible with other policies in the plan". The LDP requires that the site should be considered for housing first. The applicant has stated that only a small number of flats could be built at the site due to green space and parking requirements taking up much of the site, citing the application history of the site. Access issues and impact on nearby Air Quality Management Areas (AQMAs) are also quoted. The applicant concludes that there is a demand for student accommodation in the area; and by meeting this demand HMO flats will be released back into the general housing market.

The policy requires housing to be prioritised and the proposal does not accord with LDP policy Hou 1 d).

## **Student Housing**

LDP Policy Hou 8 has two requirements for assessing student accommodation. Firstly, proposals must be in a suitable location in relation to university and college facilities, well connected by means of walking, cycling or public transport. Secondly, it must not lead to an excessive concentration of student accommodation or transient population in the locality to an extent that would adversely affect the area and its established residential amenity or character.

The Council's non-statutory Student Housing Guidance re-enforces the requirements of policy Hou 8 and identifies that student accommodation needs should be met in well managed and regulated schemes where possible.

### *Location of student housing*

The student housing guidance sets out the locational and design guidance to be applied for student housing. Part a) accepts student housing in locations within or sharing a boundary with a main university, or outwith criteria a) student housing will generally be supported on sites with less than 0.25ha of developable area. While this site does not share a boundary with a university or college campus it is not greater than 0.25 ha and is therefore compliant with this aspect of the guidance.

The site is located on Gorgie Road which offers high frequency bus connections to the city and west Edinburgh. Although the site does not share a boundary and is not adjacent to a university campus it is in a location with good connection to public transport. Further buses are a short walk away at Slateford Road and Dalry Road.

Campuses can also be accessed by bicycle and in some cases by walking.

Clause d) of the guidance requires that a mix of type of accommodation is provided and the applicant meets this requirement by providing a suitable mix of unit types and sizes.

The location of the accommodation is suitable and accords with policy Hou 8a).

### *Concentration of student housing*

Criteria b) of LDP policy Hou 8 seeks to limit the concentration of student accommodation where it would have an adverse impact on the maintenance of balanced communities or established character and residential amenity on a locality.

The nearest operational student accommodation to the site are in excess of 450 metres away at 396 Gorgie Road and Slateford Road/Weston Gait which are outwith the Gorgie/Dalry town centre.



Based on 2011 census data, approximately 35% full time students aged above 16 would be resident in the Gorgie/Dalry area if 137 additional students are added to the population figures. This proportion would not lead to an over-concentrated student population in the area and meets clause b) of the guidance. It is also noted that there is not a high concentration of other land uses which contribute to a more transient population, such as hotels.

### *Conclusion*

The proposed uses for the application site at this location are considered acceptable in principle despite non-compliance with policy Hou 1 d).

### **b) Design and layout**

The proposed, mostly six storey, building would not satisfy the requirement in policy Des 1 that design should be *based on an overall design concept that draws upon positive characteristics of the surrounding area*.

The established urban fabric in the area consists of traditional four storey tenement buildings, including back garden spaces. Ground floor retail units front on to Gorgie Road. The proposed design and layout of the building means that a majority of the site is back-filled with a mostly six storey building. The proposal's north and south elevations broadly match the Wheatfield Terrace and Gorgie Road tenements in their elevational treatments despite being flat roofed; however the large central section of the building covering the site from north to south is not characteristic of the surrounding area.

The applicant asserts that since historic and current uses at the site including a church and associated hall which occupied most of the site (approx. 995 sqm) and the existing two storey retail use (approx. 1,107 sqm), the proposal can occupy a similar footprint at approx. 1,170 sqm.

The historical churches and existing two storey development at the site do not bring the same challenges as the proposal by virtue of their differing designs and characteristics as non-residential uses. The proposal for a six storey building, the majority of which is a primary place of residence for students, should more closely reflect the established tenement perimeter urban fabric in the area. Only approximately 8% of the application site would be soft-landscaped space at the ground level, offering little in the way of amenity. This is significantly lower than typically seen in the area for residential accommodation.

Clauses a), b) and c) LDP policy Des 4 Development Design - Impact on Setting require proposals to have a positive impact on its surroundings. The proposed building would be a high density development and this is visually reflected in its substantial massing, footprint and height. An increase in height of between 7 - 10 metres is proposed across the site. The flat roof level of the building, which measures approx. 64 metres AOD, exceeds the surrounding prevailing ridge height of surrounding tenements by two to three metres in places. For example the surrounding ridge height of tenements is between 61.5 metres and 63.4 metres AOD; the eaves of surrounding tenements are between 59 metres and 61 metres AOD. The building fills much of the depth and width of the site, and when compared to the level of adjacent garden spaces at the east and west boundaries, where ground level is approx. 46 metres AOD, the difference in height is substantial in these locations at approx. 17 metres. The proposed building would extend across much of the application site and would significantly enclose garden spaces to the west and to a lesser extent at the east by effectively creating a more enclosed urban block. The layout does not have regard to spaces between buildings seen in the area or the established height and form. The proposal does not accord with LDP policy Des 4.

Some of the proposed materials are broadly acceptable and the use of blonde sandstone and red precast stone is consistent with surrounding terrace buildings at north and south elevations. However, render and glazing at the east and west elevations do not reflect any characteristics seen in the surrounding area. The roofscape in the Gorgie/Dalry area is predominantly pitch slate whilst the proposed building is flat roofed. Timber cladding and large areas of glazing at the fifth floor that breach the established pitch height of surrounding properties is not representative of the surrounding character, and does not contribute positively to the area.

The design represents a high density development resulting in a building that does not complement the surrounding urban pattern, massing and building height which is contrary to LDP policies Des 1 and Des 4 and Section 2 of the Edinburgh Design Guidance (Designing places: buildings).

### **c) Amenity**

#### *Neighbours*

At the west elevation over 50 new windows and further glazed areas will be introduced to face tenements, and their gardens, at Smithfield Street, some of which are single aspect flats. The six storey proposal would be between 18-21 metres away from neighbouring windows at this location. The proposed building would be located approx. 4.5 metres from the mutual boundary with the properties to the west of the site.

The existing two storey retail store currently bounds the neighbouring site to the west. Although the proposal is set-back by 4.5 metres, increasing the height to six storeys and introducing a high number of bedroom windows means the amount of passive overlooking from higher levels of the surrounding properties will increase. As a result, the proposal would lead to a loss of amenity for neighbouring residents by impacting on privacy and immediate outlook. This is contrary to the Edinburgh Design Guidance on privacy and outlook.

Additionally, the garden spaces of neighbouring properties to the west, which appear to be well used, would be exposed to views from a significant proportion of the windows and would adversely affect the ability of the occupants to enjoy their rear garden and therefore significantly reduce their amenity. Existing properties within this urban block generally enjoy a separation of around 14 metres to the boundary of their garden. The proposed development, with a much reduced figure of 4.5 metres does not protect the amenity of existing neighbours.

The above impacts arising from the proposal are contrary to clause a) of LDP policy Des 5 Development Design - Amenity and the Edinburgh Design Guidance.

The applicant's daylight and sunlight assessment confirms that almost all windows achieve the required Vertical Sky Component (VSC) criteria of either 27% or no less than 80% of existing value which is compliant with the Council's Edinburgh Design Guidance.

By stepping the building back at Gorgie Road by two metres from the first to fourth floors the applicant has sought to minimise adverse effects on designed gable windows to neighbouring properties. The daylight and sunlight study confirms that these windows do not meet the VSC test and are less than 80% of existing value. Whilst the Edinburgh Guidance notes that gables are generally not protected, in this case the windows have been designed as end gable windows in response to a former church building. The impact at this location could be avoided or reduced by further considering the site's history and context that neighbouring tenements are designed around.

Overall, the VSC for some windows will be affected more than others and to varying degrees, however this matter is outweighed by impacts relating to the building's proposed form and design. The applicant's sunlight assessment states that the proposal does not significantly increase overshadowing of neighbouring gardens. It does not appear that the 45 degree sunlight test specified in the Edinburgh Design Guidance has been carried out.

Neighbours raise concern with regard to noise from future residents. Students residing in managed accommodation is not incompatible with the area's surrounding residential use.

The proposal will have an adverse effect on the privacy and outlook of neighbouring properties due to the height, massing and close proximity of the proposed development.

#### *Future residents*

LDP Policy Des 5 - Development Design Amenity and the Edinburgh Design Guidance consider amenity within new developments. Non-statutory guidance on Student Accommodation advises that as student accommodation is a primary place of residence, it is critical that adequate amenity is provided to occupiers to contribute to healthy and sustainable lifestyles.

Overall there is approx. 318 sqm of external amenity with planting and seating areas. There is 122 sqm ground floor amenity space at the west of the site. This space will also be utilised for bicycle storage, the layout of which has not been provided.

Combining the bicycle storage with external amenity space is likely to detract from the use-ability of this area as it is a narrow space at approx. 3.7 metres wide. This narrow space is also immediately adjoining student bedrooms and likely to create a conflict between different users.

In an attempt to introduce more external amenity space at the site the applicant has set-back the top floor at the north elevation to create a rooftop deck amenity space measuring 196 sqm. Amenity space has been included at this location as a result of the building footprint. The Edinburgh Design Guidance (page 94) states that in some cases a compromise can be deployed for example when a building is trying to adhere to the spatial pattern in the surrounding area. This approach to external amenity areas is not necessary or suitable at this site.

Room sizes in the proposal are acceptable and similar to other student accommodation developments in the city. An appropriate number of accessible rooms are also provided.

In terms of providing adequate daylight for future residents the majority of the proposal derives amenity from neighbouring gardens which lie between 1 - 4.5 metres to the West and between 1 - 2 metres to the east. Developments are expected to provide appropriate amenity within their own site and not borrow this from adjacent sites which may be subject to change.

### *Conclusion*

The proposal seeks to introduce a mostly six storey building in place of a two storey retail store. The change in nature of the site, with the addition of student accommodation, and an increased building height will lead to significant adverse effects in relation to privacy, overlooking and immediate outlook for neighbours at the west elevation. The proposal does not accord with LDP policy Des 5 and the Edinburgh Design Guidance.

### **d) Transport**

The applicant proposes a zero parking approach to the site with regard to motor vehicles. This is compliant with the Council's parking standards. The Roads Authority is satisfied with this approach due to the site's location along a well-served road for public transport.

Representations raise concern about parking in the area. The applicant advises that student parking on the streets surrounding the development would be controlled through conditions written into the Tenancy Agreement for future residents.

Bicycle parking spaces labelled in the ground floor plan as 'cycle stands' are provided for future occupants within the amenity space to the west of the building. It is assumed 100% provision is included based on the applicant's aspirations that were expressed in the Transport Assessment for Scheme 1, however this is not confirmed. Amended plans show that the cycle parking area would be accessed from the main entrance leading across the reception area and down a stairway to the landscaped amenity area door. Two existing Sheffield hoop bicycle stands are outside the existing Scotmid store on Gorgie Road and these would remain in situ to serve the new retail element of the proposal.

Servicing and deliveries for the Scotmid retail unit will continue to be accessed from Wheatfield Terrace.

The applicant has suggested within the supporting Transport Assessment that Car Club spaces could be provided however no confirmation on intentions were provided. Representations raise concern over conflict with 137 residents entering and leaving the building, particularly at beginning/end of term. It is not anticipated that this will be problematic in a town centre area.

In principle bicycle parking at 100% would be acceptable subject to further design details. However, it has not been demonstrated that these can be delivered on site and this would have an impact on amenity and design matters. Given that the overall development is unacceptable due to its scale, it would not be proportionate to seek resolution of this matter. With reference to LDP policies Tra 2 Private Car Parking and Tra 3 Private Cycle Parking and the Council's parking standards the proposal is acceptable.

#### **e) Other material considerations**

##### *Health & safety*

The north part of the application site is within the outer consultation zone due the proximity of the nearby North British Distillery. The Health & Safety Executive has been consulted and does not raise any safety concerns.

##### *Flood risk & drainage*

The applicant provided a flood risk assessment and surface water management report which states that the proposal is outwith an area of flood risk and in broad accordance with Scottish Planning Policy.

CEC Flood Prevention requested additional information from the applicant relating to drainage on the site, a drainage layout drawing, hydraulic modelling and submission of the Council's self-certification form A1. No further information was submitted by the applicant in response to the request. CEC Flood Prevention has not provided any further comments.

## *Noise*

A noise assessment was provided in support of the application confirming no adverse impacts are likely, but further consideration with regard to noise transfer from the supermarket to the student accommodation should be taken at the building warrant stage.

Environmental Protection did not comment on the proposals.

## *Protected Species*

An ecology survey did not identify any bat roosts within the building that will be demolished or any suitable foraging habitat on the site. Development at the site will not result in a significant loss of habitat for nesting birds.

## **f) Sustainability**

The applicant submitted a Sustainability Statement and the Council's Sustainability form S1 with the application. The proposal is a major development and has been assessed against Part B of the sustainability standards. The proposal scored 80/80 points.

Measures identified by the applicant as part of the sustainability form include: the re-use of a brownfield site; efficient refrigerators in the retail store; gas fired Combined Heat and Power engine to provide heating, hot water and low carbon electricity; zero car development; water saving fittings; use of materials with a low life cycle environmental impact; and, embodied energy and waste and recycling facilities.

The applicant confirms in the supporting Design & Access Statement that alternative future uses of the building have been considered in the event that conversion of the student accommodation is desired. Possible options to re-use the building would include use either as an apart-hotel or a building for co-living. Any future use would be subject to a planning application for change of use.

The sustainability measures are acceptable.

## **g) Equalities**

The applicant outlined that seven accessible rooms will feature as part of the proposal. This applicant confirms that this provision of 5% of all rooms is consistent with Scottish Building Regulation requirements.

The ground floor retail space is accessible from the street level and the student accommodation will be accessible via an internal lift.

## **h) Issues raised in material representations**

Representations refer to Scheme 1. Scheme 2 did not sufficiently address concerns raised in comments and further neighbour notification was not undertaken.

The application attracted 52 comments which were all objections.

## **Material objections**

- Principle of student housing and suggestion of overprovision in the area - addressed in Section 3.3 a);
- Request social housing in the area - LDP policy does not require social housing in developments of this type;
- Impact on amenity, outlook, overshadowing, daylight and sunlight to neighbouring flats and garden's privacy - addressed in Section 3.3 b) and c);
- Impact on designed gables - addressed in Section 3.3 c);
- Urban form and density - addressed in Section 3.3 b);
- Lack of local services for increased population density and loss of post office - the proposal is in a town centre with ample services and occupancy of the post office is a non-planning commercial matter;
- Impact on parking - addressed in Section 3.3 d);
- Impact on local buses and increase in cyclists on Gorgie Road - addressed in Section 3.3 d);
- Use of brick not appropriate for the area - this was removed for Scheme 2;
- Impact on the street and footpath from students moving in and out of the main door especially at start and end of each term - addressed in Section 3.3 d);
- No community benefit included in the proposal - planning policy would not require a developer contributions in this case;
- Requests to set-back the building on the site similar to the historic church - addressed in Section 3.3 b) and c);
- Concerns relating to noise from students - the applicant submitted a management plan outlining how the facility would be managed; and
- Loss of a willow tree - this is retained in Scheme 2.

## **Non-material comments**

- Alleged inaccuracies in the Daylight/Sunlight report - the information has been assessed by the Council as part of the application determination;
- Loss of private view - this is not a planning matter;
- Reduction in property value - this is not a planning matter;
- Lack of evidence that the development will bring economic benefit to Gorgie - this is not a policy requirement;
- Inadequate notification for neighbours of the application - neighbours were notified in line with statutory requirements; and
- Knock-on impact on rental prices in Gorgie - rent prices are not a planning matter.

## **Community Council**

The community council did not comment on the application or request to be a consultee for the application.

## Conclusion

The purpose built student accommodation complies with policy Hou 8 Student Housing in terms of its location and concentration in the surrounding area, and retail development is supported in the Gorgie/Dalry Town Centre area. It does not satisfy the requirement of policy Hou 1d) to prioritise housing delivery.

The building, as proposed, represents a high density building, which is unacceptable in terms of its massing, height, footprint, roofscape and impact on the privacy and outlook of surrounding properties. The development derives the majority of its amenity value and outlook from surrounding sites which as a design solution is not supported. Whilst the site may offer potential for some development for retail use and student accommodation or housing, the intensity of development proposed at present leads to overdevelopment at the site.

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

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

#### **Reasons:-**

1. The proposal is contrary to Local Development Plan Policies Des 1 Design Quality and Context and Des 4 Development Design - Impact on Setting as its overall design including height, mass, footprint, roofscape, and resultant density are incompatible with the immediate context.
2. The proposal is contrary to Local Development Plan Policy Des 5 Development Design - Amenity and the Edinburgh Design Guidance as it draws an unacceptable level of amenity from neighbouring sites and has a significant adverse impact on neighbouring properties.

## **Financial impact**

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

There are no financial implications to the Council.

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

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

## **Equalities impact**

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

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



## **Sustainability impact**

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

This application 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**

Neighbours were notified of the application on 18 July 2018. Fifty two representations were received which all objected to the proposal.

A full assessment of the representations can be found in the main report in part 3.3 h) of the Assessment Section.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development  
Plan Provision**

The application site is shown to be in the Urban Area in the adopted Edinburgh Local Development Plan (LDP) and part of the site is located within the Gorgie/Dalry Town Centre area.

**Date registered**

16 July 2018

**Drawing numbers/Scheme**

1, 2, 4-7, 8A-21A, 22, 23 (Scheme 2),

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Sean Fallon, Planning Officer

E-mail: [sean.fallon@edinburgh.gov.uk](mailto:sean.fallon@edinburgh.gov.uk) Tel: 0131 469 3723

**Links - Policies**

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

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

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

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

LDP Policy Hou 8 (Student Accommodation) sets out the criteria for assessing purpose-built student accommodation.

LDP Policy Ret 1 (Town Centres First Policy) sets criteria for retail and other town centre uses following a town centre first sequential approach.

LDP Policy Ret 3 (Town Centres) sets criteria for assessing retail development in or on the edge of town centres.

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

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

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

**Non-statutory guidelines** student Housing Guidance interprets local plan policy, supporting student housing proposals in accessible locations provided that they will not result in an excessive concentration.

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

# Appendix 1

## **Application for Planning Permission 18/03365/FUL At 236 Gorgie Road, Edinburgh, EH11 2PL Demolition of existing (Class 1) retail store and erection of purpose-built student accommodation (Sui Generis) with (Class 1) retail on the ground floor (as amended)**

### **Consultations**

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Consultation comments refer to Scheme 1.

#### **Scottish Water comment**

*Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:*

##### *Water*

*There is currently sufficient capacity in the Glencorse Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.*

##### *Foul*

*There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.*

*The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.*

##### *Infrastructure within boundary*

*According to our records, the development proposals may impact on existing Scottish Water assets.*

##### *150mm Combined Sewer running through site*

*The applicant should identify any potential conflicts with Scottish Water assets. I can confirm that I have made our Asset Impact Team aware of this proposed development however the applicant will be required to contact them directly at [service.relocation@scottishwater.co.uk](mailto:service.relocation@scottishwater.co.uk).*

*The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.*

### *Surface Water*

*For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.*

*There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.*

*In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.*

### *General notes*

*Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.*

*If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.*

*Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.*

*The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.*

*Please find all of our application forms on our website at the following link:*

*<https://www.scottishwater.co.uk/business/connections/connecting-yourproperty/new-development-process-and-applications-forms>*

### *Next Steps*

*Single Property/Less than 10 dwellings*

*For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.*

#### *10 or more domestic dwellings*

*For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.*

*Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.*

#### *Non Domestic/Commercial Property*

*Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for nondomestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk).*

#### *Trade Effluent Discharge from Non Dom Property*

*Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.*

*If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject 'Is this Trade Effluent?'.*

*Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link:*

*<https://www.scottishwater.co.uk/business/ourservices/compliance/trade-effluent/trade-effluent-documents/trade-effluent-noticeform-h>*

*Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.*

*For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.*

*The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com).*

### **Archaeology comment**

*The current retail store is built on the site formally occupied by Tyncastle Parish Church, a late Victorian establishment demolished in 1982. However 19th century OS mapping suggests that this late-Victorian church replaced an earlier Victorian church/church-hall located to the rear of the plot of which little is known.*

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

*As stated the site overlies the site of both Tyncastle Parish Church and an earlier short lived church/ church-hall. Though affected by the demolition of the church and the construction of the current store, the site may still contain evidence for these two former church buildings and how they interacted. Accordingly ground breaking works associated with both demolition and construction are considered to have a low but potentially significant archaeological impact. It is therefore recommended that a programme of archaeological excavation is undertaken as part of the demolition process and prior/during development, in order to fully excavate, record and analysis any significant buried remains affected by ground breaking.*

*Therefore, it recommended that if consent is granted that the following condition is attached both the CON & FUL applications to ensure the undertaking of the required programme of archaeological works on this site.*

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

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

#### **Active Travel Team comment**

- 1. This development is well positioned to take advantage of the wider investment into Active Travel links around the off road North Edinburgh Path Network. These routes add value to the development by providing safe, convenient and attractive links to Granton, Leith, and the City Centre for walking and cycling.*
- 2. It is encouraging that this new development supports the design principles of the Local Development Plan (LDP) and Edinburgh Street Guidance (ESDG) with a move away from reliance on the car, supporting residents to adopt sustainable travel options from the point of occupation through a zero-allocation of car parking.*
- 3. There's potential for more public realm to the front of the site by setting back the building line, as per the Urban Design Panel's comment. This would allow for more public cycle parking provision, and ease cycle access into the building. There needs to be 2m between any part of a parked bike and the rear of the footway, and 0.45m between the bike and the carriageway. Provision of only one Sheffield stand as presently proposed seems inadequate to cater for customers to Scotmid.*
- 4. Removal of the existing kerbside bollards could help to declutter the footway. Public bike parking or planters could serve a dual purpose instead.*
- 5. Encouraged by the level of secure cycle parking provision. It could be improved by having direct access from Wheatfield Terrace without the need to enter via a corridor. Consider creating another entrance by the fire escape stair by the plant room which would be more overlooked on the east side of the building, and have extra width for bikes passing, as well as convenient access to the upper floors via the staircase. There's a potential pinch point with cyclists entering and exiting the store in the corridor. The front entrance has a double door, while the corridor narrows and the rear door only has a single door, which could be an issue. Note potential blind spots for students with bikes emerging from the building into the external rear service area.*
- 6. More information is needed on type of internal cycle parking. There must also be adequate internal space for non-standard bikes/trailers/bikes with child seat attachments/maintenance, and sufficient provision of single storey cycle parking rather than two-tiered options.*
- 7. The proposal for developing a Travel Plan is forward thinking, and will be strengthened by appointing a travel plan coordinator.*

#### **Flood Prevention comment**

*The applicant must address the following the points prior to determination as at present they do not meet the requirements.*



1. *Planning Committee on 30 March 2017 approved the permanent implementation of the certification procedure in the assessment of the flooding impact of new development during the planning application process. In this process it states that both water quality improvements via surface water treatment and surface water attenuation must be implemented for new build developments. This development does not propose water quality improvements or surface water attenuation.*
2. *The applicant has not completed a self-certification checklist or declaration (certificate A1) for this application covering the flood risk assessment or the design of the surface water network. The checklist should be completed to provide a summary of the information submitted in support of the application.*
3. *The proposed discharge rates are in excess of the maximum 4.5l/s/ha rate based upon impermeable area. CEC Flood Prevention request a discharge rate equal to the 2 year Greenfield runoff rate or 4.5 l/s/ha is used, whichever is smaller. As per Sewers for Scotland Third Edition the outflow control must not be smaller than 75mm in diameter.*
4. *Please provide hydraulic modelling outputs for all underground pipework including rainfall data, manhole and pipe schedules (to mAOD), pipe surcharge report for all underground pipe connections. The manholes in the calculation should be cross-referenced to the drainage drawing to enable interpretation. The results should include the 30 year and 200 year plus climate change results. Should the model identify flood or flood risk in the system then drawings will be required to indicate where exceedence flow will be directed, how it will be contained within the site and lastly how it will be drained once the event has subsided.*
5. *Please identify proposed surface water flow paths on drawings. This can be achieved by taking the existing site survey and over-marking arrows to denote falls and then completing the same with the post-development arrangement. This should include runoff from outwith the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system. The purpose of these drawings is twofold. Firstly to understand if there is any significant re-direction of surface flows to surrounding land and secondly to identify if surface water will flow towards property entrances.*
6. *Please provide a proposed drainage layout drawing.*
7. *It is a requirement set out in Edinburgh Design Guidance 2017 (page 110) and CEC Flood Prevention guidelines that all developments should be sustainable in design and include SuDS treatment. This is regardless of whether the site is discharging to a watercourse or combined sewer. Please confirm how SuDS treatment will be incorporated into the design.*
8. *Please stipulate who will adopt and maintain the surface water network, including any SUDS.*

## **SEPA comment**

*We have no objection to this planning application, however please note the advice provided below.*

*We acknowledge that the Local Authority is the lead on air quality management issues, however we have concerns with regard to the development proposals and consider these would benefit from review by the Local Authority's environmental health team. We have outlined our concerns below.*

*The development site is within an AQMA (Gorgie Rd) declared due to traffic emissions. As the proposed scheme is zero car, the development will not have operational phase impacts on air quality. However, exposure of new residents and impacts of construction and demolition should be appropriately assessed and mitigation measures outlined where appropriate. In addition the proposals may create a canyon effect which will impact dispersion and may worsen concentrations in the AQMA. We recommend that the Council should consider if the matter of air quality impacts on health might be required to assess the significance of this matter.*

*The Council should refer to EPUK & IAQM Planning for Air Quality guidance which details best practice mitigation methods for air quality. The Council should use the information submitted in any assessment to form its own view on the "significance" of the effects of air quality impacts, and thereby the priority given to air quality concerns in determining the application.*

*In this case which proposes a number of new residential units in an area of high pollutant concentrations, it would be reasonable to examine design and ventilation arrangements to reduce the impact of the external environment on occupants in the building. The council must also ensure the design of this development does not create a new street canyon and that users of the development can access via zero or low emission transportation methods.*

## **Edinburgh Urban Design Panel (April 2018, pre-application stage on an earlier design)**

### **1 Recommendations**

*The Panel recognised that the proposal was at an early stage in the design process and welcomed the opportunity to review the proposals at this stage.*

*In developing the proposals, the Panel suggested the following matters be considered:*

- o Site constraints and surveys to inform the design;*
- o Building line on Gorgie Road;*
- o Height, mass, form and roofscape*
- o Materials*
- o Access and accessibility;*
- o Open space;*
- o Sustainability;*

### **2 Introduction**

*It is anticipated that an Application for full planning permission for the 'Demolition of existing (Class 1) retail store and erection of purpose-built student accommodation (Sui Generis) with (Class 1) retail on the ground floor level' at 236 Gorgie Road, Edinburgh, EH11 2PL.*

*The site, approximately 0.18 hectares in size, consists of a two storey Scotmid supermarket that fronts on to Gorgie Road. An associated loading bay and staff parking area is located at the rear of the site and is accessed via Wheatfield Terrace.*

*To the north there is a church hall and back gardens for tenements on Wheatfield Place, to the west are the back gardens of four storey traditional tenements in Smithfield Street. To the east, the site adjoins the tenements of Wheatfield Terrace and their associated back greens.*

*It was noted that one of the clients for the site is the convenor of the Cockburn Association's Urban Design Panel. The Panel agreed that this does not present a conflict of interest with respect to the Cockburn Association participating in this review.*

*This report should be read in conjunction with the pre-meeting papers.*

*This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations who are represented at the Panel forming a differing view at the proposals at a later stage.*

### **3 Planning Context**

*The site is located within the Urban Area as identified in the Local Development Plan (LDP). Part of the site is also located within the Gorgie/Dalry Town Centre designation. The site must be assessed against all relevant policies within the LDP including Policy Hou 8 Student Accommodation and Policies Ret 1 Town Centres First Policy and Ret 3 Town Centres. Supplementary planning guidance, such as the Student Housing Guidance (2016) and the Edinburgh Design Guidance (2017), will also need to be considered by the applicant.*

*19 March 2012 - Full planning permission was granted for partial demolition of the Scotmid supermarket and erection of 9 residential flats, car parking, access, landscaping and associated works. A legal agreement was not concluded for the application (Application reference: 12/00238/FUL).*

*A number of minor planning and advertisement applications associated with the supermarket have been submitted in recent years. These are not relevant to the current proposals.*

### **4 Panel Comments**

*The Panel welcomed the opportunity to review the proposals and acknowledged that it is an early stage in the design process.*

#### **Land Use**

*The Panel noted that this could be an appropriate site for student accommodation, being in a town centre and potentially adding to the population supporting local services.*

## *Site Constraints and surveys*

*HSE COMAH: The site lies within a COMAH area. The Panel urged the design team to ascertain as soon as possible comments from the HSE regarding their development as this could have a significant effect on the proposals for the site.*

*Residential amenity: The Panel noted the proposal could impact on existing residential amenity and recommended that the appropriate studies with respect to daylight, sunlight and privacy are carried out as soon as possible and used to inform an appropriate design for the site.*

*Tree Survey: The Panel noted that there are mature trees close to the site boundary and therefore a tree survey will be required. The results of the tree survey will be required as there are mature trees in close proximity to the boundary of the site.*

*In summary the Panel noted that the above site constraints and surveys should be used to inform a design for the site. It was noted that to date the proposal is not informed by the above.*

## *Townscape and layout*

*The Panel suggested that as an alternative to the building line referencing the adjoining tenements, the new development could follow the historic building line of the church which was set back. This would increase the public space in front of the building which could provide enhanced access to the building. Also, this could assist with the design with respect to what looks like designed tenement gables which have windows. It was also suggested by the Panel that a check should be carried out as to whether these windows were part of the original building design or have been added without permission.*

*The 'northern arm' of the proposed block appears very close to the existing western tenement. The Panel suggested that the realignment of this part of the development could achieve a more respectful relationship with the existing tenement.*

## *Height, Mass and Form*

*The Panel noted the site analysis.*

*However, the Panel were of the view that the emerging height (approximately 400mm above the adjacent ridgeline) and mass on Gorgie Road appears out of context for the street, both in height and mass and therefore is not supported in its current form. The Panel suggested an appropriate height for Gorgie Road could be three storeys of residential/student over one storey of retail.*

*Also, the Panel advocated an articulated roofscape for this site given the existing pitched roof forms in the street and urged the design team to revisit the roof design to reflect the character of the context. This may require a different material at roof level. However, the Panel also supported a contemporary design for the site.*

## *Amenity/Open Space*

*The Panel noted that very little external open space is being provided as part of the proposal. The use of a deck to provide some external open space was not generally supported by the Panel as this approach generally does not provide good quality space and could result in affecting the amenity of the neighbouring tenements. The Panel advocated that good quality open space should be provided for this use.*

*The Panel noted that most of the proposed amenity space is internal. The panel suggested that the use of terraces could provide some external space.*

*The Panel noted the design team's observation that the adjacent communal garden areas are over grown and not well used by the residents of the tenements. The Panel suggested that the developer could engage and work with the residents to bring these space back into use which could benefit both the existing residents and this development.*

## *Access*

*The Gorgie Road frontage provides access to both the retail unit and the residential/student accommodation. The Panel noted that a management strategy will be required at the start and end of each academic semester to accommodate the volume of students changeover at the building from Gorgie Road.*

*The Panel raised concern regarding the access arrangements to the residential/student accommodation particularly with respect to how easy it will be to access the cycle storage areas.*

## *Materials*

*The Panel noted the proposed material for Gorgie Road is buff brick. The Panel expressed concern as to the appropriateness of this material given the context of the street which is predominantly sandstone. If this material is to be pursued a robust justification will be required given the context.*

## *Landscape and Public Realm*

*The Panel encouraged the engagement of a Landscape Architect at this stage of the design process to assist with the design of both the public realm and external open space.*

## *Cycle Provision*

*The Panel supported 100% cycle storage for the residential/student accommodation and it was noted that cycle provision for the retail should be provided.*

## *Security*

*The Panel advocated early engagement regarding site security particularly with respect to access to the residential/student accommodation and secure cycle storage.*

## Sustainability

*The Panel advocated a bold approach to sustainability for the site which should include both the retail and residential/student uses. It was suggested that a combined system could be considered for example recovered heat from the retail unit being used by the residential in the evening.*

### *A design for all*

*The Panel advocated that any design coming forward should ensure that is suitable for everyone. Particularly the residential/student accommodation where the entire building should be designed to be fully accessible.*

## Location Plan



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**END**

# Development Management Sub Committee

Report returning to Committee - Wednesday 21 November 2018

## **Application for Planning Permission 18/02976/FUL**

**At 1 - 5 Osborne Terrace, Edinburgh.**

**Change of Use of the building from office (Class 4) to hotel (Class 7), removal of existing single storey rear extension, erection of 2x new rear extensions and glazed rooftop extension to provide 157 bedrooms, ancillary restaurant and bar.**

Item number	8.1
Report number	
Wards	B11 - City Centre

## **Recommendations**

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

## **Background information**

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This case was considered by Committee at their meeting on 10 October 2018. Committee resolved to continue the case for a site visit.

## **Main report**

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A site visit was undertaken on 14 November 2018 and the application was continued to committee as a presentation item.

## Links

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### **Policies and guidance for this application**

LDPP, LDES04, LDES12, LEMP10, LEN01, LEN06, LDES05, NSBUS, NSGD02, LTRA02, LTRA03, LDEL01,

A copy of the original Committee report can be found in the list of documents at

<https://citydev-portal.edinburgh.gov.uk/idoxpaweb/applicationDetails.do?activeTab=documents&keyVal=PAPPVDEWIMD00>

Or Council Papers online

**David R. Leslie**

Chief Planning Officer

PLACE

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