

Notice of meeting and agenda

Development Management Sub-Committee of the Planning Committee

10:00am, Wednesday 20 March 2019

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

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

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1. Order of business

- 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 18 March 2019** (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

- 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

- 3.1 None.

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

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

Applications

- 4.1 11 Coillesdene Crescent Edinburgh EH15 2JH - Ground floor rear extension and rear elevation dormer (as amended) - application no 18/10058/FUL – report by the Chief Planning Officer (circulated)

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

- 4.2 Eagle Lodge 488 Ferry Road Edinburgh EH5 2DL – Demolition of existing building forming officers' quarters and alteration and extension to existing care home to form 10 additional bedrooms and associated facilities (as amended) – application no 18/03813/FUL – report by the Chief Planning Officer (circulated)
It is recommended that this application be **GRANTED**.
- 4.3 1 - 17 Glasgow Road Edinburgh EH12 8HW – Application for the discharge of a Planning Obligation (Ref A/02114/94) – application no 18/09508/OBL – report by the Chief Planning Officer (circulated)
It is recommended that this application be **ACCEPTED** and the agreement **DISCHARGED**.
- 4.4 61 Leith Street Edinburgh – Single storey extension, partial change of use, external alterations, landscaping and other associated works – application no 18/10093/FUL – report by the Chief Planning Officer (circulated)
It is recommended that this application be **GRANTED**.
- 4.5 224 - 234 Mayfield Road & 14 - 15 Braefoot Road Edinburgh EH9 3BE – Demolish existing office, garage and 224-234 Mayfield Road. Erect purpose built student accommodation comprising 148 self-contained studios (as amended) – application no 18/03617/FUL – report by the Chief Planning Officer (circulated)
It is recommended that this application be **GRANTED**.
- 4.6 7 Meadowbank Edinburgh (At Site 30 Metres Southwest Of) – New build apartment block with 11 dwellings and relocation of existing electricity sub-station (as amended) – application no 18/03011/FUL – report by the Chief Planning Officer (circulated)
It is recommended that this application be **GRANTED**.
- 4.7 1F2 6 Rosefield Avenue Lane Edinburgh EH15 1AX – Attic conversion and creation of two dormer windows to the front and rear elevations and renewal of existing velux window – application no 18/10452/FUL – report by the Chief Planning Officer (circulated)
It is recommended that this application be **REFUSED**.
- 4.8 Former Agilent Technologies Scotstoun Avenue South Queensferry – Erect 3 storey building to include class 1 (retail) plus classes 2+4 (financial/professional services + office) uses – application no 18/08606/FUL – report by the Chief Planning Officer (circulated)
It is recommended that this application be **GRANTED**.

5. Returning Applications

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

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

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(a) 24 - 26 Calton Road Edinburgh EH8 8DP – Demolition of existing non-listed buildings and erection of new residential building to form 24x flats, 1x commercial office space at ground floor and associated landscaping works (as amended) – application no 17/04578/FUL – report by the Chief Planning Officer (circulated)

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

7.1(b) 24 - 26 Calton Road Edinburgh EH8 8DP – Demolition of existing nightclub premises – application no 17/04579/CON – report by the Chief Planning Officer (circulated)

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

7.2 Granton Harbour West Harbour Road Edinburgh – Application for approval of matters conditioned regarding the erection of buildings containing 18 houses and 144 flats; formation of road access, parking, private and public open space. Plots K, O, P, Q U, T – application no 18/02721/AMC – report by the Chief Planning Officer (circulated)

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

7.3 139 Leith Walk Edinburgh (At Land To East Of) – Refurbishment of the existing building, or potential demolition for sui generis flatted accommodation (residential apartments), class 7 hotel/ serviced apartments, student accommodation and commercial uses (class 4 business use) and class 11 (gym) with associated footpaths, roads, landscaping and potential reconfiguration of existing car park – application no 19/00415/PAN – report by the Chief Planning Officer (circulated)

8. Returning Applications Following Site Visit

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

8.1 None.

Laurence Rockey

Head of Strategy and Communications

Committee Members

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

Information about the Development Management Sub-Committee

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

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.

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 .

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Development Management Sub Committee

Wednesday 20 March 2019

**Application for Planning Permission 18/10058/FUL
At 11 Coillesdene Crescent, Edinburgh, EH15 2JH
Ground floor rear extension and rear elevation dormer (as amended).**

Item number	4.1
Report number	
Wards	B17 - Portobello/Craigmillar

Summary

The proposal is in accordance with the Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions) and the non-statutory Guidance for Householders. The proposal is of an acceptable scale, form and design and will not be detrimental to neighbourhood character. The proposal will not result in an unacceptable loss of neighbouring amenity. The proposal will not have an adverse impact on wildlife.

Links

[Policies and guidance for this application](#) LDPP, LDES12, NSG, NSHOU,

Report

Application for Planning Permission 18/10058/FUL At 11 Coillesdene Crescent, Edinburgh, EH15 2JH Ground floor rear extension and rear elevation dormer (as amended).

Recommendations

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

Background

2.1 Site description

The application site is a detached bungalow, located on the north side of Coillesdene Crescent. There is an existing single storey side extension.

The surrounding area is predominantly residential.

2.2 Site History

19 April 2002 - planning permission granted to erect a single-storey side extension (as amended 16/04/02) (application reference: 02/00720/FUL).

09 July 2003 - planning enforcement investigation regarding the alleged non-compliance with approved plans. Closed (enforcement reference: 03/00110/ENCOMP).

Main report

3.1 Description Of The Proposal

The application is for a number of alterations and extensions, including two single storey rear extensions; dormer extension to the rear; and an area of raised decking.

The larger single storey flat roofed rear extension will measure 3.50 metres in height, 6.60 metres in length, and 4.80 metres in width. The extension will be finished in dark grey painted render, dark grey coloured fibre cement weatherboard, and grey black coloured timber framed windows and doors.

The smaller single storey flat roofed rear extension will measure 3.50 metres in height, 1.60 metres in length, and 3.60 metres in width. The extension will be finished in dark grey coloured fibre cement weatherboard, and grey black coloured timber framed windows and doors.

The full width dormer extension to the rear will be finished in zinc standing seam with a natural grey finish, and grey black coloured timber framed windows and doors. One slate grey coloured rooflight is to be formed in each side of the dormer.

The area of raised timber decking, with a floor level of 0.70 metres above ground level, will be positioned between the two proposed rear extensions.

The formation of an entrance door in the front elevation of the existing side elevation, the formation of three windows in the existing building, and the recladding of the existing front and rear elevation are all permitted development under class 2B of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). No further assessment of their merits is required.

The proposed increase in the extent of hard surfacing within the front and rear garden is permitted development under class 3C of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). No further assessment of its merits is required.

The proposed widening of the existing vehicle access at the front of the property is permitted development under class 8 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). No further assessment of its merits is required.

Supporting Statement

This application includes a supporting statement which is available to view on the Planning and Building Standards online services.

Previous Scheme

The application has been amended to address concerns that the proposed removal of the existing front entrance door would detract from the character and appearance of the property.

The existing front door and doorway has been retained as a 'false door' in the amended proposal.

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 proposed scale, form and design is acceptable and will not be detrimental to neighbourhood character;
- b) the proposal will cause an unreasonable loss to neighbouring amenity;
- c) the proposal will have an adverse impact on wildlife; and
- d) any comments raised have been addressed.

a) Scale, form and design and neighbourhood character

Both proposed single storey rear extensions are of a contemporary design that will sit comfortably within the rear elevation of the application property. The larger extension, positioned at least 1.1 metres from the common boundary, is well designed and does not overwhelm or dominate the original house and its character and appearance will not be adversely changed as a result. The rear extensions are not visible from the street and will not result in an obtrusive addition within the street scene.

Concern has been raised that the proposed development will not leave enough private garden space, represents overdevelopment and will have an adverse impact on wildlife. The non-statutory Guidance for Householders advises that rear extensions should not occupy more than one third of the applicant's original rear garden and that there should be enough private garden space left after extensions - normally at least 30 square metres, depending on the spatial pattern of neighbourhood to avoid overdevelopment. The application site is relatively large and is capable of accommodating further development. The resultant development (including both rear extensions, decking and hard surface) would cover approximately 59 square metres, equating to twenty five percent of the rear garden. 204 square metres of private amenity space would remain after development. The proposed extension does not occupy more than one third of the applicant's rear garden area, leaving a reasonable proportion of private amenity space and does not represent overdevelopment.

For dormers on rear elevations which are not readily visible from public viewpoints, the non-statutory Guidance for Householders advises that a larger dormer may be acceptable where it fits in with the character of the building and the surrounding area. The proposed rear elevation dormer is of a contemporary design which will be compatible with both the existing building and the proposed single storey rear extension in terms of design, scale, materials and positioning. Large roof extensions are a characteristic of the surrounding area and the proposed full width rear dormer is considered acceptable in this context.

The proposed area of raised deck, positioned between the two proposed rear extensions, replaces an existing and larger area of decking and is acceptable in terms of scale, form and design.

All proposed materials and the fenestration design are compatible with the existing building, represent good quality modern additions and are acceptable in this location.

There are a number of comparable large extensions within the surrounding area, including a similar development granted planning permission at 16 Coillesdene Crescent. The layout and scale of this proposal is in keeping with the spatial pattern of the surrounding area, and when considering multiple such developments in close proximity, the proposal will not have a negative cumulative effect on neighbourhood character.

The scale, form and design of the development is acceptable and will not be detrimental to neighbourhood character. This is in accordance with Edinburgh Local Development Plan (LDP) Policy Des 12 and the non-statutory Guidance for Householders.

b) Neighbouring amenity

The proposal will not cause an unreasonable loss to neighbouring amenity for the reasons set out below.

i) Daylight

With regard to daylight, the proposed development fully complies with the 45 degree criterion set out in the non-statutory Guidance for Householders and will not result in an unreasonable loss of daylight for the neighbouring properties.

ii) Overshadowing/Sunlight

With regard to sunlight, the proposed development fully complies with the 45 degree criterion set out in the non-statutory Guidance for Householders and will not result in an unreasonable loss of sunlight for the neighbouring properties.

iii) Privacy

All proposed ground floor windows are in full compliance with the privacy requirements set out in the non-statutory Guidance for Householders.

The proposed rear dormer window is at least 15 metres from the rear boundary and at least 30 metres from the nearest facing window, in full compliance with the guidance.

The proposed rear dormer includes one rooflight in both sides. Whilst these rooflights would be approximately only 6 metres from the common boundary, they would directly face the window-less gable elevation of both neighbouring properties and would not result in an unreasonable loss of privacy for neighbouring properties.

The proposed area of raised decking is to be positioned between the two proposed rear extensions, mitigating any potential impact on neighbouring residential amenity in terms of noise and privacy.

The proposal will not cause an unreasonable loss of neighbouring amenity. This is in accordance with local development plan policy Des 12 and the non-statutory Guidance for Householders.

c) Wildlife

Concern has been raised that the proposed development will have an adverse impact on wildlife.

The proposal will not result in the loss of any protected habitats and will not have an adverse impact on wildlife.

d) Public comments

Material Representations - Objection:

- The scale and positioning of the proposed extensions - this has been addressed in 3.3a).
- The proposed development is not in keeping with the character and appearance of the application property or the neighbourhood - this has been addressed in 3.3a).
- The proposed repositioning of the main entrance - the existing front door and doorway has been retained in the amended proposal. The proposed use of the existing side extension as the main entrance to the property does not require planning permission and its use and potential impacts cannot be controlled.
- The proposed development will not leave enough private garden space and represents overdevelopment - this has been addressed in 3.3a).
- The proposed development will result in an unreasonable loss of daylight, sunlight and privacy for neighbouring properties - this has been addressed in 3.3b).
- The proposed development will have an adverse impact on wildlife - this has been addressed in 3.3c).

Non-material Representations:

- The details provided in the application are unclear. The application provided sufficient information for the assessment of the proposed development.
- The proposed development will compromise the security of neighbouring properties. The proposed repositioning of the entrance door to the existing side extension does not require planning permission.
- The existing side extension should be lowered to 3 metres in height. The existing side extension was subject to an enforcement investigation which was closed in 2003. As the side extension has been in situ for a period in excess of four years any deviation from the approved plans is now immune from enforcement action. The existing side extension, as built, is lawful.
- Noise and disturbance during construction. This is not a material planning consideration.
- The proposed development will result in a loss of views from neighbouring properties. Private views across a neighbour's property are not protected.
- The proposed development will result in noise disturbance for neighbouring properties. The application site is within a residential area and the proposed development will not result in any noise, other than that which would be created by activities that are incidental to the enjoyment of the dwelling house.

Conclusion

In conclusion, the proposal is in accordance with the Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions) and the non-statutory Guidance for Householders. The proposal is of an acceptable scale, form and design and will not be detrimental to neighbourhood character. The proposal will not result in an unacceptable loss of neighbouring amenity. The proposal will not have an adverse impact on wildlife. 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

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application attracted ten representations, all objecting to the planning application.

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

Background reading/external references

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

Statutory Development Plan Provision	Edinburgh Local Development Plan.
Date registered	26 November 2018
Drawing numbers/Scheme	01, 02, 03A, Scheme 2

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Peter Martin, Planning Officer
E-mail: peter.martin@edinburgh.gov.uk Tel: 0131 469 3664

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

Relevant Non-Statutory Guidelines

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

Appendix 1

**Application for Planning Permission 18/10058/FUL
At 11 Coillesdene Crescent, Edinburgh, EH15 2JH
Ground floor rear extension and rear elevation dormer (as
amended).**

Consultations

No Consultations received.

Location Plan



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END

Development Management Sub Committee

Wednesday 20 March 2019

**Application for Planning Permission 18/03813/FUL
At Eagle Lodge, 488 Ferry Road, Edinburgh
Demolition of existing building forming officers' quarters
and alteration and extension to existing care home to form
10 additional bedrooms and associated facilities (as
amended).**

Item number	4.2
Report number	
Wards	B04 - Forth

Summary

The proposal complies with the development plan. The proposal is acceptable in this location, will have no detrimental impact on the setting of the listed buildings, is of an acceptable height, scale and materials and will have no detrimental impact on traffic, road safety or neighbouring residential amenity.

Links

<u>Policies and guidance for this application</u>	LTRA03, NSG, NSGD02, LDPP, LDES12, LEN03, LEN04, LTRA02, LTRA04,
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Report

Application for Planning Permission 18/03813/FUL At Eagle Lodge, 488 Ferry Road, Edinburgh Demolition of existing building forming officers' quarters and alteration and extension to existing care home to form 10 additional bedrooms and associated facilities (as amended).

Recommendations

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

Background

2.1 Site description

The application site relates to the grounds of a large traditional two storey villa (Ashbrook) and its ancillary buildings, including its gate lodge that is attached to a large modern building, and which is in use as a nursing home (Eagle Lodge) run by the Salvation Army.

The site is located on the north side of Ferry Road, opposite playing fields which lie within Inverleith Conservation Area. To the east and north, is a modern housing estate. To the west is a carwash. Ashbrook, the main villa, has most recently been used as a Homelessness Services Unit, but is now vacant. It is set behind a stone boundary wall and line of mature trees and is not clearly visible from Ferry Road. The lodge house has been used as an officers' quarters for the Salvation Army. It is located near the entrance, is visible from Ferry Road and is attached to the large modern block that forms the nursing home. As seen from the road, the lodge house is one and a half storeys on its eastern half and one storey high on its western half. A car park is situated between the lodge house and the boundary wall.

The villa, as the main subject of listing, was B listed on 31 January 1981 (ref. 28753).

2.2 Site History

8 March 1972 - Planning permission granted for erection of a home for the elderly (Application reference no. 1882/71).

19 October 1988 - Planning permission granted to erect a three storey residential home for the elderly with car parking (Application reference no. 1094/88).

30 July 2018 - Listed Building Consent not required for the demolition of former gate lodge/stable block currently used as officers accommodation associated with the existing Eagle Lodge Care Home the site. (Application reference no. 18/03816/LBC).

Main report

3.1 Description Of The Proposal

This application is for the demolition of the former lodge house to Ashbrook, which is the listed villa on the site, and to extend the nursing home with a two storey structure, to provide an additional ten bedrooms.

The new build will be more than twice as large in terms of floor area than the existing structure, extending further to the south, west and wrapping around the building to the north.

The extension will be a two storey structure with a pitched slate roof. The walls will be sandstone (some of which will be reclaimed from the lodgehouse) and brick above with zinc panel elements. Windows, fascia and projecting roof vents are to be timber. On the eastern elevation which faces the rear of the gardens of properties on West Ferryfield, the external wall will be entirely stone.

The application proposes 12 vehicular parking spaces, two of which are for disabled use and two of which have electric charging points. There will be two motorcycle parking spaces and cycle parking for ten bicycles.

Supporting Statement

As part of this application the following documents have been submitted which are available to view on Planning and Building Standard's Online Services:

- Design and Access Statement; and
- Supporting Planning Statement.

Scheme 1

The proposals as originally submitted proposed an alternative design to the street elevation and different materials. The east wall which faces the neighbours was to be reconstituted stone and brick, above the boundary wall.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of the development is acceptable in this location;
- b) the proposals will impact on the setting of listed buildings;
- c) the proposals are of an appropriate scale, form, and design;
- d) the proposals will result in an unreasonable loss of neighbouring residential amenity;
- e) the proposals will have any traffic or road safety issues; and
- f) any comments raised have been addressed.

a) The Acceptability of the Principle of the Development in this Location

The principle of the care home use on this site is already established. This proposal will add ten bedrooms to the existing home that currently accommodates 35 residents. Policy Des 12 relates to alterations and extensions to existing buildings in respect of design, neighbouring amenity and character. Subject to the assessment of these points to be addressed below, the principle of the additional accommodation for the nursing home is acceptable.

b) The Impact on the Setting of the Listed Buildings

Policy Env 3 relates to development that impacts upon the setting of listed buildings.

The main villa (Ashbrook, 492 Ferry Road) is a B listed building. The lodge house is attached to the large modern development that forms the care home at 488 Ferry Road. The setting of Ashbrook is already substantially compromised by this modern three storey structure.

Although, when built, the lodge house was associated with the main villa, the construction of the modern development on this site has altered this relationship so that the lodge is now subsidiary too, and ancillary to the modern care home. The loss of this feature will therefore not have any impact on the setting of the listed building. The replacement structure will present a public face to the care home as it will face Ferry Road. However, as the setting of Ashbrook has already been significantly altered by the modern care home, it will not have an additional adverse impact on the setting of the listed structure.

c) Scale, Form and Design

Policy Des 12 relates to design, materials and positioning of extensions to existing buildings. New extensions should be compatible with the character of the existing building and not be detrimental to neighbourhood character.

The existing care home is a rendered three storey structure with a pitched roof clad with cement tiles.

The proposed extension will be two storeys high and will be subservient to the main three storey building behind. The materials are of reclaimed stone from the lodge and brick above with a slate roof. To the west, facing the neighbour on West Ferryfield, the elevation will be stone as is currently the case.

The materials, form and design represent an improvement over the current building and present a public face to the street where currently the former gate lodge is unprepossessing. The character of this part of Ferry Road is currently mixed, with modern housing and the occasional traditional building. The new extension will not be at odds with the surrounding area and will be an appropriate addition to the existing building.

The materials, form and design are appropriate.

d) Neighbouring Amenity

Policy Des 12 relates to extensions on existing buildings with respect to their impact in terms of loss of light to neighbouring properties.

The applicant has submitted information with respect to potential overshadowing of the rear gardens on West Ferryfield as well as a daylight analysis of light to the rear windows to these dwellings. Both of these documents use methodologies specified in the Edinburgh Design Guidance. A revised drawing, after a further survey by the applicant, shows the garden levels to the neighbouring property adjusted.

The overshadowing study shows that the gardens already receive daylight for over half their gardens for three hours during the middle of the day and this will not be changed by the proposed development. There will be a minor impact on these gardens later in the day, but overall the impact is within acceptable limits.

The revised daylighting diagram indicates that there will be no undue impact on the neighbouring dwellings on West Ferryfield.

There will be no adverse impact on neighbouring amenity and Des 12 is complied with.

e) Traffic or Road Safety Issues

Policies Tra 2, Tra 3 and Tra 4 relate to the design and provision of parking spaces.

It is proposed that there will be 12 parking spaces for the care home as a whole which includes two spaces for the disabled. It also provides motorcycle parking and cycle parking. The provision of parking complies with the parking standards in the Edinburgh Design Guidance. Unfortunately one of the disabled bays is not immediately adjacent to the main entrance, however, it would be impossible to site it closer without having an impact on mature trees. Therefore the provision of parking is satisfactory and complies with Tra 2, 3, and 4.

f) Public Comments

Material objections

- The design is overly 'grand' and ornate. This has been addressed in the revised scheme.
- Location of front entrance is not obvious. This has been addressed in the revised scheme.
- Height, scale and materials. This has been addressed in Section 3.3.c).
- The impact on the setting on the listed building. This has been addressed in Section 3.3.b).
- Loss of a building of interest. This has been addressed in Section 3.3.b).
- Loss of daylight. This has been addressed in Section 3.3.d).

Non-material comments

Non material comments relate to:

- Increased wind.
- Could be for other uses in the future.

Conclusion

In conclusion, the proposal complies with the development plan. The proposal is acceptable in this location, will have no detrimental impact on the setting of the listed buildings, is of an acceptable height, scale and materials and will have no detrimental impact on traffic, road safety or neighbouring residential amenity.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. Before any part of the development is brought into use, the cycle parking as shown on the approved plans shall be completed and available for use.

Reasons:-

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

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
5. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;
6. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Neighbour were notified about this application on 30 July 2018. In all there have been 11 letters of objection from neighbours, members of the public and the Cockburn Association. There has been one letter of comment from the Trinity Community Council.

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

Background reading/external references

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

Statutory Development

Plan Provision

The application site is located within the Urban Area as defined by the Local Development Plan.

Date registered

17 July 2018

Drawing numbers/Scheme

1, 2, 3a, 4-9, 10a, 11a, 14a, 15a, 16a, 17a, 18a, 19a,,
20a, 21,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Barbara Stuart, Senior Planning Officer

E-mail:barbara.stuart@edinburgh.gov.uk Tel:0131 529 3927

Links - Policies

Relevant Policies:

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

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.

Relevant policies of the Local Development Plan.

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

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

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

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

Appendix 1

Application for Planning Permission 18/03813/FUL At Eagle Lodge, 488 Ferry Road, Edinburgh Demolition of existing building forming officers' quarters and alteration and extension to existing care home to form 10 additional bedrooms and associated facilities (as amended).

Consultations

Transport

Response dated 19 February 2019

There are no objections to the application subject to the following being included as conditions or informatives as appropriate:

1. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;

2. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;

3. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future;

Note:

It is understood that the proposed development would add 10 beds to the existing 35 existing care home. Current standards would permit / require the following:

Motor vehicle parking - maximum 1 space per 4 beds, i.e. 3 spaces for the additional 10 beds and 12 spaces for the total 45 beds. 12 Car parking spaces are proposed;

Motorcycle parking - minimum 1 space per 25 beds, i.e. 1 space for the additional 10 beds and 2 for the total 45 beds. 2 motorcycle parking spaces are proposed;

Electric vehicle parking - minimum of 1 space per 6 spaces to feature a charging point. 2 EV parking spaces are proposed, meeting this requirement;

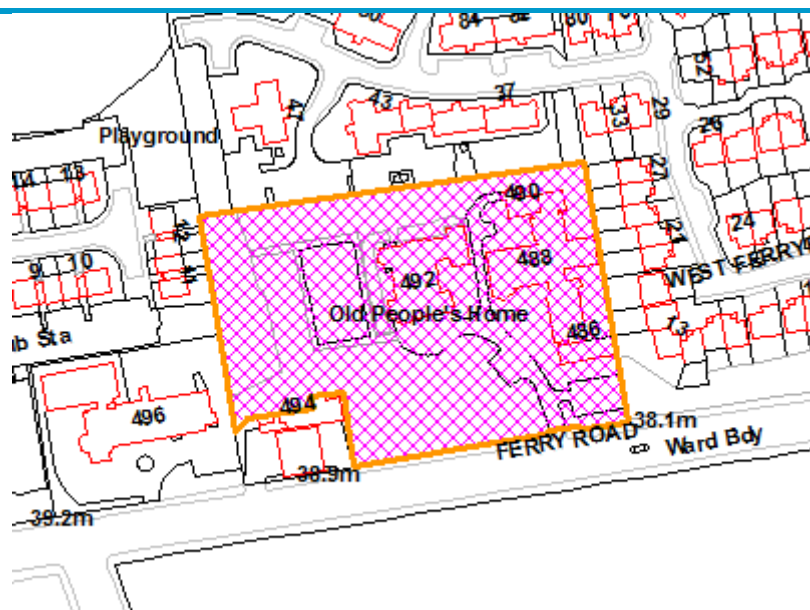
Disabled parking - minimum of 1 space for each disabled employee plus 12% of total motor vehicle parking provision. 2 accessible spaces are proposed, this meets this requirement. There is some concern over the position of space 12, as accessible parking should be as close as possible to building entrances as possible.

Environmental Services

This proposed extension of an existing facility is bordered by residential dwellings approximately 15m to the east. Environmental Protection has checked our records and found no history of complaints regarding the existing care home. The addition of 10 more bedrooms is unlikely to negatively affect existing amenity.

Environmental Protection has no objections to this proposed development.

Location Plan



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END

Development Management Sub Committee

Wednesday 20 March 2019

**Application for Planning Obligation 18/09508/OBL
At 1 - 17 Glasgow Road, Edinburgh, EH12 8HW
Application for the discharge of a Planning Obligation (Ref
A/02114/94)**

Item number	4.3
Report number	
Wards	00 - No Ward Number

Summary

The terms of the legal obligation, attached to the 1996 consent have been superseded by the policies in the Edinburgh Local Development Plan 2016 and that the applicants' request for the discharge of the obligation can therefore be accepted.

Links

[Policies and guidance for this application](#)

Report

Application for Planning Obligation 18/09508/OBL At 1 - 17 Glasgow Road, Edinburgh, EH12 8HW Application for the discharge of a Planning Obligation (Ref A/02114/94)

Recommendations

1.1 It is recommended that this application be accepted and the agreement be discharged

Background

2.1 Site description

The development site is located to the south west of the Drumbrae roundabout junction between Glasgow Road/St John's Road (A8) and Drum Brae South/Meadow Place (B701).

To the north and east are principally residential properties beyond the frontage properties at the roundabout and St John's Road which are commercial/retail. There is a large supermarket with surface level car parking and a petrol filling station on the land to the south, beyond Gylemuir Road.

It presently comprises three buildings presently operated by McDonald's, Currys PC World and Pets at Home.

There is vehicular access from both Glasgow Road to the north-west and Gylemuir Road to the south.

2.2 Site History

The relevant site history is:

17 January 1996 - Planning permission was granted to erect a non-food retail unit (application reference A/02114/94).

22 March 1996 - A legal obligation was concluded for this application with a clause prohibiting the sale of food.

Main report

3.1 Description Of The Proposal

The application seeks the discharge, in its entirety, of the planning legal obligation, made under the provisions of section 50 of the Town and Country Planning (Scotland) Act 1973, regarding the Gylemuir retail development site (reference A/02114/94) and concluded with the Council on 22 March 1996.

The relevant restrictive clause states:

"The sale of food as otherwise permitted in terms of Class 1 of the Schedule to the Town and Country Planning (Scotland) Act 1989 shall be prohibited on any part or parts of the Agreement Subjects."

3.2 Determining Issues

Section 75A(1)(a) of the Town and Country Planning (Scotland) Act 1997 states - A planning obligation may not be modified or discharged except, by agreement, between the planning authority and a person against whom that obligation is enforceable.

In determining such an application for the modification or discharge of a planning obligation, the specific provision should be considered against the five policy tests set out in Planning Circular 3/2012. These tests relate to: necessity, planning purpose, relationship to the proposed development, relationship to scale and kind and reasonableness

3.3 Assessment

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

- a) the discharge of the obligation, as proposed, is considered to be acceptable;
- b) the proposals have any equalities or human rights impacts;
- c) comments raised have been addressed; and
- d) finance implications of the decision.

a) The Principle is Acceptable

At the time of the original planning application the proposed use of the property was deemed acceptable for non-food retail only in order to ensure the development remained compatible with the character of the surrounding area. The new retail floor space was restricted to non-food retail only.

Since that time the Council's Development Plan policies have changed and evolved. The application site now forms part of the defined Corstorphine Town Centre. Within such an area policy RET 3 retail uses, including food retail, are considered to be acceptable. The policy does not stipulate whether it is convenience or comparison retail.

The prevailing policy reasons for imposing the terms of the original planning obligation are therefore no longer relevant and the policies may permit changes of use, including class 1 food retail, within the application site boundary.

Accordingly, the proposed discharge of the planning obligation is appropriate and can be agreed in this instance.

b) Equalities and Human Rights Impacts

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

c) Public Comments

No representations were received concerning this proposal.

d) Finance

If the obligation is discharged, there would be no financial implications.

The provisions of the original planning obligation were restrictive only and there were no financial requirements included in its provisions.

The terms of the legal obligation, attached to the 1996 consent have been superseded by the policies in the Edinburgh Local Development Plan 2016 and that the applicants' request for the discharge of the obligation can therefore be accepted.

It is recommended that this application be accepted and the agreement be discharged

3.4 Conditions/reasons/informatives

Informatives

It should be noted that:

1. Please submit an engrossed Discharge or Minute of Variation (as appropriate) in accordance with the terms of this Decision Notice for execution and registration by the City of Edinburgh Council along with the required registration forms and registration fee. Submissions should be sent to The City of Edinburgh Council, Legal Services, 4 East Market Street, Edinburgh, EH8 8BG.

Financial impact

4.1 The financial impact has been assessed as follows:

If the obligation is discharged, there would be no financial implications.

The provisions of the original planning obligation were restrictive only and there were no financial requirements included in its provisions.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application, to modify and discharge an obligation, is required to be notified to any other parties to the original agreement, in accordance with the provisions of Regulation 5 of the Town and Country Planning (Modification and Discharge of Planning Obligations) (Scotland) Regulations 2010.

The necessary notifications were carried out under the Regulations and no representations have been received.

Background reading/external references

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

**Statutory Development
Plan Provision**

**Edinburgh Local Development Plan - Corstorphine
Town Centre and Urban Area.**

Date registered

24 October 2018

Drawing numbers/Scheme

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David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: John Maciver, Senior Planning Officer

E-mail:john.maciver@edinburgh.gov.uk Tel:0131 529 3918

Links - Policies

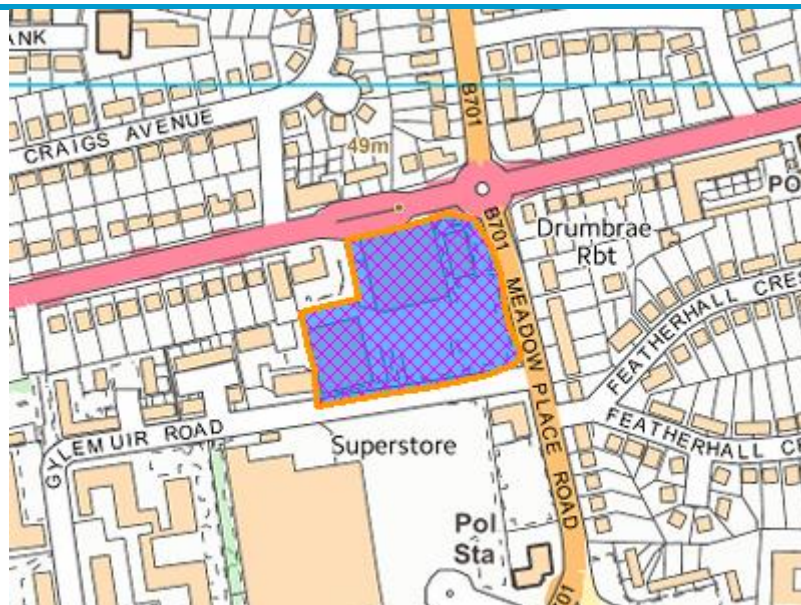
Appendix 1

**Application for Planning Obligation 18/09508/OBL
At 1 - 17 Glasgow Road, Edinburgh, EH12 8HW
Application for the discharge of a Planning Obligation (Ref
A/02114/94)**

Consultations

None

Location Plan



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END

Development Management Sub Committee

Wednesday 20 March 2019

**Application for Planning Permission 18/10093/FUL
At 61 Leith Street, Edinburgh,
Single storey extension, partial change of use, external
alterations, landscaping and other associated works.**

Item number	4.4
Report number	
Wards	B11 - City Centre

Summary

The proposals comply with the Local Development Plan and non-statutory guidelines and have no adverse effect on the character or appearance of the conservation area. The development has no detrimental impact on residential amenity, road safety or infrastructure. There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDPP, LRET11, LRET02, LRET07, LDES12, LEN06, LEN01, LTRA02, LTRA03, LDEL01, NSG, NSBUS, NSLBCA, NSGD02, NSMDV, NSP, CRPNEW,
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Report

Application for Planning Permission 18/10093/FUL At 61 Leith Street, Edinburgh, Single storey extension, partial change of use, external alterations, landscaping and other associated works.

Recommendations

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

Background

2.1 Site description

The application relates to the Omni Centre on the east side of Picardy Place at the foot of Calton Hill. The centre contains various entertainment and leisure uses including a cinema, restaurants, bars, a hotel and gym. A multi-storey car-park occupies the lower levels.

The surrounding area is in mixed, predominantly commercial, use including offices, hotels, restaurants, bars and shops.

The site is within the World Heritage Site and in proximity to the category A listed buildings on Calton Hill, including Observatory House, Transit House and Crawford Dome (reference 27603, listed on 19 April 1966).

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

2.2 Site History

27 October 1999 - planning permission granted for a multi-use development, including health and fitness, nightclub, restaurants, retail, hotel and offices (application reference 98/03338/FUL).

24 January 2001 - planning permission granted for an amendment to the previous consent for the erection of a multi-use development to include health and fitness, restaurants, bars, hotel, cinemas and office (application reference 00/03345/FUL).

01 May 2012 - planning permission granted for the change of use from a nightclub (Class 11: Assembly and Leisure) to a restaurant (Class 3: Food and Drink) at The Theme Bar (Unit 9) (application reference 12/00857/FUL).

Main report

3.1 Description Of The Proposal

The application is for a the erection of a single storey, predominantly glazed, flat-roofed extension measuring approximately 675 square metres in area on the south elevation, for mixed Class 1 (retail), Class 3 (cafe/restaurant), sui generis (bar) and Class 11 (entertainment and leisure) uses. The extension will incorporate existing Units 6 and 7 and associated circulation space (approximately 897 square metres) to form a single unit of approximately 1572 square metres in area with the potential for subdivision.

The main entrance on Greenside Place and side entrance on Upper Greenside Lane will be reconfigured with portal entrances incorporating canopies.

Supporting Document

The following key documents have been submitted in support of the application and area available to view on the Planning and Building Standards Online Services:

- Planning Statement;
- Design and Access Statement;
- Noise Report;
- Flood Risk Assessment and Drainage Strategy; and
- Preliminary Environmental Risk Assessment.

3.2 Determining Issues

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

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the development is acceptable in principle in this location;
- b) the proposals are acceptable in terms of scale, form, design and materials;

- c) the proposals preserve or enhance the character or appearance of the conservation area;
- d) the proposals harm the Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site;
- e) the proposals are detrimental to residential amenity, road safety or infrastructure;
- f) any impacts on equalities or human rights are acceptable; and
- g) public comments have been addressed.

a) Principle

The site is located within the City Centre as designated by the Edinburgh Local Development Plan (LDP).

The development proposes a range of uses as follows:

Public House (Sui Generis)

This site is within the commercial core of the city centre and there is no residential accommodation in close proximity. There is no LDP policy regarding the number or concentration of public houses in the city centre.

Restaurant/Cafe (Class 3)

Policy Ret 11: Food and Drink Establishments sets the criteria for judging when a Class 3 use will not be acceptable, with the aim of ensuring that such establishments do not have a detrimental impact on the amenity of nearby residents. The proposed Class 3 use in this busy city centre location will not cause any significant disruption.

Retail (Class 1)

LDP Policy Ret 2 supports retail development in the city centre retail core, provided the proposal provides high quality, commercial attractive units, reinforces the vitality of the shopping streets in the retail core and helps to create a safe and attractive pedestrian environment.

Retail use in this location would complement the major new retail development at the St James Centre. The loss of the seating area and trees to accommodate the proposed extension will be mitigated by the provision of an enhanced public realm in Picardy Place as part of the St James Centre redevelopment scheme.

Entertainment/Leisure Class 11)

LDP Policy Ret 7 states that planning permission will be granted for high quality, well designed entertainment and leisure facilities in the city centre, provided the proposal can be integrated satisfactorily into its surrounds with attractive frontages and will not lead to a significant increase in noise, disturbance and on-street activity to the detriment of nearby residents.

The development will be an appropriately designed, relatively small-scale addition to an established cinema and mixed-use facility and will not generate any significant additional noise, disturbance or on-street activity.

Subject to compliance with other LDP policies, the development is acceptable in principle.

b) Scale, Form Design and Materials

The proposed extension is low-lying and relatively small-scale in comparison to the massing of the Omni Centre building and will maintain an appropriate ratio of solid to void on the south elevation which is defined by glazing at ground floor level with stone above.

The proposed palette of materials is high quality and in keeping with the existing construction materials of the main building and the glazing pattern will maintain the rhythm of the Omni Centre's curtain walling. The sedum roof will complement similar roofs on the Omni and adjacent office building to soften the transition from the green landscape of Calton Hill to the hard landscaping of the city's East end.

At present, the existing units terminate onto an elevation which is blocked by existing planters and the proposed extension will provide these units with a greater street presence from Leith Street. The existing break in massing between the Omni Centre and the adjacent office building provides a visual breathing space and views to Calton Hill. However, this space is underused at present as a place to stop, due to its location between two large buildings, cluttered appearance with six wide-base planters and use as a through route between Leith Street and Greenside Row.

This lost space will be replaced by more effective public spaces as part of the public realm works associated with the redevelopment of the St James Centre. The important qualities of the existing space, namely the views to Calton Hill and visual break in the massing of the two large flanking buildings will not be lost. The existing trees are young specimens so their loss is acceptable in these circumstances and a condition has been applied to ensure that an element of tree-planting is provided in the development.

The existing entrances to the Omni Centre are not obvious at ground level and are lost elements within the extensive, glazed facades, lacking obvious wayfinding from the street. There is no hierarchy of entrances to direct visitors into the building nor is it obvious what the building houses is in terms of uses.

The proposed portal entrances will give the building strong visual markers to identify the building, including its main entrances and various uses and the associated canopies over both entrances will provide low level shelter for visitors. The dark-finished metal construction materials will be in keeping with the structural elements of the main building and signage will be the subject of a separate application.

The proposals are therefore acceptable in terms of scale, form, design and materials.

c) Character and Appearance of Conservation Area

LDP Policy Env 6 permits development within a conservation area which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

The New Town Conservation Area Character Appraisal identifies the key characteristics of the First New Town as:

- *Georgian and early Victorian rectilinear development of grand formal streets lined by fine terraced building expressing neo-classical order, regularity, symmetry, rigid geometry, and a hierarchical arrangement of buildings and spaces with controlled vistas and planned views;*
- *the important feature of terminated vistas within the grid layouts and the long distance views across and out of the conservation area.*

The proposed extension and new entrances are relatively small-scale, appropriately designed additions to the existing Omni Centre building and will have no impact on the essential character of the New Town Conservation Area, including views of Calton Hill and its listed buildings.

The proposals will therefore preserve the character and appearance of the conservation area, in compliance with LDP Policy Env 6.

d) Outstanding Universal Value of World Heritage Site

The Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site is defined as the remarkable juxtaposition of two clearly articulated urban planning phenomena: the contrast between the organic medieval Old Town and the planned Georgian New Town which provides a clarity of urban structure unrivalled in Europe.

The development comprises a relatively small and appropriate addition to an existing modern building and will therefore have no detrimental impact on the character of appearance of the Georgian New Town, nor its relationship with the medieval Old Town.

The development will therefore cause no harm to the Outstanding Universal Value of the Old and New Towns of World Heritage Site, in compliance with Edinburgh Local Development Plan Policy Env 1.

e) Residential Amenity, Road Safety and Infrastructure

Residential Amenity

There are no residential properties in close proximity to the site, so the development will have no detrimental impact on residential amenity.

Road Safety

The site is on a major public transport route with numerous bus services and a tram stop nearby on York Place and Waverley Station is easily accessible on foot or by bus. The Omni Centre is also well served by cycle routes from the city centre and Leith Walk and ample secured cycle parking is provided in the car park below. The proposed uses are unlikely to encourage or generate significant additional car journeys to the centre and the existing multi-storey car park has over 1000 spaces.

In terms of accessibility, level access will be maintained to the Omni Centre and provided for the proposed extension.

Infrastructure

The applicant has agreed to enter into a legal agreement with the Council to contribute the sum of £118,338 (based on 675sqm pubs/restaurant in Zone 1) to the Edinburgh Tram. An informative has been added requiring the conclusion of a legal agreement to secure this sum.

The proposals are not therefore detrimental to residential amenity, road safety or infrastructure.

f) Equalities and Human Rights

This application was assessed in terms of equalities and human rights and no impact has been identified.

g) Public Comments

Material Objections

- overprovision of bars in this area - this has been addressed in section 3.3 a).
- overdevelopment of Omni Centre and negative impact on design integrity - this has been addressed in section 3.3 b).
- negative impact on character of New Town Conservation Area and World Heritage Site - this has been addressed in sections 3.3 c) and d).
- spoil views to Calton Hill - this has been addressed in section 3.3 b).
- loss of trees and public green space - this has been addressed in section 3.3 a) and b).
- potential noise from bar - this has been addressed in section 3.3 e).
- adverse impact on new traffic system on Picardy Place - this has been addressed in section 3.3 e).
- no cycle parking provided - this has been addressed in section 3.3 e).

Non-material Objections

- The grounds of objection relating to health and safety impacts, access for emergency vehicles, disruption during construction works, increase in crime and violence, impact on the trade of existing businesses and the proposed signage are non-material in planning terms.

Conclusion

The proposals comply with the Local Development Plan and non-statutory guidelines and have no adverse effect on the character or appearance of the conservation area. The development has no detrimental impact on residential amenity, road safety or infrastructure. There are no identified impacts on equalities or human rights and 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. A fully detailed landscape plan, which shall include tree-planting and details of all hard and soft surface treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
2. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.

Reasons:-

1. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
2. In order to ensure that the approved landscaping works are properly established on site.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded to ensure that the applicant contributes the sum of £118,338 to the Edinburgh Tram. The sum will be indexed as appropriate and the use period will be 10 years from the date of payment.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

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

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 7 December 2018. A total of 63 representations were received comprising 62 objections, including one from the Architectural Heritage Society of Scotland and one general comment.

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

Background reading/external references

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

Statutory Development**Plan Provision**

The site is located within the City Centre as defined in the Edinburgh Local Development Plan.

Date registered

29 November 2018

Drawing numbers/Scheme

01 - 19,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Clare Macdonald, Senior Planning Officer

E-mail:clare.macdonald@edinburgh.gov.uk Tel:0131 529 6121

Links - Policies

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

LDP Policy Ret 11 (Food and Drink Establishments) sets criteria for assessing the change of use to a food and drink establishment.

LDP Policy Ret 2 (City Centre Retail Core) sets criteria for assessing retail development in or on the edge of the City Centre Retail Core.

LDP Policy Ret 7 (Entertainment and Leisure Developments - Preferred Locations) identifies the City Centre, at Leith and Granton Waterfront and town centres as the preferred locations for entertainment and leisure developments.

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

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

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

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

Relevant Non-Statutory Guidelines

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

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

Non-statutory guidelines on 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

Non-statutory guidelines on 'PARKING STANDARDS' set the requirements for parking provision in developments.

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

Appendix 1

Application for Planning Permission 18/10093/FUL At 61 Leith Street, Edinburgh, Single storey extension, partial change of use, external alterations, landscaping and other associated works.

Consultations

Roads Authority

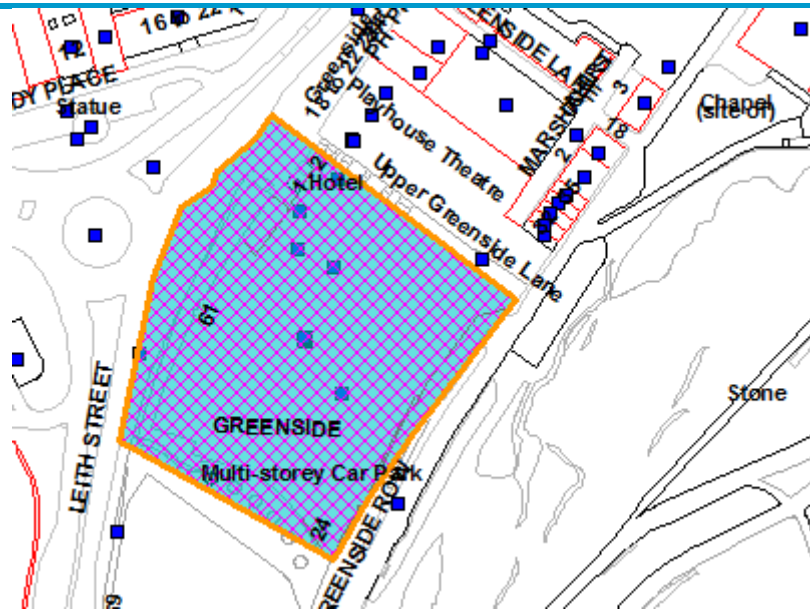
No objections to the application subject to the following being included as conditions or informatives as appropriate:

- 1. The applicant will be required to contribute the sum of £118,338 (based on 675sqm Class 3 use pubs/restaurant in Zone 1) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;*
- 2. A minimum of 6 secured cycle parking provision required under the Council's 2017 parking standards for the proposed extension in Zone 1.*

Note

- a) Tram contribution for alternative use classes are as follows; 675sqm pubs/restaurant in Zone 1 = £118,338; 675sqm retail unit in Zone 1 = £61,782; 675sqm class 11 in Zone 1 = £0*
- b) The proposed extension removes the on-street benches and trees and therefore eliminates the place function of the street.*
- c) No parking spaces being proposed.*

Location Plan



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Development Management Sub Committee

Wednesday 20 March 2019

**Application for Planning Permission 18/03617/FUL
At 224 - 234 Mayfield Road & 14 - 15 Braefoot Road,
Edinburgh, EH9 3BE
Demolish existing office, garage and 224-234 Mayfield
Road. Erect purpose built student accommodation
comprising 148 self-contained studios (as amended).**

Item number	4.5
Report number	
Wards	B16 - Liberton/Gilmerton

Summary

The proposed development complies with the Edinburgh Local Development Plan and meets the requirements of the Council's Guidance for Student Housing and the Edinburgh Design Guidance. It is acceptable in terms of scale, layout, design and materials. Adequate car and cycle parking are being provided. The amenity for the future occupiers of the development is acceptable. There are no other material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	LDPP, LHOU08, LDES01, LDES04, LDES05, LTRA02, LTRA03, LEN21, LRS06, NSG, NSGD02, NSGSTU,
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Report

**Application for Planning Permission 18/03617/FUL
At 224 - 234 Mayfield Road & 14 - 15 Braefoot Road,
Edinburgh, EH9 3BE
Demolish existing office, garage and 224-234 Mayfield Road.
Erect purpose built student accommodation comprising 148
self-contained studios (as amended).**

Recommendations

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

Background

2.1 Site description

The site measures 1440 square metres and is located just north of the main junction of Kirk Brae/Liberton Brae with Mayfield Road/Liberton Road.

When the application was submitted the site contained a building dating from mid-20th century which last served as a commercial garage (which has now been demolished) and stone built residential properties. It sits against a backdrop of the large earth bank known as Liberton Dam beyond which lies Craigmillar Park Golf Course and agricultural land. To the south lies two storey stone built residential properties.

Edinburgh University's Kings Buildings campus lies immediately to the north-west.

2.2 Site History

14 November 2016 - planning permission was granted for the demolition of the existing garage, office and first floor flat and to erect purpose built student accommodation. (Application number 16/01889/FUL). This application did not include the site of the residential properties to the north which are now included in this application.

Adjacent sites to the north

14 February 2017 - Planning permission was granted to demolish the existing public house/restaurant and the erection of purpose built managed student accommodation to the north (on the site of the Braidburn Inn) (Application number 16/04158/FUL).

Main report

3.1 Description Of The Proposal

The proposal is for the demolition of the existing buildings and the erection of student accommodation. Associated works, such as parking and landscaping, are also proposed.

The building varies in height from three storeys at its southern end to five storeys before reducing to four storeys at the northern end. The upper 2 storeys are recessed from the frontage. The building creates a strong street frontage which is broken up by vertical components in varying materials.

The building creates a total of 148 bed spaces. On the ground floor, thirty one units of student accommodation are proposed with a reception, office and break out space. On the first and second floors a further thirty six units are proposed on each floor, thirty units are proposed on the third floor with fifteen units proposed on the fourth floor.

The proposed building would be positioned on the footprint of the existing buildings. Amenity and open space measuring 154 square metres would be provided between the rear elevation and the site boundary.

Smooth render in a cream or off-white colour would be used on most of the elevations with reconstituted stone on some sections, such as the front protrusion. The front elevation would be finished in curtain walling. The roof would be flat finished in zinc.

A total of 148 under cover cycle parking spaces would be located to the rear of the building. There is no provision of car parking.

A 400 mm high wall with railing to a height of 1100 mm from finished floor level is proposed around the boundary of the site.

Waste and recycling facilities will be located to the side of the building and be undertaken by a private operator.

Scheme 1

The proposal originally proposed 158 studios and the building was 5 storeys high.

Supporting Information

The following supporting information was submitted with the application:

- Road Traffic: Noise Impact Assessment
- Flood Risk Assessment & Drainage Strategy Report.

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

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposals are acceptable in this location;
- b) the proposals are of appropriate scale, layout and design;
- c) the proposals have an impact on the amenity of neighbouring properties;
- d) the proposal would provide an acceptable level of amenity for future occupiers;
- e) the proposals are acceptable in terms of access parking or transport issues;
- f) the proposals will affect archaeology;
- g) the proposals will affect flooding;
- h) any other material considerations; and
- i) the public comments have been addressed.

a) Principle of development

The site lies within the urban area of the adopted Edinburgh Local Development Plan (LDP) where Policy Hou 1 Housing Development states that priority will be given to the delivery of the housing land supply and relevant infrastructure. The site has not been allocated for housing on the proposals map. It is not part of business led mixed use proposal or part of a regeneration proposal. However Criteria (d) of the policy covers other suitable sites in the urban area, provided the proposals are compatible with other policies in the plan.

In addition, LDP Policy Hou 8 states that planning permission will be granted for purpose built student accommodation where:

- a) the location is appropriate in terms of access to university and college facilities by walking, cycling and public transport; and
- b) the proposal will not result in an excessive concentration of student accommodation (including that in the private rented sector) to the extent that would be detrimental to the maintenance of balanced communities or to the established character and residential amenity of the locality.

The Council's Guidance for Student Housing provides guidance for interpreting LDP policy Hou 8 and is a material consideration in the determination of this application. The criteria in LDP policy Hou 8 are applied to proposals for student accommodation using the locational guidance set out in the guideline.

In terms of the assessment of the principle of the land use housing has to be considered first as part of Hou1. However, in this case Policy Hou 8 provides the locational justification for the site to be developed for student accommodation rather than housing. This is on the basis of the proximity of the site to the identified campus of Edinburgh University as contained within the non-statutory guidance for Student Housing. In this case student housing is assessed to be an appropriate land use, subject to considerations of other policies of the plan.

The site lies adjacent to Kings Buildings a main campus of the University of Edinburgh which is well served by public transport leading to other university campuses across the city and to the city centre. The site is below the threshold of 0.25 hectares in area to provide a mixed scheme incorporating housing.

The proposal complies with LDP Policy Hou 8 and the Council's Guidance for Student Housing.

LDP Emp 9 applies to sites or premises in the urban area currently or last in use for employment purposes. The proposal will redevelop this employment site and introduce a non-employment use but the new use will not prejudice or inhibit the activities of any nearby employment use. The site is less than one hectare so there is no requirement for the proposed floorspace to provide for a range of business users. The proposal accords with this policy.

LDP Hou 4 Density seeks an appropriate density of development having regard to its characteristics and those of the surrounding area. The new development occupies the majority of the site with an area of open space to the rear. This is in keeping with the density of the recently approved student accommodation to the north. It is located close to the city centre where there are higher densities and a good level of public transport. The proposal accords with this policy.

Planning permission was previously granted for student accommodation on part of the site (16/01889/FUL). This would become part of this development and the new proposed building would include both sites. Whilst every planning application is to be assessed on its own merits, the previous consent is still valid and is a material consideration in the assessment of the proposal.

The development is therefore acceptable in principle provided it complies with other policy requirements.

b) Scale, Design and Materials

LDP Policy Des 1 supports new development whose design contributes towards a sense of place and picks up on the positive characteristics of the area.

LDP Policy Des 4 seeks to ensure that new development is compatible in terms of height and form in addition to scale and proportions.

The surrounding built environment is urban with a mix of building materials and styles. The layout of the proposed development contributes towards the urban form by creating a strong frontage onto Mayfield Road. The site slopes from north to south and to the rear of the building the land rises steeply. The building has been designed to fit the topography by being 3 storeys at the northern end of the site and increasing to 4 storeys at the lowest part of the site and remaining at that height at the southern end. The building would be flat roofed and the amended finished roof line would sit no higher than the closest residential properties. The building would be finished in roughcast render, cast stone and curtain walling system in grey in keeping with the context. The windows would have vertical emphasis with reference to the windows of the adjacent residential properties.

The proposal is of a similar design and uses matching materials to the development approved on 14 November 2016 for student housing on the adjacent site at 234 Mayfield Road (former Braidburn Inn) (application number 16/01889/FUL).

The proposal will have a positive impact on its surrounding and contribute to a sense of place based on a design concept that draws upon the positive characteristics of the surrounding building and urban grain area. The design and materials of the development are of a high quality and the development accords with LDP policies Des 1 and Des 4.

c) Residential Amenity

LDP Policy Des 5 Amenity seeks to ensure that new development meets the needs of the users and occupiers, with consideration given to impacts on neighbouring properties to ensure no unreasonable noise impact or loss of daylight, sunlight or privacy.

The new windows from the proposed building face onto Mayfield Road and to the steep embankment to the rear. The proposed windows on the side elevation would be positioned to ensure that a reasonable level of privacy is achieved as set out in the Edinburgh Design Guidance.

In terms of daylight and sunlight, the proposal will not have an adverse impact on amenity given the location of the site to the north of residential properties, existence of open space to the west and Mayfield Road forming the eastern boundary with garden ground of residential properties beyond. The proposal complies with the Council's Edinburgh Design Guidance.

Environmental Protection offer no objections to the proposal in terms of amenity.

d) Amenity Space for New Occupiers

There is no minimum room size standards for student accommodation in the Council's Edinburgh Design Guidance, however the majority of the rooms measure 18 square metres. The new studios are single aspect but a communal area is proposed on the ground floor with amenity open space to the rear and side of the building. The proposal is located in close proximity to Blackford Hills which provides a significant amount of open space which is available for general use.

LDP Policy Hou 3 ensures that there is an appropriate level of greenspace provision in new housing developments. This policy does not apply to student housing.

Due to the close proximity of the busy Mayfield Road to the east of the site, Environmental Protection is seeking that adequate protection from associated noise is reduced to acceptable levels. A condition is recommended in this regard.

The proposal maintains an acceptable level of residential amenity. A satisfactory level of amenity is provided for the new occupiers.

The proposal complies with LDP Policy Des 5.

e) Road safety and Parking

The proposal includes zero provision of car parking which is acceptable within the current Council parking standards. The development proposes 100 % cycle parking provision for the development which complies with the Council's cycle parking standards.

The proposal complies with LDP Policies Tra 2 and Tra 3.

f) Archaeology

The proposal involves the demolition of the existing buildings on the site. Whilst these are of local interest they are not protected in any way. The Archaeologist has confirmed that there is a potential that there may be some remains of archaeological interest on the site. Whilst the garage has now been demolished, the residential buildings are still remaining. It is therefore recommended that a condition be attached relating to a programme of archaeological works for the site.

The proposal is considered acceptable in terms of archaeology.

g) Flooding

A Self Certification Certificate, Flood Risk Assessment and Drainage Strategy Report have been submitted in support of the application which confirms the positioning of the buildings on the site. Despite the freeboard being less than the minimum 600mm usually requested on this occasion, Flooding accept the situation given the topography of the site and the overflow to the burn to the north which controls the water level and the presence of the boundary wall helping to mitigate wave action.

It is recognised that the embankment to the west of the site acts as a flow control and the Braid Burn FPS was developed with this in mind.

The proposal is considered acceptable in terms of flooding.

h) Other Material Considerations

The former use of the site as a garage means that the land could have become contaminated and should be investigated to ensure that the site is made safe for the intended use. A condition is recommended in this regard. Waste and recycling facilities are to be located to the side of the building satisfactorily incorporated within the development.

i) Public Comments

Material Considerations:

- loss of car parking - addressed in section 3.3e).
- height of proposal building - addressed in section 3.3b).
- increased noise from students - addressed in section 3.3c).
- increased risk of flooding -addressed in section 3.3g).
- loss of daylighting, overshadowing and privacy - addressed in section 3.3c).
- loss of landscape features and historic buildings -addressed in section 3.3f).
- no waste facilities - addressed in section 3.3h).

Material Considerations – support:

- design and additional units.
- increased economy.
- more student accommodation eases pressure on rental market.
- support local businesses.

Non-material Considerations:

- workman parking vehicles in neighbouring streets.
- increased litter on the streets.
- loss of view when trees not in leaf.
- more pressure on water pressure.
- pressure on NHS.
- students using cafe behind Braidburn Court which stays open until midnight.
- some of representations received are not genuine residents.
- disruption during building works.
- waste recycling facilities.

Community Council

Grange and Prestonfield Community Council and Liberton Community Council have concerns on the scale of the development. The proposal would give increased traffic and there would be difficulties with dropping off and collecting students as there is no car parking facilities proposed. They consider that there is inadequate open space provided, no waste facilities and the site is at risk from flooding.

Conclusion

The proposals comply with the development plan, the Council's Guidance for Student Housing and the Edinburgh Design Guidance. The scale, design and materials are satisfactory. There is no unacceptable loss of residential amenity and the proposal provides a satisfactory level of amenity for the new occupiers. There are no road safety issues. There are no other material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Before work commences on site, a scheme for protecting all bedrooms and living rooms of the residential development against road traffic noise should be developed. The scheme will be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels:

Bedrooms - 30dB LAeq, T and 45dB LAfmax

Living Rooms - 35 dB LAeq, D

T - Night-time 8 hours between 2300 - 0700

D - Daytime 16 hours between 0700 - 2300

2. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
3.
 - i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

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

Reasons:-

1. In order to protect the amenity of the occupiers of the development.
2. In order to safeguard the interests of archaeological heritage.
3. In order to ensure the most efficient and effective rehabilitation of the site.

Informatives

It should be noted that:

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application attracted a total of 120 representations were received 65 objecting and 55 supporting. These included comments from Ian Murray MP, Grange and Prestonfield Community Council and Liberton and District Community Council.

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

Background reading/external references

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

**Statutory Development
Plan Provision**

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

Date registered

12 July 2018

Drawing numbers/Scheme

1,2D,3D,4D,5D,6D,7D,8C,9B,12,

Scheme 3

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Jennifer Zochowska, Senior Planning Officer

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

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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 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.

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

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.

Appendix 1

**Application for Planning Permission 18/03617/FUL
At 224 - 234 Mayfield Road & 14 - 15 Braefoot Road,
Edinburgh, EH9 3BE
Demolish existing office, garage and 224-234 Mayfield Road.
Erect purpose built student accommodation comprising 148
self-contained studios (as amended).**

Consultations

Roads Authority Issues

The application should be continued.

Reasons:

The proposed cycle parking location is not considered to meet the requirements set out in the Council's parking standards and Cycling By Design which states:

"Parking facilities should be

o Convenient, visible, accessible, convenient and easy to use"

The proposed location requires cycles to be carried or wheeled via steps.

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

1. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities) and timetables for local public transport;

Note:

Zero motor vehicle parking is acceptable for student accommodation in this area.

Further comments dated 25.02.2019

Further to the memorandum of 28 January 2019, the proposed access to the cycle parking is considered acceptable. Therefore there are no objections to the proposed application subject to the following being included as conditions or informatives as appropriate:

1. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities) and timetables for local public transport.

Note:

Zero motor vehicle parking is acceptable for student accommodation in this area.
The proposed 100% cycle parking for the 158 beds is acceptable.

Archaeology

Further to your consultation request I would like to make the following comments and recommendations in respect to this application to demolish existing office, garage and no's 224-234 Mayfield Road and to erect a purpose built student accommodation comprising 158 self-contained studios with room over 5 levels with associated landscaping and access.

The site occupies the site of Liberton Dam, part of though upstream from, the small historic rural settlement of Nether Liberton, first recorded in 1369. The layout of this small medieval village can be seen on J Laurie's 1766 A plan of Edinburgh and places adjacent and comprised a small number (8) of buildings spread on each side of the Braid Burn with the focus being the former Nether Liberton mill (situated on the opposite bank of the burn due east of the site). A mill at this location is suspected from the medieval period onwards and mill lades were certainly in operation by the end of the 16th century. Laurie's 1766 plan also depicts a building occupying this.

Liberton Dam is recorded as early as 1682 and takes its name from the Old Scots for mill lade, being at the junction of two such features, one of which feeds Liberton Mill to the NE. General Roy's 1750's Military Map depicts a range of buildings in this location possibly on this site. The greater detail of the 1850's 1st Edition OS map shows a group of separate buildings on this site with a mill lade forming the sites southern boundary. The settlement was also the site of a steam-pump constructed in 1788 to supply water to Edinburgh from the Braid Burn, though it is not known if this was located on this development site.

The site is therefore regarded as occurring within an area of archaeological importance both in terms of late-medieval and post-medieval development of Neither Liberton and its rural industrial heritage. Accordingly this application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh Local Development Plan (2016) ENV4 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Historic Buildings

The proposed scheme will see the demolition of the current predominantly 20th century garage/workshop buildings. However it is possible that the site retains earlier upstanding fabric relating to the site's 18th and 19th century buildings. As such the demolition of this group of industrial buildings is considered as having a potential low-moderate archaeological impact. Accordingly if permission is granted it is essential that prior to and during demolition that a detailed historic building survey is undertaken. The first phase of this will be a detailed HBR assessment with recommendations for detailed survey work to record any historic (pre 1914) fabric.

Buried Archaeology

As stated this site overlies the site Liberton Dams and is regarded as being of archaeological significance primarily in terms of its post-medieval Industrial archaeology. The proposed development will require extensive excavations in terms of demolition and construction of new buildings, utilities etc. Accordingly it is recommended that a programme of archaeological excavation is undertaken prior to demolition / development.

In essence this will see a phased archaeological excavation. The initial phase will be an archaeological evaluation up to a maximum of 10% of the site following the demolition of the existing buildings to ground level. The results of which would allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or full excavation, recording and analysis of any surviving archaeological remains affected.

Accordingly it is essential that the following condition is attached to this consent to ensure that undertaking of the above elements of archaeological work are undertaken.

'No demolition/development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (historic building survey, excavation, reporting and 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.

Please contact me if you require any further information.

Environmental Protection

The proposal is for the demolition of the existing former garage and adjacent terrace houses and the erection of purpose build student accommodation. Environmental Protection have commented on a similar proposal previously on this site planning application 16/01889/FUL. This new application has only varied by extending the previous proposal to the adjacent land to the north to include a total of 158 self-contained studio rooms. The site is bordered to the north and south by residential dwellings, to the west by a golf course and to the east by Mayfield Road.

The submitted drawings indicate that there will be no vehicle parking, however the application states that they propose 158 car parking spaces. It is assumed that this is a mistake on the application form. If this level of car parking is proposed Environmental Protection shall not be able to support the application.

The existing use of the site as a garage means that the land could have become contaminated and should be investigated to ensure that the site is made safe for the intended use. A condition is recommended in this regard.

Due to the close proximity of the busy Mayfield Road to the east of the site, the agent should ensure that adequate protection from associated noise is reduced to acceptable levels. An informative is recommended in this regard.

Amenity is unlikely to be adversely affected by this proposal; Environmental Protection has no objections to this proposed development, subject to the following condition:

Condition:

Prior to the commencement of construction works on site:

(a) A site survey (including initial desk study as a minimum) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

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

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

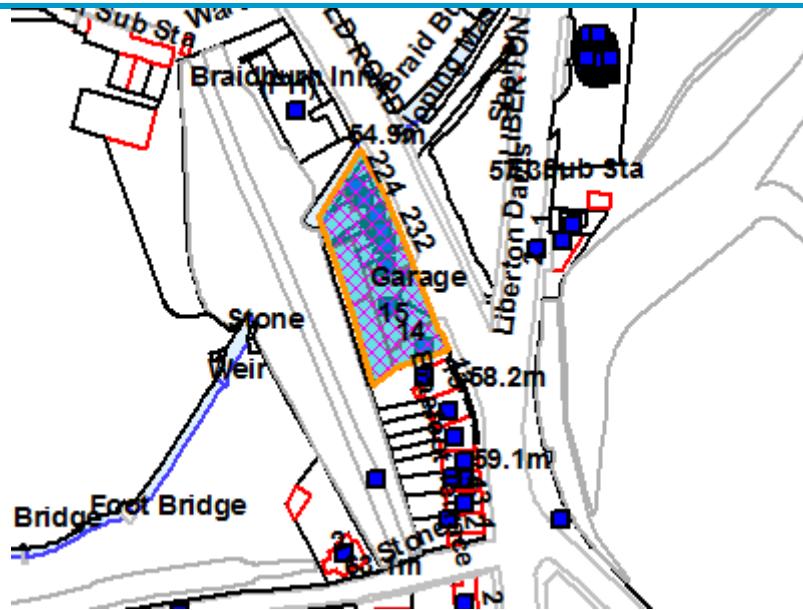
Informative:

A scheme for protecting all bedrooms and living rooms of the residential development against road traffic noise should be developed. The scheme will be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels:

*Bedrooms - 30dB LAeq, T and 45dB LAfmax
Living Rooms - 35 dB LAeq, D*

*T - Night-time 8 hours between 2300 - 0700
D - Daytime 16 hours between 0700 - 2300*

Location Plan



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Development Management Sub Committee

Wednesday 20 March 2019

Application for Planning Permission 18/03011/FUL At Site 30 Metres Southwest Of 7, Meadowbank, Edinburgh New build apartment block with 11 dwellings and relocation of existing electricity sub-station (as amended)

Item number	4.6
Report number	
Wards	B14 - Craigentinny/Duddingston

Summary

The proposal complies with the adopted Edinburgh Local Development Plan and is generally compatible with the Council's Edinburgh Design Guidance. It is acceptable in terms of scale, design and materials in this location. The impact on neighbouring amenity is satisfactory and an adequate level of amenity will be provided for future occupiers. There are no transport issues. There are no other material considerations to outweigh this conclusion.

Links

Policies and guidance for this application	NSG, NSGD02, LDPP, LHOU01, LHOU02, LHOU03, LDES01, LDES04, LDES05, LHOU04, LTRA02, LTRA03,
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Report

Application for Planning Permission 18/03011/FUL At Site 30 Metres Southwest Of 7, Meadowbank, Edinburgh New build apartment block with 11 dwellings and relocation of existing electricity sub-station (as amended)

Recommendations

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

Background

2.1 Site description

The site lies on the north side of Meadowbank Terrace on undeveloped land to the east of an existing tenement block. The land is a triangular area of ground measuring 325 square metres which is presently occupied by an electricity substation and an advertisement hoarding. To the south of the site, on the other side of the road, there is a row of 4 storey tenement buildings and to west there is a three storey tenement. The main railway line is at the rear to the north and north-west of the site and further west is a road junction with London Road.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The proposal is for the development of 11 new residential flats.

The building is a single block four storeys and attic high with a hipped roof at the east end and a gable at the west end. The existing electricity substation is to be relocated to the ground floor of the new building. There is also a recycling and refuse area, cycle spaces and two flats on the ground floor. There are three floors of residential accommodation above. The accommodation comprises the following:

- 1 No. 3 bed flat
- 4 No. 2 bed flats
- 4 No. 1 bed flats
- 2 No. Studio flats

The proposed materials are pre-cast stone for the walls and zinc for the roof.

No car parking spaces are provided but 20 cycle spaces are within the ground floor. Amenity space is provided to the rear of the building, at roof level and by external balconies.

Supporting Documents

- Design and Access Statement;
- Noise Impact Assessment ; and
- Daylight and Sunlight Report

These documents are able to be viewed on the Planning and Building Standards Online Service.

Scheme 1

The original proposal was for a flat roofed structure of 4 storeys. The proposed materials were brick and render.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposal is acceptable in principle;
- b) the proposal would have a detrimental impact on the character and appearance of the surrounding area;
- c) the proposal provides an adequate impact on the neighbouring residential amenity;
- d) the proposal provides an adequate impact of amenity for the future occupiers;
- e) the proposal has an adverse impact on road safety;
- f) the proposal is acceptable in terms of archaeology;

- g) the proposal is acceptable in terms of education provision; and
- h) the comments raised have been addressed.

a) Principle

The site is located within the urban area of the adopted Edinburgh Local Development Plan (LDP).

LDP Hou 1 gives priority to new housing development on suitable sites in the urban area provided it is compatible with other policies of the Plan.

LDP Hou 2 seeks a good mix of dwelling types and sizes. The proposal creates one, two and three bedroom flats in keeping with the character of the area. The proposal accords with this policy.

LDP Hou 4 Density seeks an appropriate density of development having regards to its characteristics and those of the surrounding area. The new development occupies the majority of the site. This is in keeping with the density of the tenement flats to the west and south. The proposal is for 11 dwellings which represents a density of 1100 dwellings per hectare. It is located close to the city centre where there are higher densities and a good level of public transport. The proposal accords with this policy.

The development is therefore acceptable in principle provided it complies with other policy requirements.

b) Character and Appearance of the Surrounding Area

LDP Policy Des 1 supports new development whose design contributes towards a sense of place and picks up on the positive characteristics of the area. The site is land enclosed by a stone wall and the railway line and is of limited quality. The proposal would not have a significant impact on the quality of the character of the area. The existing area is characterised by a mixture of three, four and five storey tenements. On this side of Meadowbank Terrace the tenements are four storeys high at the western end reducing down to three storeys. On the opposite side of the road the topography is higher and this is reflected in the tenements being greater in height. Corner buildings are frequently emphasised by having a higher roof profile. Des 4 is seeking proposals to have similar characteristics to the surrounding buildings.

LDP Policy Des 4 seeks to ensure that new development is compatible in terms of height and form in addition to scale and proportions. In the amended scheme, the design includes a zinc roof with a traditional pitch and a hip at the east end to give a corner feature. The building is now clad in reconstituted stone to reflect the stone built character of the area. The use of this material is considered acceptable given the contemporary design within the context. The glazing pattern would give an overall vertical emphasis to the built form and proportions. The front and rear façades include chimney stack detailing of similar proportions to those on neighbouring buildings. A three storey infill section will create a link with the lower tenement to the east. In terms of LDP Policy Des 4, it is compatible in terms of height, form and scale and proportions with the surrounding area and the materials are acceptable.

The site lies to the east of the view cone of key view E8 London Road, Meadowbank - Calton Hill. When considering the view from the Meadowbank Terrace junction on London Road, the proposed development would not impinge on this view.

The proposal will retain the setting of the surrounding area and is acceptable in terms of scale, design and materials. It complies with LDP policies Des 1 and Des 4.

c) Neighbouring Residential Amenity

LDP Policy Des 5 Amenity seeks to ensure that new development meets the needs of the users and occupiers, with consideration given to impacts on neighbouring properties to ensure no unreasonable noise impact or loss of daylight, sunlight or privacy.

The new flats will face onto the Meadowbank Terrace and the railway line to the rear and comply with the requirements of the Council's Edinburgh Design Guidance in terms of privacy distances. This proximity matches the pattern of development in the area. The submitted Daylight and Sunlight Report demonstrates that the proposals meets the requirements in the Council's Edinburgh Design Guidance in terms of daylighting and sunlighting.

The proposal complies with LDP Policy Des 5 in this respect.

d) Amenity for the Future Occupiers

All the apartments meet the minimum internal floor area requirements of the Council's Edinburgh Design Guidance.

The new residential units except the studio flats and one of the one bedrooomed units would have either double or triple aspects. The main living spaces will receive adequate daylight. Whilst at least dual aspect is expected in all cases, this slight infringement of the Edinburgh Design Guidance is considered acceptable and is insufficient grounds for refusal.

Overall a minimum of 20% of total site area is greenspace which is made up of a communal terrace area on the upper floor, while units 1, 2, 9 and 11 have private gardens or terraces. This is considered acceptable within a tenement environment. In addition, the site is close to Holyrood Park which gives ample opportunity for outside recreation. The proposal complies with LDP Policy Hou 3.

A Noise Impact Assessment (NIA) was submitted as part of the planning process. In terms of transportation noise from road and rail, a specification for glazing and ventilators was established that will achieve the required internal noise standard. To provide satisfactory noise level in the external areas for units 1 and 2, an acoustic fence has been proposed. These mitigation measures have been added as a condition.

The other significant noise concern is the electrical sub-station which is being relocated and incorporated within the ground floor of the housing development. The NIA specified noise mitigation measures in respect of the design of the floor slab, walls ceiling and louvered door of the sub-station. These mitigation measures have been added as a condition.

The development is adjacent to the Central Area; Air Quality Management Area (AQMA) which continues along London Road to Jocks Lodge. However, the development does not include any vehicle parking and therefore will have a negligible impact on the AQMA.

The proposal complies with LDP policies Des 5, Hou 2 and Hou 3.

e) Road Safety

No car parking is proposed and this accords with the Council's parking standards. Cycle parking within the building provides 18 cycle spaces which meets the standards.

There are no road safety issues.

The proposal complies with LDP Policy Tra 3.

f) Archaeology

The site has been identified as occurring within an area of local archaeological interest in terms of Edinburgh's industrial and railway heritage. If consent is granted a detailed historic building survey should be undertaken prior to and during their demolition. This will be secured by a condition.

The archaeological issues can be addressed satisfactorily.

g) Education

Using the pupil generation rates set out in the Supplementary Guidance, the development of 11 flats is not expected to generate any pupils. A contribution towards education infrastructure is therefore not required

h) Public Comment

Material Considerations

- height and massing of the building - addressed in section 3.3b).
- loss of light and privacy - addressed in section 3.3c).
- design and materials are out of place - addressed in section 3.3b).
- loss of green open space - addressed in section 3.3b).

Conclusion

The proposal complies with the development plan and largely complies with the Council's non-statutory guidelines. The development is acceptable in terms of scale, design and materials in this location. The impact on neighbouring amenity is satisfactory and an adequate level of amenity will be provided for future occupiers. There are no transport issues. There are no other material considerations to outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
 - ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
 2. '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.
3. No development shall take place on site until such time as a scheme of landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall include hard and soft landscaping works, boundary treatment(s), details of trees and other features which are to be retained, and a programme for the implementation/phasing of the landscaping in relation to the construction of the development. Where trees/shrubs are to be planted adjacent to the railway boundary these should be positioned at a minimum distance from the boundary which is greater than their predicted mature height. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Network Rail can provide details of planting recommendations for adjacent developments. All landscaping, including planting, seeding and hard landscaping shall be carried out only in full accordance with such approved details.
 4. All mitigation measures identified in the Noise and Vibration Impact Assessment RMP Technical Report No. R-8298-NS-RGM dated 9 October 2018 shall be implemented prior to the occupation of the development hereby approved.

5. The electrical sub-station room shall have the following construction as noise mitigation measures:
 - a) The concrete floor slab shall be fully isolated from the rest of the building structure, including the foundations supporting the adjacent residential slab. This shall be achieved by casting a floating concrete slab on spring mounts onto the main structural slab.
 - b) The electrical sub-station walls shall be built from 215mm dense concrete blockwork off the isolated slab. It shall have a resilient head joint with concrete slab of the floor above.
 - c) The adjacent flats shall have independent walls not structurally connected to the electrical sub-station room walls.
 - d) The ceiling within the electrical sub-station room shall have independent joists supported of the blockwork walls. The cavity shall be filled with 200mm insulation quilt and the ceiling sheeted with three layers of 15mm Soundbloc plasterboard.
 - e) The electrical sub-station room door shall have sound insulation performance of at least R_w 30 dB. The acoustic louvre shall be at least 300mm deep in a chevron configuration
6. Sample/s of the proposed cast stone shall be submitted to and approved in writing by the Planning Authority before work commences on site.

Reasons:-

1. In order to ensure the most efficient and effective rehabilitation of the site.
2. In order to safeguard the interests of archaeological heritage.
3. To control the impact of leaf fall on the operational railway.
4. In order to protect the amenity of the occupiers of the development.
5. In order to protect the amenity of the occupiers of the development.
6. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. All windows / doors (apart from Unit 1 ground floor flat, north façade) shall be fitted with acoustic glazing of the following minimum specification: Rtra 36dB (6.4mm laminated glass / 12mm air cavity / 10mm float glass) or equivalent.
5. The windows / doors in the Unit 1 ground floor property, north façade, facing the railway line shall be fitted with acoustic glazing of the following minimum specification: Rtra of at least 29dB (6/12/4mm) or equivalent glazing.
6. The acoustic ventilators in the Unit 1 ground floor property north facing façade shall have the minimum following performance when in the open position: Kitchen / Living / Dining & Bedroom 1 - Dn,e,w 39 dB, Bedroom 2 Dn,e,w 36 dB.
7. The acoustic ventilators in the following rooms (where 1 ventilator in room): Unit 2 (Bedroom 1 & Bathroom), Unit 3(Bedroom 1 & 2, Bathroom), Unit 4 (Bedroom 1 & Bathroom), Unit 5 (Bathroom & Kitchen), Unit 6 (Bedroom 1 & 2, Bathroom), Unit 7 (Bedroom & Bathroom), Unit 8 (Kitchen & Bathroom), Unit 9 (Bedroom 1), Unit 10 (Bedroom 1 & Bathroom), Unit 11 (Bedroom 1 & 2, Landing), shall have the minimum performance when in the open position - Dn,e,w 41 dB.
8. The acoustic ventilators in the following rooms (where 2 ventilators in room): Unit 1 (Bedroom1), Unit 2 (Kitchen / Living / Dining room), Unit 4 (Kitchen / Living / Dining room), Unit 5 (Bedroom 1), Unit 6 (Kitchen / Living / Dining room), Unit 7 (Kitchen / Living / Dining room), Unit 8 (Bedroom 1), Unit 10 (Kitchen / Living / Dining room), shall have the minimum performance when in the open position - Dn,e,w 44 dB.
9. The acoustic ventilators in the following rooms (where 3 ventilators in room): Unit 5 (Living / Dining room), Unit 8 (Living / Dining room), shall have the minimum performance when in the open position - Dn,e,w 46 dB.
10. The acoustic ventilators in the following rooms (where 4 ventilators in room): Unit 2 (Kitchen / Living / Dining room), Unit 9 (Kitchen / Living / Dining room) shall have the minimum performance when in the open position - Dn,e,w 47 dB.
11. The acoustic ventilators in the following rooms (where 5 ventilators in room: Unit 11 (Kitchen / Living / Dining room) shall have the minimum performance when in the open position - Dn,e,w 48 dB.
12. The proposed cycle parking layout and design to be to the Council's specification as set out in the Council's parking standards.

13. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.
14. Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.
 - o Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, contact details below:

Network Rail Asset Protection Engineer
151 St. Vincent Street, GLASGOW, G2 5NW
Tel: 0141 555 4352
E-mail: AssetProtectionScotland@networkrail.co.uk

15. The applicant must provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and provision for the fence's future maintenance and renewal should be made. Details of the proposed fencing shall be submitted to the Planning Authority for approval before development is commenced and the development shall be carried out only in full accordance with such approved details.
16. Planning permission does not provide any other consent required by statutory undertakers.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Following the neighbour notification a total of 20 representations were received objecting to the proposal.

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

Background reading/external references

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

Statutory Development

Plan Provision

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

Date registered

25 June 2018

Drawing numbers/Scheme

1-6, 7B-16B, 17A, 18B- 21B,

Scheme 3

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Jennifer Zochowska, Senior Planning Officer

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Links - Policies

Relevant Policies:

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.

Relevant policies of the Local Development Plan.

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

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

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

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

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

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

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

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

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

Appendix 1

Application for Planning Permission 18/03011/FUL At Site 30 Metres Southwest Of 7, Meadowbank, Edinburgh New build apartment block with 11 dwellings and relocation of existing electricity sub-station (as amended)

Consultations

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for a new build apartment block with 11 dwellings and the relocation of an existing electricity sub-station.

Kirkwood's map of 1817 depicts the site as forming part of the garden grounds attached to Meadowbank Tower on the edge of the medieval hunting park of Holyrood. The site is developed by the North British Railway line in the 1840s with the 1849 1st Edition OS map diction the site containing a water cistern and a small railway station (The Queens Station), possibly associated with the adjacent locomotive works. This station is short lived as does not appear on the 1893 OS map.

Accordingly, this site has been identified as occurring within an area of local archaeological interest in terms of Edinburgh's industrial and railway heritage. 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 the 19th century 'The Queens Station' demolished prior to 1893 and the grounds attached to the Georgian Meadowbank Tower House. Though affected by late 19th century railway line realignments, the site may still contain evidence for this Victorian Station and evidence associated with the adjacent Georgian House. Accordingly ground breaking works associated with construction are likely to have an impact upon any surviving buried remains considered to be of local significance. Therefore it is recommended that a programme of archaeological excavation is prior to/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.

Please contact me if you require any further information.

Road Authority Issues

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

- 1. Any doors or gates must open inwards onto the property. The proposed refuse and electricity sub-station doors are not acceptable;*
- 2. The proposed cycle parking layout and design to be to the Council's specification as set out in the Council's parking standards;*
- 3. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*

Note:

- o Zero motor vehicle parking is acceptable under the Council's parking standards;*
- o The proposed 20 cycle spaces are acceptable. The Council's parking standards require a minimum of 15 cycle spaces.*

Environmental Protection

The planning application site is a narrow wedge of largely unused brownfield land which is currently overgrown with shrubbery. At the western end of the site is located an electrical sub-station, which will be relocated and incorporated into the development. The site is bounded to the north by a rail line. Further north of the rail line is a telephone exchange building and surrounding land. It is bounded by London Road, on the other side of which is the Meadowbank Sports Centre. Part of that site has full planning consent for a new Sports Centre, whilst the eastern part of the site has consent in principle for a mixed-use development.

To the west, the site adjoins on to the existing residential tenement block. To the south and east, the site is bounded by the existing pavement and road at Meadowbank Terrace, which is opposite a row of 4 storey residential tenement buildings.

The principal concerns regarding the application relate to noise. A Noise Impact Assessment (NIA) was submitted as part of the planning process. In terms of transportation noise from road and rail, a specification for glazing and ventilators was established that will achieve the required internal noise standard. In order to provide satisfactory noise level in the external areas for units 1 and 2, an acoustic fence has been proposed. These mitigation measures have been recommended as a noise conditions. The performance of the acoustic ventilators required has been adjusted according to the number of ventilators per room.

The other significant noise of concern is the electrical sub-station which is being relocated and incorporated within the ground floor of the housing development. The NIA specified noise mitigation measures in respect of the design of the floor slab, walls ceiling and louvered door of the sub-station. These mitigation measures have been recommended as noise conditions.

The development is adjacent to the Central Area; Air Quality Management Area (AQMA) which continues along London Road to Jocks Lodge. However, the development does not include any vehicle parking and therefore will have a negligible impact on the AQMA.

As at least part of the site has been developed and as it is close to a historical industrial site, there is the potential for ground contamination. Therefore, a condition has been recommended.

In summary, the development is at the boundary of an established residential area and next to a commercial area. Although there are environmental matters of concern. These can be addressed through mitigation measures which will be recommended as planning conditions.

Environmental Protection has no objections to the proposed development subject to the attached conditions below and overleaf.

Conditions

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

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

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

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

- 2) An acoustic fence to be installed as shown on drawings:
1804 PL01B, 1804 PL08B, 1804 PL10B, 1804 PL13B, 1804 PL15B.
- a) The fence shall be 1.8m high, close boarded, or have overlapping boards. The boards should have a minimum density of 12kg/m², and be a minimum of 18mm thickness. There shall be no gaps at the base of the fence.
- 3) All windows / doors (apart from Unit 1 ground floor flat, north façade) shall be fitted with acoustic glazing of the following minimum specification: Rtra 36dB (6.4mm laminated glass / 12mm air cavity / 10mm float glass) or equivalent.
- 4) The windows / doors in the Unit 1 ground floor property, north façade, facing the railway line shall be fitted with acoustic glazing of the following minimum specification: Rtra of at least 29dB (6/12/4mm) or equivalent glazing.
- 5) The acoustic ventilators in the Unit 1 ground floor property north facing façade shall have the minimum following performance when in the open position: Kitchen / Living / Dining & Bedroom 1 - Dn,e,w 39 dB, Bedroom 2 Dn,e,w 36 dB.
- 6) The acoustic ventilators in the following rooms (where 1 ventilator in room): Unit 2 (Bedroom 1 & Bathroom), Unit 3 (Bedroom 1 & 2, Bathroom), Unit 4 (Bedroom 1 & Bathroom), Unit 5 (Bathroom & Kitchen), Unit 6 (Bedroom 1 & 2, Bathroom), Unit 7 (Bedroom & Bathroom), Unit 8 (Kitchen & Bathroom), Unit 9 (Bedroom 1), Unit 10 (Bedroom 1 & Bathroom), Unit 11 (Bedroom 1 & 2, Landing), shall have the minimum performance when in the open position - Dn,e,w 41 dB.
- 7) The acoustic ventilators in the following rooms (where 2 ventilators in room): Unit 1 (Bedroom1), Unit 2 (Kitchen / Living / Dining room), Unit 4 (Kitchen / Living / Dining room), Unit 5 (Bedroom 1), Unit 6 (Kitchen / Living / Dining room), Unit 7 (Kitchen / Living / Dining room), Unit 8 (Bedroom 1), Unit 10 (Kitchen / Living / Dining room), shall have the minimum performance when in the open position - Dn,e,w 44 dB.
- 8) The acoustic ventilators in the following rooms (where 3 ventilators in room): Unit 5 (Living / Dining room), Unit 8 (Living / Dining room), shall have the minimum performance when in the open position - Dn,e,w 46 dB.
- 9) The acoustic ventilators in the following rooms (where 4 ventilators in room): Unit 2 (Kitchen / Living / Dining room), Unit 9 (Kitchen / Living / Dining room) shall have the minimum performance when in the open position - Dn,e,w 47 dB.
- 10) The acoustic ventilators in the following rooms (where 5 ventilators in room: Unit 11 (Kitchen / Living / Dining room) shall have the minimum performance when in the open position - Dn,e,w 48 dB.
- 11) The electrical sub-station room shall have the following construction as noise mitigation measures:

- a) *The concrete floor slab shall be fully isolated from the rest of the building structure, including the foundations supporting the adjacent residential slab. This shall be achieved by casting a floating concrete slab on spring mounts onto the main structural slab.*
- b) *The electrical sub-station walls shall be built from 215mm dense concrete blockwork off the isolated slab. It shall have a resilient head joint with concrete slab of the floor above.*
- c) *The adjacent flats shall have independent walls not structurally connected to the electrical sub-station room walls.*
- d) *The ceiling within the electrical sub-station room shall have independent joists supported of the blockwork walls. The cavity shall be filled with 200mm insulation quilt and the ceiling sheeted with three layers of 15mm Soundbloc plasterboard.*
- e) *The electrical sub-station room door shall have sound insulation performance of at least R_w 30 dB. The acoustic louvre shall be at least 300mm deep in a chevron configuration*

Should you wish to discuss the above please contact me on 0131 469 5357.

Communities and Families

The Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' states that no contribution towards education infrastructure is required from developments that are not expected to generate at least one additional primary school pupil.

Using the pupil generation rates set out in the Supplementary Guidance, the development of 11 flats is not expected to generate at least one additional pupil. A contribution towards education infrastructure is therefore not required.

Network Rail

Thank you for consulting Network Rail regarding the above development.

Whilst Network Rail has no issues with the principle of the proposed development, we would have to object to the proposal unless the following conditions were attached to the planning permission, if the Council is minded to grant the application:

- 1. The applicant must provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and provision for the fence's future maintenance and renewal should be made. Details of the proposed fencing shall be submitted to the Planning Authority for approval before development is commenced and the development shall be carried out only in full accordance with such approved details.*

Reasons: In the interests of public safety and the protection of Network Rail infrastructure.

2. No development shall take place on site until such time as a surface and foul water drainage scheme has been submitted to and approved in writing by the Planning Authority. Any Sustainable Urban Drainage Scheme must not be sited within 10 metres of the railway boundary and should be designed with long term maintenance plans which meet the needs of the development. The development shall be carried out only in full accordance with such approved details.

Reason: To protect the stability of the adjacent railway and the safety of the rail network.

3. No development shall take place on site until such time as a scheme of landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall include hard and soft landscaping works, boundary treatment(s), details of trees and other features which are to be retained, and a programme for the implementation/phasing of the landscaping in relation to the construction of the development. Where trees/shrubs are to be planted adjacent to the railway boundary these should be positioned at a minimum distance from the boundary which is greater than their predicted mature height. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Network Rail can provide details of planting recommendations for adjacent developments. All landscaping, including planting, seeding and hard landscaping shall be carried out only in full accordance with such approved details.

Reason: To control the impact of leaf fall on the operational railway.

4. No development shall take place on site until such time as a noise impact assessment has been submitted to and approved in writing by the Planning Authority. The noise impact assessment shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from the railway line. Where a potential for noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme.

Reason: To ensure that occupants/users of the development do not experience undue disturbance arising from nearby noise sources.

Network Rail would also recommend that the following matters are taken into account and are included as advisory notes, if granting the application:

Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

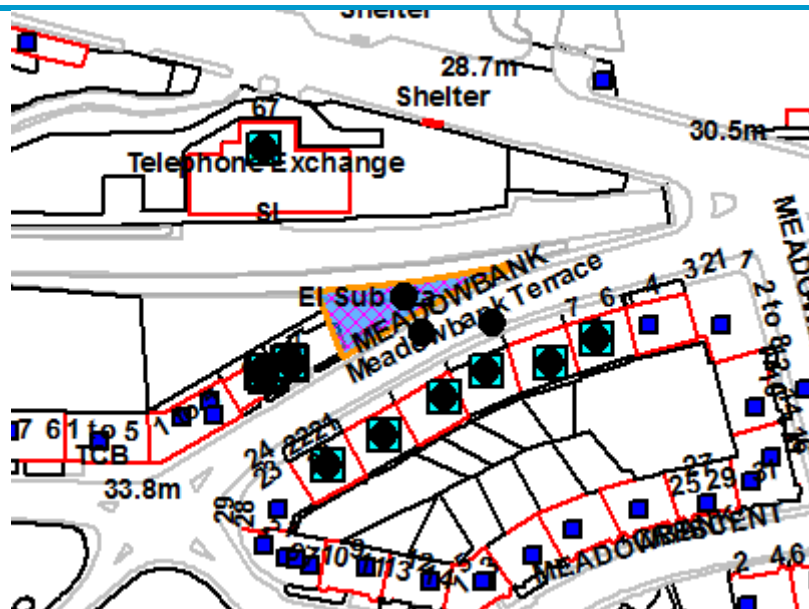
o Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, contact details below:

Network Rail Asset Protection Engineer
151 St. Vincent Street, GLASGOW, G2 5NW
Tel: 0141 555 4352
E-mail: AssetProtectionScotland@networkrail.co.uk

We trust full cognisance will be taken of these comments. We would be grateful if Local Planning Authorities would provide a copy of the Decision Notice.

Location Plan



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END

Development Management Sub Committee

Wednesday 20 March 2019

**Application for Planning Permission 18/10452/FUL
At 1F2, 6 Rosefield Avenue Lane, Edinburgh
Attic conversion and creation of two dormer windows to
the front and rear elevations and renewal of existing velux
window.**

Item number	4.7
Report number	
Wards	B17 - Portobello/Craigmillar

Summary

The proposal is contrary to policy Des 12 and Env 6 of the Edinburgh Local Development Plan. The proposal does not accord with the Portobello Conservation Area Character Appraisal. The proposals do not preserve or enhance the character and appearance of the conservation area and would have an adverse visual impact on the property.

Links

[Policies and guidance for this application](#) LDPP, LDES12, LEN06, NSG, NSHOU, CRPPOR,

Report

Application for Planning Permission 18/10452/FUL At 1F2, 6 Rosefield Avenue Lane, Edinburgh Attic conversion and creation of two dormer windows to the front and rear elevations and renewal of existing velux window.

Recommendations

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

Background

2.1 Site description

The application relates to the upper floor of a 1930s two storey tenement and sits adjacent to an identical block. The property sits within a lane off Rosefield Avenue. In front of the property lies a dance school and an electrical substation. On Rosefield Avenue, there are single storey detached villas and a three storey tenement block. The property also backs onto the category B listed buildings on Brighton Place. The surrounding area is primarily residential, although the property sits behind Portobello High Street which is a town centre.

This application site is located within the Portobello Conservation Area.

2.2 Site History

11 December 2018 - planning permission withdrawn for an attic conversion and creation of two dormer windows (application number 18/08027/FUL).

Main report

3.1 Description Of The Proposal

The proposal is for the construction of two contemporary style dormers; one on each of the principal and rear elevations.

The proposed dormer on the principal elevation measures 2370mm x 1480mm and the proposed dormer on the rear elevation measures 2720mm x 1480mm.

The cheeks of the dormers will be finished in dark grey standing seam zinc to match the colour of the existing slate and the windows are proposed to be timber, aluminium clad with double glazing.

The proposal also seeks to install a velux rooflight on the south west side elevation. The window will be finished in grey to match the existing slate roof.

Supporting Statement

A design statement was submitted detailing the following:

- Location
- Conservation Area
- Views
- Examples of dormers in the area
- Existing property
- Proposed plans
- Materials
- Guidance

This document is available to view on the Planning and Building Standards Online Service.

3.2 Determining Issues

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

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) there is any adverse impact on the character and appearance of the existing building and the conservation area;
- b) there is any adverse impact on neighbouring amenity;
- c) public comments have been addressed; and
- d) equalities and human rights impacts have been addressed.

a) Character and Appearance

Policy Des 12 of the Edinburgh Local Development Plan states that any alterations or extensions will be permitted where in their design, form, choice of materials and positioning will be compatible with the character of the existing building and the character of the surrounding area.

Policy Env 6 states that development within a conservation area will be permitted where it preserves or enhances the special character of the conservation area and is consistent with the relevant character appraisal.

The non-statutory Guidance for Householders states that on principal elevations a single dormer should be no greater in width than one third of the average roof width and should have a visible expanse on all four sides. The proposed dormers comply with this guidance.

In terms of the impact on the conservation area, the Portobello Conservation Area Character Appraisal states that:

"The Brighton & Rosefield area (circa 1823) is one of the least altered and most architecturally important areas of Portobello. The historic core of Portobello is of archaeological interest in its own right, in terms of the social development of the settlement from its 18th century origins through to the 20th century."

There are dormers within the wider conservation area and these are mainly traditional or original to the property. Dormers are not typical in this part of the conservation area and there are no modern dormers in the immediate surrounding area.

With regards to the impact on the property itself; the tenement dates back to the 1930s so it is not a traditional historic property. However, it is still of value in terms of design, character and history of the area. There are two tenement blocks, sitting together as a pair that mirror each other visually.

The proposed dormers on both the front and rear of the property are out of character with the surrounding area where there are no modern box dormers evident. Roofscapes are a key part of this area and are largely unaltered. The property with its neighbouring block, as a pair, have unaltered roofscapes and the addition of dormers in this location will result in a large incongruous alteration that would impact on this feature. This proposal would introduce a visually inappropriate development.

The proposals do not preserve or enhance the character and appearance of the conservation area and have an adverse visual impact on the property, contrary to Des 12 and Env 6 of the Edinburgh Local Development Plan.

b) Amenity

Using the criterion in the non-statutory Guidance for Householders, there will be no effect on neighbouring properties with respect to daylight or privacy. In terms of privacy distances, although it is not equally spread out and the distance from the dormer to the boundary is 10.5m and the distance from the boundary to the opposite property is 7.5m; the rear dormer meets the privacy levels at 18m.

Overall the proposal will have no adverse impact in terms of neighbouring amenity.

c) Public Comments

The following material comments were made.

Material Representations- Objections

- Materials proposed not in keeping with the character of the conservation area or the property - assessed in section 3.3(a) and acknowledged that the design is not in character with the surrounding area.
- Detrimental to character & appearance of the conservation area - assessed in section 3.3(a) and acknowledged.
- Unbroken roofline - assessed in section 3.3(a) and was addressed.
- Dormers do not match the window fenestration - assessed in section 3.3(a) and acknowledged.
- Privacy & Outlook issues - assessed in section 3.3(b) and was found to meet the minimum privacy distance.
- Visible from neighbouring street - addressed in section 3.3(a) and has been acknowledged.

Material Representations- Support

- Design sympathetic to conservation area and property - assessed in section 3.3(a).
- No amenity issues - addressed in section 3.3(b) and was confirmed.

Non-Material Representations

- Extension is good to keep families in the area.
- Good way of extending properties.

d) Equalities & Human Rights

There will be no impact on equalities and human rights.

Conclusion

The proposal is contrary to policy Des 12 and Env 6 of the Edinburgh Local Development Plan and does not accord with the Portobello Conservation Area Character Appraisal. The proposals do not preserve or enhance the character and appearance of the conservation area and have an adverse visual impact on the property.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as the proposal will be detrimental to neighbourhood character and is not compatible with the existing building.
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposal does not accord with the Portobello Conservation Area character appraisal.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Two representations were received in objection, one from a member of the public and one from the Portobello Amenity Society.

Six representations were received in support of the application from members of the public.

Background reading/external references

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

**Statutory Development
Plan Provision**

The application property is in the Urban Area designated in the Edinburgh Local Development Plan and is located within the Portobello Conservation Area.

Date registered

9 January 2019

Drawing numbers/Scheme

01-09,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Sheila Bernard, Assistant Planner

E-mail: sheila.bernard@edinburgh.gov.uk Tel: 0131 529 4905

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

Relevant Non-Statutory Guidelines

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

The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high quality architecture, and the predominant use of traditional building materials.

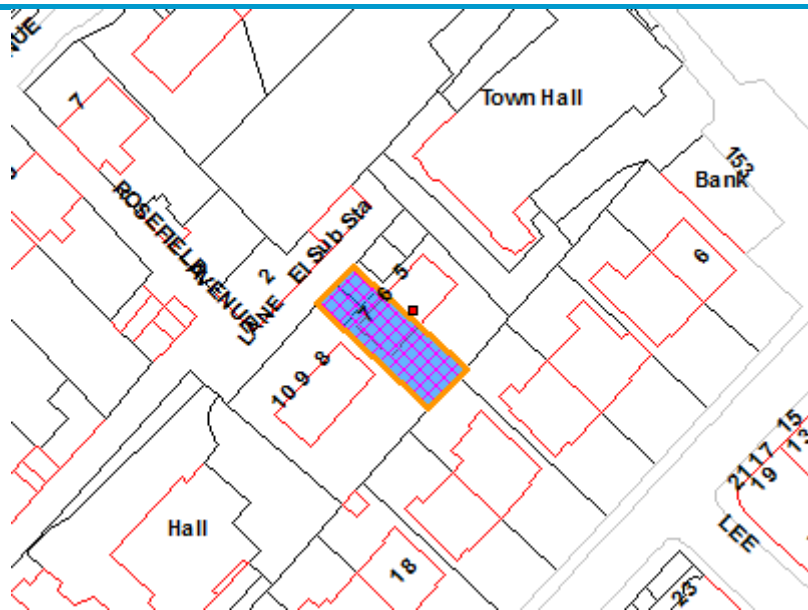
Appendix 1

**Application for Planning Permission 18/10452/FUL
At 1F2, 6 Rosefield Avenue Lane, Edinburgh
Attic conversion and creation of two dormer windows to the
front and rear elevations and renewal of existing velux
window.**

Consultations

No consultations undertaken.

Location Plan



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END

Development Management Sub Committee

Wednesday 20 March 2019

**Application for Planning Permission 18/08606/FUL
At Former Agilent Technologies, Scotstoun Avenue, South
Queensferry
Erect 3 storey building to include class 1 (retail) plus
classes 2+4 (financial/professional services+office) uses.**

Item number	4.8
Report number	
Wards	B01 - Almond

Summary

The proposal complies with the local development plan and is acceptable. The scale, design and materials are acceptable and the proposal will have no adverse impact upon residential amenity and road safety. There are no material considerations that outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LRET06, LDES01, LDES03, LDES05, LTRA02, LTRA03,
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Report

Application for Planning Permission 18/08606/FUL At Former Agilent Technologies, Scotstoun Avenue, South Queensferry Erect 3 storey building to include class 1 (retail) plus classes 2+4 (financial/professional services+office) uses.

Recommendations

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

Background

2.1 Site description

The site is an area of open ground located at the junction with Burdock Road and Craw's Close and forms part of a recently completed residential development. To the south and east are three and four storey blocks of flats with two storey housing located to the north of the site. The total site area is 0.1 hectares. Fifteen parking spaces have been formed on an area of hardstanding.

2.2 Site History

10 April 2008 - Outline planning permission was granted for a residential development (application number: 06/00842/OUT).

14 May 2012 - Planning permission in principle was granted for redevelopment for residential and mixed use development including retail units (class 1), business use (class 4), financial and professional services (class 2), food and drink (class 3), non-residential institution eg creche (class 10) and associated access, parking and landscaping (application number: 11/00995/PPP).

2 September 2013 - An application to renew the outline consent granted in 2008 was withdrawn (application number: application number: 11/01162/FUL).

6 December 2013 - Application for Approval of Matters Specified in Conditions of application 11/00995/PPP granted for mixed use development of 450 houses and flats and commercial building. This included a 1400sq. m of Class 4 office floorspace (application number: 13/03310/AMC).

Main report

3.1 Description Of The Proposal

The proposal is for the erection of a three storey building for retail and office use. The building will provide 500 sq. m. of retail on the ground floor and two open plan office space at the first and second floor each comprising of 245 sq. m and 255 sq. m.

The proposed building is three storeys with a pitched roof and will be finished in smooth white render, facing brickwork and reconstituted slate tiles. The existing car parking within the site provides fourteen parking spaces with two EV charging points. Cycle parking for seven bikes is provided internally to the rear of the building by secure access and three cycle racks will be provided at the front of the retail unit.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of the proposed development is acceptable;
- b) the scale, form, design and materials are acceptable;
- c) the development will impact on residential amenity;
- d) transport, parking and access are satisfactory; and
- e) the representations have been addressed.

a) Principle

The principle of commercial floorspace has been established through the granting of consent in 2013 (application ref: 13/03310/AMC). The proposal now includes 500 sq. m of retail floorspace at the ground floor. The site is not located in or near a designated shopping centre and is an out-of-centre development. It needs to satisfy four criteria to comply with Edinburgh Local Development Plan (LDP) policy Ret 6 (Out of Centre Development):

- a) whether it addresses quantitative or qualitative deficiency;
- b) all potential sites have been assessed and discounted as unsuitable or unavailable;
- c) it will not have an adverse effect on the vitality and viability of existing centres; and
- d) the site is easily accessible.

The nearest local centre (Scotstoun Grove, Queensferry) is located 1.25km to the west of the site. This includes a small Co-op, takeaway and public house. The closest largest supermarket (Tesco) is located 1.8 km away at Ferrymuir. At present the immediate area is under represented in terms of choice of shopping provided. Given the size of the unit proposed (500 square metres) it is not intended to be a destination for bulk food shopping and represents an opportunity to provide an additional top up convenience store in an accessible location filling the gap in this area complying with part (a) of Policy Ret 6.

Due to their size, other units within the local centre have been discounted. These are also unsuitable given their location some distance from the site which are not in an accessible location. It is accepted that there are unlikely to be any other suitable sites available within the defined local centres and the proposal complies with part (b) of Policy Ret 6.

The proposed retail unit is principally intended to serve the recently completed residential development. The adjacent local centre provides a range of services and the scale of the retail proposal will not prejudice the future development of this centre. The proposal will not affect the vitality or viability of the existing centre and complies with part (c) of Policy Ret 6.

The site is located within a walkable distance of the residential development and is located in close proximity to Dalmeny railway station, thus complying with part (d) of Policy Ret 6.

b) Scale, form and Design and Materials

Edinburgh Local Development Plan policies Des 1 and Des 3 states that planning permission will not be granted for poor quality or inappropriate design that would be damaging to the character of the area and that development should demonstrate that the existing characteristics have been incorporated and enhanced through its design and will have a positive impact on its surroundings.

The Edinburgh Design Guidance sets out key aims for new development to have a positive impact on the immediate surroundings, through its height and form; scale and proportions; positioning of the buildings on the site and materials and detailing.

The overall height of the building is approximately 1 metre higher and 100 square metres more in floor area than the consented scheme approved in application 13/03310/AMC. The overall design of the building with its pitched roof and fenestration pattern reflects the architecture found in the wider development. The height and massing of the building has similar characteristics to the surrounding buildings and is appropriate within the context of the area.

The development accords with policies Des 1 and Des 3 of the LDP.

c) Residential Amenity

Policy Des 5 states that development will be permitted where the amenity of neighbouring development is not adversely affected.

The building is positioned approximately 3.1 metres from the properties located to the north east and is the same distance as that of the consented scheme. The proposal now includes a retail use which will not raise any new amenity issues in terms of privacy or overshadowing.

Plant is proposed on the North West elevation of the building. Environmental Protection has raised concerns over noise from the plant and require a Noise Impact Assessment to be carried out. This is deemed unnecessary as any issues relating to noise from the plant would be covered under the Environmental Protection Act and would be pursued by Environmental Services.

The control of deliveries and collections, including waste, are out with the control of the applicant and is therefore unreasonable and unenforceable to attach conditions in respect of this. The need to restrict delivery hours in this instance is unnecessary as the consented scheme was not subject to these conditions.

The development accords with policy Des 5 of the LDP.

d) Transport

Policy Tra 2 and Tra 3 states that permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels and cycle parking and storage complies with the standards.

The parking area has been formed and provides parking for fifteen parking spaces. Seven cycle parking spaces is to be provided securely within the building and three racks will be provided outside the entrance to the retail unit. The parking provision for the wider site met the parking standards when approval was given under application 13/03310/AMC. The current proposal is appropriate under the current standards and Transport has raised no objection.

Transport, parking and access are satisfactory and accords with policy Tra 2 and Tra 3 of the LDP.

e) Representations

Material Representations - Objection

- business is not in keeping with the area; - assessed in section 3.3(a).
- the height of the building is out of keeping; - assessed in section 3.3 (b).
- overshadowing and loss of light; - assessed in section 3.3 (c).
- parking problems in the area; - assessed in section 3.3 (d).
- disturbance from deliveries; - assessed in section 3.3 (d).

Conclusion

The proposal complies with the development plan and is acceptable. The scale, design and materials are acceptable and the proposal will have no adverse impact upon residential amenity and road safety. There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

Reasons:-

1. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. 70 or 50kW (100 Amp) DC with 43kW (63 Amp) AC unit. DC charge delivered via both JEVs G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 22kW to any two of the three outlets simultaneously.

Charging outlet (wall or ground mounted) should be of the following standard:

Type 2 (EN62196-2), Mode 3 (EN61851-1) compliant and be twin outlet. With the ability to supply 22 kW (32 Amps) AC - Three Phase power and have the ability to be de rated to supply 11 kW to each outlet when both are in use.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application attracted a total of twenty one letters of representation. A full summary of the matters raised by the objectors can be found in section 3.3 (f) of the main report.

Background reading/external references

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

Statutory Development

Plan Provision

Edinburgh Local Development Plan - It is allocated as HSG 2

Date registered

18 October 2018

Drawing numbers/Scheme

01-07,

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

Relevant Policies:

LDP Policy Ret 6 (Out-of-Centre Development) identifies the circumstances in which out-of-centre retail development will be permitted.

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

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

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

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

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

Appendix 1

Application for Planning Permission 18/08606/FUL At Former Agilent Technologies, Scotstoun Avenue, South Queensferry Erect 3 storey building to include class 1 (retail) plus classes 2+4 (financial/professional services+office) uses.

Consultations

Roads Authority

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

- 1. A minimum cycle parking provision to be set at 11 spaces, comprising 8 spaces for employees and 3 spaces for visitors;*
- 2. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;*
- 3. Two EV charging point with capability for rapid charging to be provided;*
- 4. The internal layout of the car park does not permit the manoeuvring of a refuse collection vehicle. Accordingly, the refuse store should be located such that collection can take place from the kerbside;*
- 5. Applicant is required by the 2017 parking standards to provide disabled parking spaces constituting 6% of the total parking provision.*
- 6. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*
- 7. The Council's 2017 parking standards require space for a minimum of 3 motorcycles.*

Notes:

- 1. The site has extant consent for 1,400 m² Class 4 office and associated car parking provision. Development of the site has commenced with the construction of the car park completed on the basis of the approved plans for 13/03310/AMC.*

2. *Parking Standards for Development Management 2009* were the current Council parking standards at the time of planning consent being granted previously. For the extant consent, a total of 35 parking spaces (maximum) would have been permissible under this standard, as follows:

a. Class 4 Office (1,400 m²) - 1 space per 60 m² (minima) - 23 spaces, and 1 space per 40 m² (maxima) - 35 spaces.

3. This is a new application which seeks a material variation of the extant PPP consent (11/00995/PPP) to provide 1,000 m² open Class 2 Professional & Financial Services/Class 4 Office uses plus 500 m² Class 1 Retail, and therefore it will be assessed against current policy. The applicant's attention was drawn to Section 2.4, "Design, Integration and Quantity of Parking," in the *Edinburgh Design Guidance, October 2017(EDG)*, in particular the subsection, "Parking Standards," where it states that all applications must have reasoned justification for any level of car parking. Details of what should be included in this justification could be found on pages 58 & 59 of the guidance document. The applicant's response was that it had extant consent and part of the development (car parking) had commenced and was now complete, therefore no further justification was required;

4. The application has been assessed under the 2017 parking standards for Zone 3. This standard permits a maximum of the following for the respective land uses proposed:

- o Class 1 Retail (500 m²) - 1 space per 25 m² - 20 spaces;
- o Class 2 Financial/Professional Services (1,000 m² or proportion thereof) - 1 space per 25 m² - 40 spaces;
- o Class 4 Office (1,000 m² or proportion thereof) - 1 space per 35 m² - 29 spaces.

Open consent is sought for the Class 2/4 uses therefore a maximum of 29 (Class 2/4) plus 20 (Class 1) would be permissible. The Class 1 use is deemed to be of general "convenience" scale and also ancillary to the proposed uses. It is also within a reasonable walking distance of the adjacent housing development, therefore this maximum ceiling should be reduced.

5. Applying the, "*Parking Standards for Development Management 2009*," which were the current Council parking standards at the time of planning consent being granted, a total of 45 car parking spaces (maximum) would have been permissible under this standard with breakdown as follows;

- o Class 1 Retail (500 m²) - 1 space per 100 m² (minima) - 5 spaces, and 1 space per 25 m² (maxima) - 20 spaces;
- o Class 2 & 4 Office (1,000 m²) - 1 space per 60 m² (minima) - 17 spaces, and 1 space per 40 m² (maxima) - 25 spaces.

The consented Office development car park provides 15 parking spaces. This reduced provision in the extant consent was agreed on the basis that there was adequate unallocated parking space located nearby.

The proposed layout has been amended and the overall provision has been reduced to 14 spaces to accommodate a space dedicated for disabled use in the proposed development. It is considered that this provision remains appropriate for the amended development proposals.

6. It was raised with the applicant that there was no mention of the proposed provision of disabled user, cycle or motorcycle parking in support of the development application. The applicant's response states that space motorcycle parking could be provided. No reference was made to cycle parking provision in the applicant's response;

Cycle parking provision in accordance with the EDG should be a minimum of the following:

- o Class 1 Retail (500 m²) - 1 space per 250 m² for employees - 2 spaces, and 1 space per 500 m² for customers - 1 space;
- o Class 2 Financial/Professional Services (1,000 m² or proportion thereof) - 1 space per 250 m² for employees - 4 spaces, and 1 space per 500 m² for visitors - 2 spaces;
- o Class 4 Office (1,000 m² or proportion thereof) - 1 space per 150 m² for employees - 6 spaces, and 1 space per 1000 m² for visitors - 1 space.

The maximum aggregate cycle parking provision for the use classes being sought would be 8 spaces for employees and 3 spaces for visitors. Employee parking should be covered and secure. All cycle parking should be located such that there is natural surveillance.

7. Electric vehicle charging outlets should be provided for this development. No mention is made in regard to such provision within the Design Statement. The applicant responded that they are willing to supply one EV charging point as part of the development. This should have rapid charging capability;

Environmental Protection

The proposed site is currently designated for class 4 development and forms part of a wider masterplan of predominantly residential units (Planning Application 11/00995/PPP) which has now been built. Due to the recent modern housing development, the overall character within the vicinity of the site is of a modern development.

The current proposal provides 500m² Class 1 retail space to the ground floor and 500m² of office space to the first and second floors. This proposal retains 15 of the car parking spaces already formed in porous paving. The proposal is in line with the detailed planning permission for 1,400sq m (15,070 sqft) of Class 4 Business Space. However, the ground floor is now proposed to be retail rather than business use.

This proposed change will introduce different noise concerns with plant and especially late and early deliveries and collections of waste. The applicant will need to assess the impacts in the form of a noise impact assessment before Environmental Protection can consider supporting the application. If hours of use are to be considered as noise mitigation measures they must be accepted by Planning for being used as a conditioned.

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

Parking provision will be provided in the form of 15 individual in-curtilage parking. The Edinburgh Design Standards Require the provision of 2.5 electric vehicle charging points to be installed. Environmental Protection require one rapid charger to be installed which would serve two spaces.

Therefore, Environmental Protection cannot support the application in its current form due to the potential noise impacts this proposal would have on neighbouring amenity. If consented Environmental Protection would require the following conditions to be attached;

Condition

1. Prior to the commencement of construction works on site:

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

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

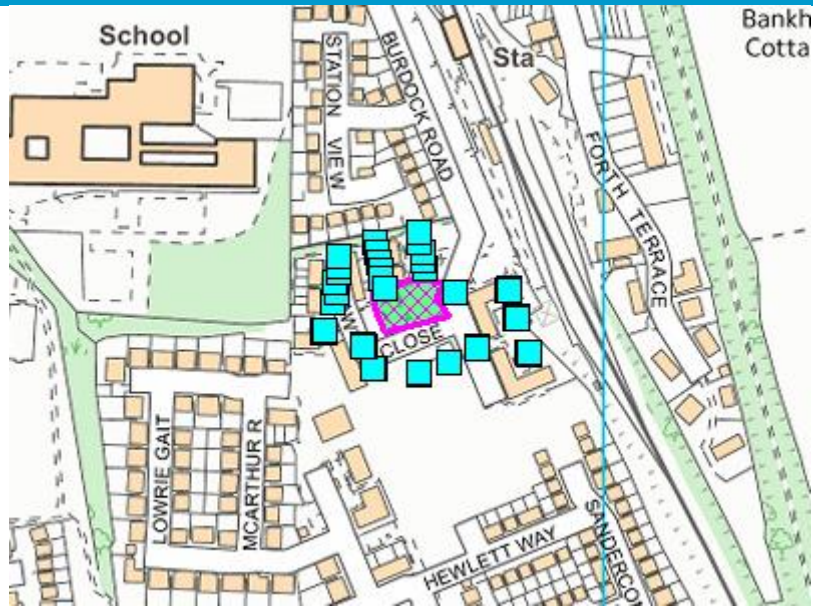
ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

2. 70 or 50kW (100 Amp) DC with 43kW (63 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 22kW to any two of the three outlets simultaneously.

Charging outlet (wall or ground mounted) should be of the following standard:

Type 2 (EN62196-2), Mode 3 (EN61851-1) compliant and be twin outlet. With the ability to supply 22 kW (32 Amps) AC - Three Phase power and have the ability to be de rated to supply 11 kW to each outlet when both are in use.

Location Plan



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END

Development Management Sub Committee

Wednesday 20 March 2019

**Application for Planning Permission 17/04578/FUL
At 24 - 26 Calton Road, Edinburgh, EH8 8DP
Demolition of existing non-listed buildings and erection of
new residential building to form 24x flats, 1x commercial
office space at ground floor and associated landscaping
works. (as amended)**

Item number	7.1(a)
Report number	
Wards	B11 - City Centre

Summary

The proposals are for a use that is compatible with the surrounding area. However the level of density that is proposed is excessive. The design, form, scale, positioning and materials proposed are not appropriate and will not preserve or enhance the character and appearance of the Old Town Conservation Area or the Edinburgh World Heritage Site. There will be a negative impact on the setting of the A-listed Canongate Kirk and the proposals will have an adverse impact on the privacy of neighbouring properties. It is recommended that the application is refused.

Links

<u>Policies and guidance for this application</u>	LDPP, LDEL01, LDEL02, LDES01, LDES03, LDES04, LDES05, LHOU01, LHOU02, LHOU06, LEN01, LEN05, LEN06, LTRA02, LTRA03, NSGD02, NSLBCA, CRPOLD, LEN03,
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Report

Application for Planning Permission 17/04578/FUL At 24 - 26 Calton Road, Edinburgh, EH8 8DP Demolition of existing non-listed buildings and erection of new residential building to form 24x flats, 1x commercial office space at ground floor and associated landscaping works. (as amended)

Recommendations

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

Background

2.1 Site description

The site is approximately 735 square metres and includes a traditional two storey stone building fronting onto Calton Road. It is a typical building from the Victorian industrial era when industrial expansion intensified after the construction of the New Town. The rear of the building comprises the two storey remains of the original factory building. Its most recent use was that of a nightclub, but has previously been in use as a studio.

The site is bounded by offices and residential to the west, student accommodation to the east, Dunbar's Close Gardens and the A-listed Canongate Kirk (listing reference: LB26823; listing date: 14/12/1970) to the south.

The site is within the Edinburgh World Heritage Site.

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

2.2 Site History

Current - Conservation area consent pending for: Demolition of existing nightclub premises (application reference: 17/04579/CON).

July 2001 - Planning Permission granted for: (24-32 Calton Road) Change of use and demolition of garage/nightclub to form offices/residential (as amended) (application reference: 00/02774/FUL); not implemented; consent lapsed.

July 2001 - Conservation Area Consent granted for: (24-32 Calton Road) Change of use and demolition of garage/nightclub to form offices/residential (as amended) (application reference: 00/02774/CON); not implemented; consent lapsed.

September 1998 - Planning permission refused for: Erect 22 apartments including 1 special needs & 1 class 2 commercial unit, demolish existing building (application reference: 97/01849/FUL).

Main report

3.1 Description Of The Proposal

Planning permission is sought for the erection of 24 flats, with commercial office space at ground floor and associated landscaping works. The proposed building would be four storeys to the front and middle section rising to five storeys at the rear. The building would be flat roofed and it is proposed to finish it in a mixture of sandstone, buff brick and dark grey cladding. No parking or communal space is to be provided.

The scheme proposes 16 one bed flats, five two bed flats and three three bed flats.

A separate application for Conservation Area Consent has been submitted for the demolition of the former nightclub building currently on site.

Supporting Statements

The following information was submitted in support of the application:

- Planning and Design Statement;
- Supplementary Design Statement;
- Supplementary Planning Statement;
- Daylight/Sunlight and Privacy Statement;
- Alternate Scheme; and
- Condition Survey.

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

Scheme One

The initial scheme was revised to include further cycle parking and increasing the glazing on the ground floor to meet the daylight requirements as set out in the Edinburgh Design Guidance.

3.2 Determining Issues

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

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

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of development is acceptable;
- b) the impact on the character and appearance of the Conservation Area, the Edinburgh World Heritage Site and setting of the Listed Building is acceptable;
- c) the proposed scale, design and massing are acceptable;
- d) the proposals have an adverse impact on residential amenity;
- e) the proposals have a detrimental impact on road safety or infrastructure;
- f) the proposal is providing an acceptable level of affordable housing;
- g) any impacts on equalities or human rights are acceptable; and
- h) public comments have been addressed.

a) Principle

The site is identified as an Urban Area in the Edinburgh Local Development Plan (LDP) where housing development in principle is acceptable. Housing is supported within the urban area by LDP Policy Hou 1 where it is compatible with other policies in the local plan.

Housing is an acceptable land use at this location, subject to compliance with other policies.

The commercial unit is located within the ground floor of the block. Under LDP Policy Emp 1 office development is acceptable in this location.

b) Impact on the Old Town Conservation Area, World Heritage Site and setting of the Listed Building

It is proposed to demolish the existing building on site. This element is considered under a separate conservation area consent application 17/04579/CON.

The Old Town Conservation Area Character Appraisal identifies that the conservation area includes numerous buildings of outstanding architectural and historic importance, and international significance. The appraisal reinforces that there is a considerable wealth of important land marks, reflecting its long role as the location for the complete range of Edinburgh's institutions. These buildings from different eras set against a backdrop of tenements contribute to an appearance of density, a close knit character and cohesive groupings associated with a medieval town. Policy Env 6 states that development within a conservation area will be permitted if it preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal and demonstrates high standards of design and utilises materials appropriate to the historic environment. Applications for demolition will be permitted only where this does not erode the character and appearance of the conservation area, with the presumption being in favour of retaining buildings that make a positive contribution.

Although the area has undergone significant change over the last few years, with the vicinity being characterised by modern developments, the existing building fronting onto Calton Road is one of the last few remaining markers of the industrial past of the area and makes a positive contribution to the character of the area. It has not been demonstrated that it would be unviable to retain this building. The proposed design does not draw on any positive features of the site's industrial past, nor has it sought to incorporate any features from the existing site. The introduction of a modern flat roofed building does not demonstrate a high standard of design. The proposal covers too much of the site and fails to provide a sympathetic treatment that respects the relative openness of this part of the conservation area, between Calton Road and the Canongate. The proposal will not preserve or enhance the special character and appearance of the Old Town Conservation Area and does not comply with LDP Policy Env 6.

The Outstanding Universal Value of the Edinburgh World Heritage Site is defined as the remarkable juxtaposition of two clearly articulated urban planning phenomena: the contrast between the organic medieval Old Town and the planned Georgian New Town which provides a clarity of urban structure unrivalled in Europe. LDP Policy Env 1 requires development to respect and protect the outstanding universal values of the World Heritage Sites and their settings. LDP Policy Env 3 does not allow for development that would affect the setting of a listed building and will only be permitted if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

The massing of the proposal, and specifically the five storey section at the rear of the proposed building, will result in an unacceptable impact on the setting of the A-listed Canongate Kirk which is an important feature of the World Heritage Site and the Old Town Conservation Area. The scale of the proposal would interrupt views from Canongate Kirk to Calton Hill. Furthermore the proposal will have an unacceptable impact on the open character of Dunbar's Close Gardens, as it would be approximately 3.4 metres from the site boundary and would create an overdominant and unsympathetic addition. The proposal would adversely impact on the character of the World Heritage Site and negatively impact on the setting of Canongate Kirk. The proposal does not comply with LDP Policies Env 1 and Env 3.

c) Design, scale and massing

LDP Policy Des 1 states that permission will be granted for development that contributes toward a sense of place and draws from the positive characteristics of the surrounding area. Policy Des 3 requires that characteristics and features worthy of retention in the surrounding area be identified, incorporated and enhanced through the design of the proposed development. As previously set out, the front building makes a positive contribution to the character of the area and should be retained as part of any redevelopment of the site. It has not been demonstrated that this would be an unviable option.

There are several examples on Calton Road where an historical building has been incorporated into the new development or reference made. No attempt has been made to include or reference the existing building into the new proposal and it would result in a standalone, modern block which does not contribute to a sense of place with regard to the site's past and the surrounding area.

LDP Policy Des 4 states that development should have a positive impact on its surroundings in terms of height and form, scale and proportions, including the spaces between buildings, positioning of the buildings on site and materials and detailing.

In terms of positioning on the site, the proposal seeks to maximise the footprint and development and does not respond sensitively to the surrounding built form, the setting of the Canongate Kirk or Dunbar's Close Gardens. The overall site area is approximately 735 square metres and of this, approximately 566 square metres will be taken up by the proposed building. The majority of the residual space will be taken up for the private terraces at ground floor level. This is in contrast with the developments to the east and west, where the buildings leave a greater degree of space between them and are not built out to the boundaries of neighbouring properties.

The proposal seeks a four storey building to the front and middle section and five storeys to the rear. The existing building is two storeys to the frontage with Calton Road and does not rise above two storeys to the rear. The proposal would be hard on the boundary to 22 Calton Road and approximately 3.4 metres off the boundary with Dunbar's Close Gardens. The neighbouring developments have the greater massing to the street frontage and, in the case of 22 Calton Road, are stepped down towards the rear to lessen the impact on Canongate Kirk. The proposal would result in five storeys to the rear of the site which would not be in keeping with the surrounding area.

The development is unacceptable in terms of scale, form, design and materials, and fails to comply with LDP Policies Des 1, Des 3, Des 4 and the Edinburgh Design Guidance.

d) Amenity

Amenity of Future Occupiers

The internal floor area of each flat complies with the minimum standards as set out in the Edinburgh Design Guidance and all flats meet the minimum Average Daylight Factor of 1% to bedrooms and 1.5% to living rooms as set out in the Edinburgh Design Guidance. There is no communal open space to be provided on site, aside from the ground floor dwellings having private terraces. However, given the site is in walking distance of Holyrood Park, Calton Hill and Dunbar's Close Gardens, and its central location, this would be considered acceptable.

Neighbouring Amenity

A daylight, sunlight and privacy statement has been submitted assessing the impact of the proposal on the residential properties at 22 Calton Road. Eight out of ten windows on the east elevation of 22 Calton Road have been tested. The statement shows that the Vertical Sky Component requirement of 27% will not be met for any of the tested windows. The Edinburgh Design Guidance states that if the townscape surrounding a development site would not meet these requirements, the council may require information on the likely amount of daylight in affected rooms in existing buildings. This is assessed using the Average Daylight Factor (ADF) methodology. The minimum ADF for bedrooms is 2%, for living rooms 1.5%, and for kitchens 2%. Of the tested windows, the statement concludes that the minimum ADF is met.

The study on sunlight indicates there will be minimal impact to the parking area and gardens of 22 Calton Road, 32 Calton Road and Lochend Close. In terms of privacy and outlook, there are kitchen windows proposed on the boundary to 22 Calton Road which would face directly into the neighbouring properties. The statement indicates that these would be fitted with louvred screens or obscure film; however this would not be accepted as appropriate mitigation and would have a detrimental impact on the privacy of neighbouring properties.

The proposed development will not have an adverse impact in terms of daylight and sunlight but will have an unacceptable impact in terms of privacy for neighbouring properties and does not comply with LDP Policy Des 5 or the Edinburgh Design Guidance.

e) Road Safety

The Council's Parking Standards require no parking provision within the Central Area. The applicant has proposed 48 cycle spaces which complies with the Council's Parking Standards. If approval was recommended, Transport has requested a contribution of £12,500 towards the provision of two car club vehicles in the area.

f) Affordable Housing

LDP Policy Hou 6 - Affordable Housing states that planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units proposed. For proposals of 20 or more dwellings, the provision should normally be on-site. Whenever practical, the affordable housing should be integrated with the market housing.

As the proposal is for 24 units, there is a requirement for 6 affordable units on site. The Council approached Registered Social Landlords (RSL) to take on the affordable units; however, given the proposed high build costs (£189,000 per unit against the typical RSL average of £140,000) and that there would be no majority ownership of a block of properties, the offer was not taken up.

For a property to be considered as viable for Golden Share it cannot exceed a Market Value of £268,495 to achieve the £214,796 cap for Golden Share housing. The anticipated sales prices of £285,000 for the smallest property confirms that there are no units approaching this price range and a recommendation cannot be made for Golden Share Housing.

The Council considers that options for onsite delivery have been explored and that, if the application was approved, it would accept a commuted sum payment in lieu of onsite affordable housing. The amount of the commuted sum is based upon the land value and on this basis, the commuted sum payment is likely to be in the region of £50,000 per unit. The final figure should be agreed prior to the application being determined, however this was not deemed appropriate as the recommendation is for refusal. Should the application be approved, this figure will be required to be independently assessed by the District Valuer and would be required to be paid prior to any development starting on site.

g) Impact on Equalities and Human Rights

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

h) Public Comments

Material Considerations:

- Traffic and car parking: This has been addressed in section 3.3(e).
- Appearance of area: This has been addressed in sections 3.3(b) and (c).
- Overshadowing and loss of sunlight/daylight and privacy: This has been addressed in section 3.3(d).
- Height of building: This has been addressed in section 3.3(c).

Non-material Considerations:

- Impact on trees and nesting birds: No trees on site and no impact has been identified.
- Construction noise and traffic.
- That a memorial plaque at the site is incorporated into the proposed build.

Conclusion

The proposals are for a use that is compatible with the surrounding area. However the level of density that is proposed is excessive. The design, form, scale, positioning and materials proposed are not appropriate and will not preserve or enhance the character and appearance of the Old Town Conservation Area or the Edinburgh World Heritage Site. There will be a negative impact on the setting of the A-listed Canongate Kirk and the proposals will have an adverse impact on the privacy of neighbouring properties. It is recommended that the application is refused.

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

3.4 Conditions/reasons/informatives

Reason for Refusal:-

1. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as the proposals would damage the character and appearance of the area and would not contribute towards a sense of place.
2. The proposal is contrary to the Local Development Plan Policy Des 3 in respect of Development Design - Incorporating and Enhancing Existing and Potential Features, as the proposals do not enhance existing characteristics of the site or the area.
3. The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design - Impact on Setting, as the proposals, in terms of height, form, scale, positioning and materials, will not have a positive impact on the area.
4. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity and the Edinburgh Design Guidance, as it will adversely impact privacy for neighbouring properties.
5. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposals fail to preserve the special character and appearance of the Old Town Conservation Area.
6. The proposal is contrary to the Local Development Plan Policy Env 3 in respect of Listed Buildings - Settings, as the proposals will adversely impact the setting of the A-listed Canongate Kirk.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 20 October 2017 and statutory neighbour notification was carried out on 12 October 2017 and 7 February 2019. Following this six letters of representation have been received.

Background reading/external references

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

Statutory Development

Plan Provision

The site is within the City Centre, Edinburgh World Heritage Site and Old Town Conservation Area as defined by the Edinburgh Local Development Plan.

Date registered

5 October 2017

Drawing numbers/Scheme

01-07, 08A, 9-18,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Murray Couston, Planning Officer

E-mail:murray.couston@edinburgh.gov.uk Tel:0131 529 3594

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

LDP Policy Del 2 (City Centre) sets criteria for assessing development in the city centre.

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

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

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

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

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

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

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

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

LDP Policy Env 5 (Conservation Areas - Demolition of Buildings) sets out criteria for assessing proposals involving the demolition of buildings within a conservation area.

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

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

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

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

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

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

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

Appendix 1

Application for Planning Permission 17/04578/FUL At 24 - 26 Calton Road, Edinburgh, EH8 8DP Demolition of existing non-listed buildings and erection of new residential building to form 24x flats, 1x commercial office space at ground floor and associated landscaping works. (as amended)

Consultations

Transport

1. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum £12,500 (£1500 per order plus £5,500 per car) towards the provision of car 2 club vehicles in the area;
2. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
3. The applicant should be advised that as the development is located in Zones 1 to 8, they will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category A - New Build);
4. Any works affecting an adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

Note:

The application has been assessed under the Council's 2017 parking standards and allows for no parking provision and up to a maximum of 24 parking spaces. However, the applicant's justification of no parking provision was based on the site's public transport accessibility level. It is considered that provision of 2 car club in the area is appropriate.

Children & Families

The Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' states that no contribution towards education infrastructure is required from developments that are not expected to generate at least one additional primary school pupil.

16 of the 24 flats only have one bedrooms or are studios and have been excluded from this assessment. Using the pupil generation rates set out in the Supplementary Guidance, the eight flats of two or more bedrooms are not expected to generate at least one additional pupil. A contribution towards education infrastructure is therefore not required.

Environmental Health

The proposed development is on the site of a former engineering factory used most recently as a night-club venue. Environmental Protection has concerns over the historic use of the site, as this may have resulted in ground contamination. A condition is recommended to ensure the site is suitable for the proposed use.

Environmental Protection has no objection to the application, subject to the following condition:

Prior to the commencement of construction works on site:

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

(b) Where necessary, a detailed schedule of any remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning. Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

Waste Management Service

Waste and cleansing services takes no stance either for or against the proposed development but as a consultee would make the following comments:

Waste and Fleet Services would expect to be the service provider for the collection of waste as this appears to be a development of 24 residential flats on Calton Road. The application form refers to Refuse storage and collection point is included in the Northern Block, with access for collection being provided from Calton Road. The store meets the council's refuse requirements as outlined in section 2.10 of The City of Edinburgh Design Guidance and is indicated on the Plans as Proposed submitted as part of this application. Please provide drawings of the location of the bins store, types and quantity of bins and refuse vehicle collection point from Calton Road. Please provide estimated timescales of when this development will be complete and habited.

It is imperative that adequate provision is made for the storage of waste off street, and that cognisance is taken of the need to provide adequate space for the storage of segregated waste streams in line with the Waste (Scotland) Regulations which require the source separation of dry recyclable materials, glass, food, etc.

Adequate provision should also be made for the effective segregation of materials within the building not just at the point of collection. Adequate access must also be provided to allow uplift of waste safely from the collection point taking into consideration the traffic flows at this busy location.

In view of these factors the developer must contact Waste Services on 0131 469 5667 or hema.herkes@edinburgh.gov.uk at the earliest point for advice relating to their options so that all aspects of the waste & recycling service are considered i.e. access for vehicles, health & safety, presentation points for kerbside bins and/or boxes and size of storage areas required in residential gardens for all bins & boxes etc.

Affordable Housing

1. Introduction

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

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

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

- o This is consistent with Policy Hou 6 Affordable Housing in the Edinburgh City Local Plan.

2. Affordable Housing Provision

This application is for a development consisting of 24 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (6) homes of approved affordable tenures.

In all instances the Council expects the 25% affordable housing contribution to be delivered on-site, in a manner that is well-integrated. It is only in exceptional circumstances, where the Council is satisfied that the affordable housing could not be viably delivered by a housing association, that we consider alternative proposals.

Both Dunedin Canmore HA and Castle Rock Edinvar have looked at this opportunity and do not want to take affordable units on this site for two reasons:

1. High Build Costs

The developer's submitted build costs to the Council's housing team and to RSLs. To verify the accuracy of the costs, these were assessed by a chartered surveyor from the Council's Estates Section. This analysis of costs has verified the build cost to be an average of £189,000 per unit. Consequently this falls far out with a sum that is acceptable for an RSL to deliver on site. RSLs typically build at an average of £140,000 per unit. The main reason identified by the developer for the high build costs are due to the difficulty accessing into the site with the neighbouring buildings being so close and also higher cost materials associated with planning requirements of this location.

2. Consolidation of Ownership

RSLs were approached with the proposal once the design was finalised. However, the properties are of a size which would meet RSL requirements in terms of space standards and without being excessively large for an RSL to afford to purchase. However, the design is for 24 flats split over two stairwells. With this design, the proposal would see the RSL taking minority ownership of six flats within a common stairwell of 12. Affordable housing providers across the city, including the Council, are looking to acquire and dispose of properties where they are in minority ownership within their existing housing stock. Consequently they do not want to enter into new scenarios where this will arise. Both RSLs and the Housing department view of this project, is that it is difficult to see how the project could be designed to provide an RSL with a single block for outright ownership.

Dunedin Canmore housing association and Castle Rock Edinvar considered the proposal but due to the high build costs and the minority ownership within the stairwell, felt their investment was better placed elsewhere and declined the opportunity. RSLs operate within the same financial and management models and can offer the similar amounts for completed units. Therefore no other RSLs are likely to consider the proposal for the reasons identified above.

Where the developer has clearly established that the development would not be viable for a housing association to deliver, then the affordable housing policy allows for alternative methods of delivery to be considered.

For a property to be considered as viable for Golden Share it cannot exceed a Market Value of £268,495 to achieve the £214,796 cap for Golden Share housing. Given the anticipated sales prices of £285,000 for the smallest property there are no units to fall close to this price range and a recommendation cannot be made for Golden Share Housing.

Over 9 out of every 10 applications that fall under the AHP have affordable housing delivered onsite. The housing service considers that options for onsite delivery have been explored and that as a last resort will accept a commuted sum payment in lieu of onsite affordable housing.

The developer will provide the commuted sum through a Section 75 agreement, paying the sum prior to the commencement of construction on the principal site. The amount of the commuted sum is based upon the land value and on this basis, the commuted sum payment is likely to be in the region of £50,000 per unit. However, this figure will be required to be independently assessed by the District Valuer and will be required to be paid prior to the development starting on site.

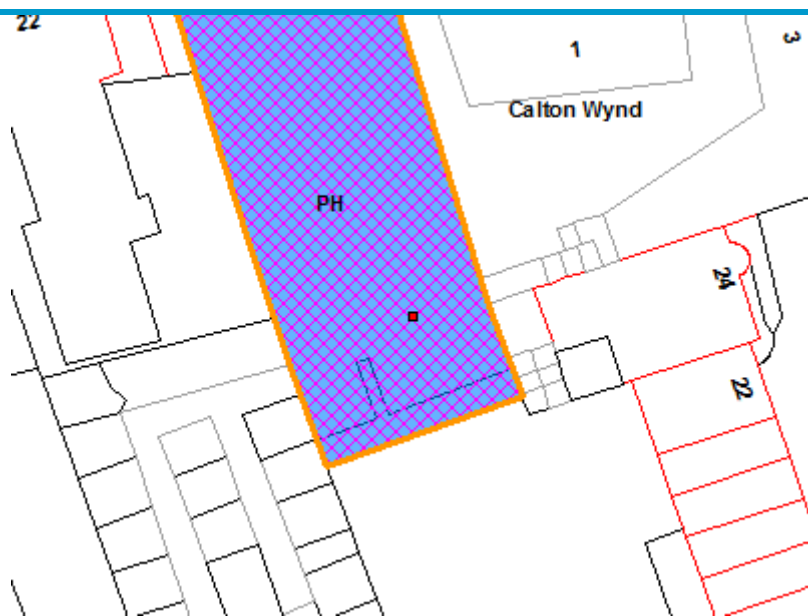
The Housing Department has not identified a suitable project to support with this sum but has 10 years to use the sum. With the expanding housing programme, opportunities will arise within this timeframe to identify a project to support an increased level of social rent. The sum will be used to support the delivery of affordable housing, first of all within the same ward and should a suitable project not be found, then it will be used to support delivery in an adjacent ward.

3. Summary

The applicant has made a commitment to provide 25% (6 units) offsite affordable housing, as a commuted sum. These will be secured by a Section 75 Legal Agreement.

- o Over 9 out of every 10 applications have affordable housing delivered onsite. Commuted Sum are accepted as a last resort, once all other options are explored.
- o RSL partners were requested to assess the project and declined the opportunity due to high build costs and minority ownership within a stairwell.
- o The commuted sum will be verified by the District Valuer, paid prior to commencement of development and used to support delivery in the same ward and should this not be viable, then in an adjacent ward of the city.

Location Plan



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Development Management Sub Committee

Wednesday 20 March 2019

Application for Conservation Area Consent 17/04579/CON At 24 - 26 Calton Road, Edinburgh, EH8 8DP Demolition of existing nightclub premises

Item number	7.1(b)
Report number	
Wards	B11 - City Centre

Summary

The existing building fronting onto Calton Road makes a positive contribution to the character of the Old Town Conservation Area and the Edinburgh World Heritage Site. The proposed replacement building is not of sufficient quality to justify the demolition of the existing building. The proposal is contrary to Local Development Plan Env 5 and does not comply with the Historic Environment Scotland Policy Statement tests for demolition.

Links

[Policies and guidance for this application](#) LDPP, LEN05, NSLBCA,

Report

Application for Conservation Area Consent 17/04579/CON At 24 - 26 Calton Road, Edinburgh, EH8 8DP Demolition of existing nightclub premises

Recommendations

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

Background

2.1 Site description

The site is approximately 735 square metres and includes a traditional stone building fronting onto Calton Road, with a later addition extending the full length of the site to the rear. It is a typical building from the Victorian industrial era when industrial expansion intensified after the construction of the New Town. Its most recent use was that of a nightclub. The site is bounded by offices and residential flats to the west, student accommodation to the east and Dunbar's Close Gardens and the A-listed Canongate Kirk (listing reference: LB26823; listing date: 14/12/1970) to the south.

The site is within the World Heritage Site.

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

2.2 Site History

Current - Decision pending for planning permission: Demolition of existing non-listed buildings and erection of new residential building to form 24x flats, 1x commercial office space at ground floor and associated landscaping works (application reference: 17/04578/FUL).

July 2001 - Planning Permission granted for: (24-32 Calton Road) Change of use and demolition of garage/nightclub to form offices/residential (as amended) (application reference: 00/02774/FUL). Not implemented, lapsed.

July 2001 - Conservation Area Consent granted for: (24-32 Calton Road) Change of use and demolition of garage/nightclub to form offices/residential (as amended) (application reference: 00/02774/CON). Not implemented, lapsed.

September 1998 - Planning permission refused for: Erect 22 apartments including 1 special needs & 1 class 2 commercial unit, demolish existing building (application reference: 97/01849/FUL).

Main report

3.1 Description Of The Proposal

Conservation area consent is sought for the complete demolition of the building at 24-26 Calton Road.

Supporting Documents

The following documents have been submitted in support of the application and are available to view on the Planning and Building Standards Online Services:

- Planning and Design Statement;
- Supplementary Planning Statement;
- Condition Survey; and
- Alternative Scheme.

3.2 Determining Issues

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

In determining applications for conservation area consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

3.3 Assessment

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

- a) the demolition will adversely affect the character and appearance of the conservation area;
- b) the proposed replacement development is of sufficient quality;
- c) any impacts on equalities or human rights are acceptable; and
- d) public comments have been addressed.

a) Demolition

Edinburgh Local Development Plan (LDP) Policy Env 5 only supports the demolition of unlisted buildings in conservation areas which are considered to make a positive contribution to the character of the area in exceptional circumstances. If the building does not make a positive contribution, its removal is considered acceptable in principle so long as the replacement building enhances or preserves the character of the conservation area.

The Old Town Conservation Area Character Appraisal reinforces that there is a considerable wealth of important land marks, reflecting its long role as the location for the complete range of Edinburgh's institutions. These buildings, from different eras set against a backdrop of tenements, contribute to an appearance of density, a close knit character and cohesive groupings associated with a medieval town.

The Historic Environment Scotland Policy Statement (HESPS) lists the various conditions under which demolition of a listed building may be accepted by a planning authority. Historic Environment Scotland (HES) recommends that the four key tests are also used in the assessment of whether the demolition of an unlisted building within a conservation area is acceptable.

These are as follows:

- a) the building is not of special interest; or
- b) the building is incapable of repair; or
- c) the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- d) the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

To obtain consent for demolition, the proposal is required to meet at least one of the above tests.

Test a) - Special Interest

The site is one of the last surviving markers of the industrial past of the area. Although HES has not objected to the demolition, it has stated that the stone building fronting onto Calton Road makes a positive contribution to the character of the Old Town Conservation Area and that efforts should be made to retain it as part of any future scheme. While the Council has no objection to the removal of the rear extension, the Victorian era building makes a positive contribution to the character of the conservation area and its industrial past. Its loss would have an adverse impact on the character of the conservation area.

The proposal fails to meet part a) of the HESPS test requirements.

Test b) - Repair

Consent may be granted where it can be shown that a building's condition is beyond repair. In these cases, a clear understanding of the building's condition will always be required. This should take the form of a structural survey prepared by appropriate professionals, such as engineers, surveyors or architects.

A condition survey has been submitted. The figures indicate that the cost to repair and reuse of the building would render their alternative scheme financially unviable. However, the assessment has been based on the purchase price as opposed to the valuation of the existing building and site and as per the HESPS test requirements, it has not been demonstrated that the building is incapable of repair. The proposal does not meet the requirements of test b).

Test c) - Benefits from economic growth or to the wider community

The HESPS test states that it is recognised that the retention of a building may prevent wider public benefits flowing from the redevelopment of a site. However, typically these cases would involve developments of national or regional significance and the applicant would need to demonstrate that there is no practical way of realising the benefits without demolishing the building. Clear evidence should also be submitted to show that every effort was made to incorporate the building into the proposal, or to place the development in an alternative location.

The development does not constitute one which would have any impact beyond the immediate vicinity of the site and fails to meet test c).

Test d) - Economic viability of reusing the building

Consent may be granted for the demolition of a building that is capable of repair but where the costs of doing so mean that its repair would not be viable. Where this is the principal justification for the demolition of a building, full supporting evidence is required comprising:

- a valuation of the existing building and site;
- a full survey identifying the repairs required;
- development costs including a costed schedule of repairs; and
- an estimate of the value of the repaired property, including potential yields.

Supporting evidence in relation to the above has been submitted. However, the viability assessment has been based on the purchase price of the site as opposed to the valuation of the existing building and site. The applicant has submitted details of an alternative scheme that would involve the retention of the front building and the erection of 10 units, as opposed to the scheme in question for 24 units. This demonstrates that it would be feasible to retain the front building as part of site redevelopment.

Furthermore, where a building is capable of repair, evidence shall be submitted to show that the property has been marketed for a reasonable period, to a restoring purchaser at a price reflecting its condition. No evidence to this effect has been received.

The proposal fails to meet the requirements for test d) as no evidence has been submitted regarding its marketing, the assessment is based on the purchase price and not the site valuation and it has been demonstrated that the stone building could be retained as part of an alternative scheme.

b) Replacement Development

LDP Policy Env 5 states that proposals for the demolition of any building within a conservation area, whether listed or not, will not normally be permitted unless a detailed planning application is approved for a replacement building which enhances or preserves the character of the area. The replacement scheme is the subject of the concurrent planning application (17/04578/FUL).

The proposed development of 24 flats and a commercial unit is excessive in its density. It is inappropriate in terms of its design, form, scale and its impact on amenity. The proposal will not preserve or enhance the character and appearance of the Old Town Conservation Area and the Edinburgh World Heritage Site. It would result in the loss of a building that makes a positive contribution to the conservation area and would negatively impact on views from Canongate Kirk to Calton Hill. The proposed replacement development is not of sufficient quality to justify the demolition of the existing structure.

The scheme has failed to demonstrate an appropriate scale and form of replacement development. The loss of the existing buildings has not been justified, as the replacement building does not preserve or enhance the character and appearance of the conservation area and is contrary to LDP Policy Env 5 Conservation Areas - Demolition of Buildings.

c) Impact on Equalities and Human Rights

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

d) Public Comments

No public comments were received.

Conclusion

The existing building fronting onto Calton Road makes a positive contribution to the character of the Old Town Conservation Area and the Edinburgh World Heritage Site. The proposed replacement building is not of sufficient quality to justify the demolition of the existing building. The proposal is contrary to Local Development Plan Env 5 and does not comply with the Historic Environment Scotland Policy Statement tests for demolition.

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

3.4 Conditions/reasons/informatives

Reason for Refusal:-

1. The proposal is contrary to Local Development Plan Policy Env 5 in respect of Conservation Areas - Demolition of Buildings as the building makes a positive contribution to the character of the Conservation Area and the proposed replacement structure is not of sufficient quality to justify the demolition of the existing building.
2. The proposal does not comply with the Historic Environment Scotland Policy Statement tests for demolition within a Conservation Area.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 20 October 2017 and no letters of representation have been received.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)

- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development**Plan Provision**

The site is within the Old Town Conservation Area and World Heritage Site as defined by the Local Development Plan.

Date registered

5 October 2017

Drawing numbers/Scheme

01-07,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Murray Couston, Planning Officer

E-mail:murray.couston@edinburgh.gov.uk Tel:0131 529 3594

Links - Policies

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

LDP Policy Env 5 (Conservation Areas - Demolition of Buildings) sets out criteria for assessing proposals involving the demolition of buildings within a conservation area.

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

Appendix 1

Application for Conservation Area Consent 17/04579/CON At 24 - 26 Calton Road, Edinburgh, EH8 8DP Demolition of existing nightclub premises

Consultations

Historic Environment Scotland

The traditional stone building fronting onto Calton Road (at number 24-26) and the 5-storey building to the rear of the site were built during the mid-19th century. It is a typical building from the Victorian industrial era when industrial expansion intensified after the construction of the New Town, with many aristocratic mansions being abandoned in the early 19th century e.g. Panmure House.

We maintain our view that this building, partly because it is one of the few historic buildings remaining on the North Bank of the Canongate, now Calton Road, makes a positive contribution to the character of the Old Town Conservation Area and efforts should be made to retain it as part of any new scheme.

We previously highlighted the Historic Environment Scotland Policy Statement (HESPS) (Section 3.56) which outlines scenarios where demolition in a conservation area may be considered appropriate. This includes where structural condition rules out retention of a building at reasonable cost, or its form or location makes its re-use extremely difficult.

We now note the new information within the Supplementary Design Statement.

It is stated that 'to repair the existing fabric to an appropriate level will be a significant cost to any future development' and 'the existing building fronting onto Calton Road is extremely narrow and is consequently very limiting in the uses it can accommodate' this means the retention and re-use of this building in its current form is not financially viable in this locality'. While no further detailed information is provided to substantiate these statements (i.e. no costing on the repair works is provided), and the link to HESPS is not made explicitly clear, they do appear relevant and we would encourage your Council to explore these issues further with the applicant.

Finally, we note that consent for demolition was granted in 2001 and we have seen a copy of your Council's report on that application. Historic Environment Scotland (HES) has a very different role compared to Historic Scotland (HS) in 2001. While HES is a statutory consultee in the listed building consent process at the point an application is submitted, and therefore free to give an opinion, in contrast, HS acted on behalf of Scottish Ministers for those applications which a planning authority were minded to approve and required notification to Ministers. This provided Ministers with the opportunity to call-in these applications for their own determination.

In 2001 Historic Scotland would have been notified of your Council's decision to grant consent and the decision was not to call-in the application for determination.

Archaeology

Further to your consultation request, I would like to make the following comments and recommendations in respect to these linked applications for the demolition of existing non-listed buildings and the erection of a new residential building to form 24 flats and 1 commercial office space at ground floor and associated landscaping works.

The site is occupied by the former Calton Studios night club which occupies a range of 19th century industrial and commercial building. Lying on the eastern side of the 17th century Canongate Kirkyard the site lies at the heart of Edinburgh's UNESCO World Heritage site. The site occupies the northern part of a medieval burgh plot stretching from the Royal Mile to Calton Road, which formed the northern limits of the medieval burgh of the Canongate.

The Canongate was established in David I's 1128 as part of the foundation Charter of Holyrood Abbey and remaining under its control for most of the medieval period. Recent excavations along the northern side of Calton Road (e.g. Gooder, John (2013) 'Excavations in the Canongate Backlands, Edinburgh'. SAIR 56; Engle, Robert et al (2013), Caltongate PA1 (C). AOC DSR 20236) suggest that this site will contain over 3m of archaeological deposits including potentially waterlogged deposits and the remains associated with the Burgh's early defences.

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

Historic Building

The proposed scheme proposes the demolition of the existing garage which comprises the remains of a range of 19th century former industrial and commercial buildings latterly used as a nightclub (Calton Studios). These buildings although unlisted in archaeological terms are regarded as having local significance in terms of the Canongate's industrial archaeological past. Demolition of these locally significant buildings will clearly therefore have a significant adverse impact. However, the loss of these buildings, in archaeological terms, is not regarded significant enough to warrant recommending refusal in terms of Policy ENV9.

However, if consent is granted by the Planning Authority, it is essential that a detailed historic building survey (internal and external elevations and plans, photographic and written survey and analysis) of all the surviving buildings is undertaken prior to and during demolition in order to provide a permanent record of these historic buildings.

In addition, demolition shall be limited in the first instance to above ground works only, with no grubbing up of wall foundations nor ground floor surfaces. This is to avoid any impacts upon the site's potentially significant buried archaeological remains until the results of the phase 1 works have been undertaken (see following section Buried Archaeology).

Buried Archaeology

The proposals will require significant ground-breaking works, principally regarding demolition, new construction and new services. Such works have the potential to disturb archaeological remains dating back to the origins of the burgh in the 12th century. Given the potential for over 3m of significant archaeological resources to occur across the proposed area, it is essential that if consent is granted for this scheme that an archaeological mitigation strategy is undertaken both during demolition and prior to construction/development.

This will require the undertaking of phased programme of archaeological investigation to fully record, excavate and analyse any significant remains affected. The first phase of which will be the undertaking of archaeological evaluation (min 10). The results from this initial phase of work will allow for the production and agreement of a more detailed mitigation strategy to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains during each phase of development.

Public Engagement

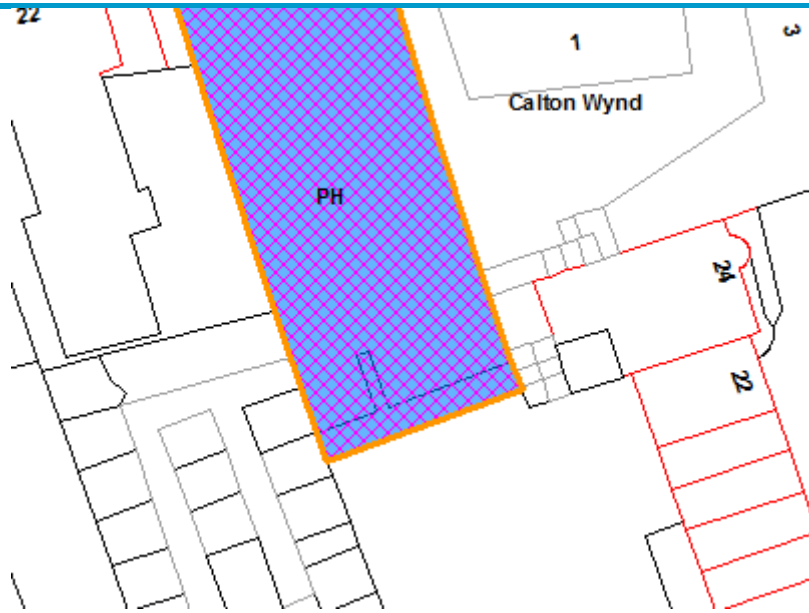
Given the potential significance of the archaeology it is essential that a programme of public/community engagement should be undertaken. The scope of which (e.g. site open days, viewing points, temporary interpretation boards) will be agreed with CECAS based upon the initial DBA and archaeological evaluation outlined above.

In consented it is essential therefore that a condition be applied to both consents (CON & FUL) if granted to secure this programme of archaeological works based upon the following CEC condition;

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

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility 0001.

Location Plan



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Development Management Sub Committee

Wednesday 20 March 2019

Application for Approval of Matters Specified in Conditions 18/02721/AMC

At Granton Harbour, West Harbour Road, Edinburgh

Application for approval of matters conditioned regarding the erection of buildings containing 18 houses and 144 flats; formation of road access, parking, private and public open space. Plots K, O, P, Q U, T.

Item number	7.2
Report number	
Wards	B04 - Forth

Summary

The principle of housing is established on the site and the layout, design, materials, height and density of the proposal is acceptable. The impact on the amenity of future occupiers and neighbours is acceptable, with only a minor infringement with regards to daylighting. The proposal is acceptable in all other respects, subject to suitable conditions.

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDEL03, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES10, LDES11, LEN08, LEN09, LEN13, LEN14, LEN15, LEN16, LEN20, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, LTRA09, NSG, NSGD02,

Report

Application for Approval of Matters Specified in Conditions 18/02721/AMC

**At Granton Harbour, West Harbour Road, Edinburgh
Application for approval of matters conditioned regarding the erection of buildings containing 18 houses and 144 flats; formation of road access, parking, private and public open space. Plots K, O, P, Q U, T.**

Recommendations

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

Background

2.1 Site description

The site is irregular in shape, covering approximately 2.46 hectares. It stretches from West Harbour Road to the south and Hesperus Crossway to the north. The northern part of the site is currently vacant land. The southern part of the site contains various industrial style buildings and the land is occupied by plant/scaffolding hire companies.

It has a zigzag eastern boundary with a number of business/industrial uses and buildings on land immediately to the east. The western boundary of the site is formed by the western breakwater.

A flatted residential scheme is currently under construction to the north of the site, with an existing residential development rising up to seven storeys adjacent to this. To the south are more business/industrial uses.

Access is currently from the south west corner from West Harbour Road. The site can also be accessed from Hesperus Crossway, but fencing is currently in place to prohibit this.

2.2 Site History

Relevant history to the site:

20 June 2003 - Outline planning permission granted for the Granton Harbour Village, mixed use development comprising residential units, hotel and serviced apartments, shops and retail /services, restaurants /cafes, public houses, general business, leisure facilities and marina. This permission includes a legal agreement to secure contributions towards education and transportation infrastructure, 15% affordable housing, restrictions on future tenancies within Granton Industrial Estate and the long term maintenance and upkeep of the Western Breakwater (application number: 01/00802/OUT).

31 January 2014 - Application approved for matters specified in condition 2 as attached to outline permission 01/00802/OUT: covering siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes. This was subject to a number of conditions (application number: 13/04320/AMC).

2 February 2017 - Approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes (Scheme 2) approved. However, the matters applied for in relation to plots 8C, 12,14, 15, 15A, 16, 17, S1, S2 and 35 are not approved (application number: 16/05618/AMC). This is the most up to date masterplan for the Granton Harbour area.

31 May 2017 - Application submitted for approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design, and configuration of public and open spaces, access, road layouts, footpaths and cycle routes at Granton Harbour, West Harbour Road (application number: 17/02484/AMC). Not yet determined.

Other recent applications within Granton Harbour plots:

1 October 2018 - Approval of Matters Specified in Conditions in outline application 01/00802/OUT regarding the development of Health Hub (Class 2) and retail units (Class 1) (as amended) approved on Plot 19B to the east of the site approved (application number 18/01145/AMC).

13 March 2018 - Application granted for the change of use of building and land from Class 6 to Class 5 to include building operations and siting of plant to permit use of existing warehouse building as a micro distillery at 29 Sealcarr Street to the east of the site (application number: 17/03297/FUL).

Main report

3.1 Description Of The Proposal

The proposal seeks to primarily deal with the matters specified in condition 2 of the outline planning permission 01/00802/OUT. The matters specified in condition 2 include detail of the siting, design and height of development including external features; design and configuration of open spaces; floor levels external finishes and materials; car and cycle parking, access, road layouts and service areas; footpaths and cycle routes; boundary treatments; and hard and soft landscaping details.

Information has also been submitted to deal with other more general conditions on the outline permission. In summary, these are:

3a) Noise assessment;

3b) Site survey and measures relating to landfill gases and any required protective measures;

3c) Site survey relating to contamination and any required remedial/protective measures;

6) Surface Water disposal arrangements; and

14) Drainage.00.

The proposal is for a total of 162 residential units. This is a mixture of 144 flatted properties and 18 terraced houses. This is split into:

- 61 x one bedroom flats
- 63 x two bedroom flats
- 20 x three bedroom flats
- 18 x three bedroom houses

Block A and B are both six storeys high and contain 66 units each. These two blocks mirror each other and are located in the northwest and southwest sections of the site. Both blocks are L-shaped with return sections and provide frontage onto the proposed crescent and adjacent area of open space (approximately 3,200 sqm). An area of open space covering approximately 2,800 sqm is located within the centre of the site and separates the blocks.

Block C fronts onto the proposed Ross Kestrel Drive and is located adjacent to the Block B. This is six storeys high and contains 12 flats.

The proposed flats have large windows and ordered fenestration. Stone cladding is the main material. Large triple height, bronze metal cladding is proposed to frame the entrance areas. The top storey is recessed with the use of the bronze cladding continued. Bronze coloured aluminium windows and rainwater goods are also proposed.

At the north of the site, fronting onto Hesperus Crossway is a series of two storey terraced houses. The 18 houses are split into Blocks D, E, F and G. These have small front gardens and larger rear gardens. To the east of the terrace of houses is a further area of open space covering approximately 670 sqm.

The houses have pitched roofs and are traditional in style. The lower storey incorporates stone cladding and the white render panels are used for the upper storey. On the protruding gables coloured render panels are to be utilised. Grey windows, doors and rainwater goods are proposed. Fibre cement tiles are to be used for the roofing material.

A series of streets are proposed, but due to the awkward site, many are only taken up to the boundary with the adjacent land, where a 1.8 metre high composite timber fence, with climbing plants, is proposed. Boundaries elsewhere are a mixture of stone walls and railings / hedges.

A total of 162 car parking spaces have been proposed. Basement car parking is proposed for Blocks A and B accessed via a ramp to the rear of the blocks from the 'mews streets'. Block A contains 66 spaces and Block B contains 78 spaces (12 spaces for Block C are also provided here). The car parking for the terraced houses is located in a courtyard to the rear of Block D and E and on spaces taken off the road between Block F and G. One space is provided for each house.

There are 19 accessible spaces proposed within the development. The applicant has indicated that all car parking spaces associated with the flatted blocks will be equipped with electrical vehicle charging points. Seven motorcycle spaces are also proposed.

The houses have garden space to accommodate cycle parking. A total of 288 cycle parking spaces are proposed for the 144 flatted units.

Supporting Statements

The following documents have been submitted in support of the application:

- Design and Access Statement;
- Daylight and Sunlight Report;
- Flood Risk Assessment and Surface Water Management Plan;
- Energy Statement;
- Sustainability Form;
- Noise Assessment; and
- Environmental Risk Assessment.

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

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the development complies with the planning permission in principle;
- b) the details of the development are acceptable;
- c) there are any other material considerations;
- d) the representations have been addressed.

a) Principle

The outline planning permission for Granton Harbour (01/00802/OUT) supports residential use on the site as part of a wider mixed use development. This application for 162 residential units accords with the outline permission in terms of land use.

The site is located within the Granton Harbour Area at Granton Waterfront, as identified in the Edinburgh Local Development Plan (LDP). It is covered by Proposal EW2c for housing led mixed use development across Granton Harbour. Policy Del 3 of the LDP supports proposals which meet a number of requirements including the provision of a series of mixed use sustainable neighbourhoods that connect with the waterfront and proposals for a mix of house types, sizes and affordability.

The most recent approved masterplan (application number 16/05618/AMC) and previous iterations show residential development on the site.

The legal agreement attached to the outline permission requires 15% affordable housing provision across Granton Harbour. The most recently approved master plan proposes 2,235 residential units in total. Fifteen percent of this is 335. This has already been secured on other sites with Granton Harbour and therefore no affordable housing is required in this proposal.

The principle of development is acceptable.

b) Acceptability of the Details

Design, Scale and Layout:

LDP Policies Des 1 - Des 8 set a requirement for proposals to be based on an overall design concept which draws on the positive characteristics of the surrounding area with the need for a high quality of design which is appropriate in terms of height, scale and form, layout and materials.

Design and Materials:

The design of the flats is modern and contains well-ordered elevations that utilise large windows in a standardised pattern. Interest is added through the use of recessed areas in the frontages and large metal cladded areas that highlight the entrance points to the flats. The metal cladding used at the entrance areas is continued to the top storey, where a recessed element is proposed. The use of sandstone as the main material is acceptable in this location where a number of other materials have been proposed or delivered in the wider site. The simple material palette also avoids a patchwork effect utilised elsewhere in the harbour area.

The two-storey terraced houses are of a simple design. The protruding gable element provides interest. The use of sandstone cladding for the ground floor ties the development in with the other proposed flatted blocks. White render and a series of coloured renders on feature panels have been proposed. The design and use of coloured render is described in the Design and Access Statement as providing a form and colour that references beach huts. These would be a distinct addition to the harbour area.

More recent approvals in the Granton Harbour area have contained brick as the primary facing material rather than render. The render on the existing older flatted buildings has not weathered well. However, the proposed houses will be at a lower level and a condition is proposed for sample panels to demonstrate the quality of the materials to be used.

In terms of housing mix, the proposal contains a range of house/flat types and sizes. The Edinburgh Design Guidance (EDG) expects that 20% of units should be homes for growing families with at least three bedrooms. The proposals contains 38 units (23%) with three or more bedrooms. The internal floor areas comply with the recommended minimum sizes in the design guidance. The mix and size of house types are acceptable in the context of Policy Hou 2 Housing Mix.

In summary, the proposed design and materials are acceptable.

Height and Scale:

There is a mixture of six storey flats and two storey houses. The two storey houses front onto Hesperus Crossway and provide lower scale family housing in an area where predominately flatted blocks are proposed. Lower density housing next to higher flatted development is not uncommon within Edinburgh.

The Granton Harbour area contains a mixture of heights. These are either delivered on site or at various stages within the planning process. To the north there is an existing flatted development that rises up to seven storeys, with a similar sized building adjacent to this currently under construction. Further east of the site, approval has been given for residential flats also up to seven storeys in places and retirement flats up to six storeys.

The height of the proposed blocks is not out of context within the area. Representations have pointed out that previous masterplans have shown this as two and three storey developments, including the mostly recently approved (in part), but earlier masterplans have also been approved for up to 9 storeys in this area.

The LDP sets out, amongst other matters, that development at Edinburgh Waterfront should create distinctive high density urban quarters. The proposed heights are appropriate in the context of the wider Granton Harbour site.

The density of the proposal is 90 dwellings per hectare (dph). This is calculated on a 1.788 ha site, once the larger areas of public open space (0.672 ha) are subtracted. For comparison purposes, Marchmont tenements have a density of 99 dph as referenced in the Edinburgh Design Guidance.

Recent approval has been given for Plots S1 and S2 within Granton Harbour and this has a density of 151 dph. Consequently, the density proposed is not overdevelopment of the area as suggested in objections to the proposal.

The height, scale and density of the development are acceptable.

Layout:

LDP Policies Des 4 Development Design - Impact on Setting and Des 7 Layout Design set out that developments should have regard to the position of buildings on the site and should include a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths and open spaces.

Policy Des 2 Co-ordinated Development states that planning permission will be granted for development which will not compromise: a) the effective development of adjacent land; or b) the comprehensive development and regeneration of a wider area as provided for in a master plan, strategy or development brief approved by the Council.

The site has an unusual boundary, which is reflective of land ownership. However, the layout of the streets and open spaces follows that of the general masterplan layout.

The larger flatted blocks (A and B) and the two storey terraced housing are positioned in the same locations as shown in previous iterations of the masterplan. These do not hinder future phases of development coming forward.

The Design and Access Statement and plans show how the site will fit in with the adjacent areas. Such as how Block C fits in with the adjacent land or how leftover space could be developed out in the future.

Overall, the layout follows that of the previous proposed masterplans and is set out in a way that will allow co-ordinated development with the adjacent sites.

Open Space:

LDP Policy Hou 3 Private Green Space sets out that for flatted developments there should be 10 sqm of open space provision per flat except where private space is provided. The terraced housing all have private gardens.

In terms of numbers, Block A has access to approximately 1250 sqm of space, Block B 1000 sqm and Block C 300 sqm, which is above the 10 sqm requirement for the blocks. The ground floor flatted units also have access to garden areas.

The general location of the large central areas of public open space meets that shown in the previous iterations of the masterplan. The design of the open space is considered further in the landscape section.

Privacy, Daylighting and Sunlighting:

The orientation of the blocks results in no immediate privacy or overlooking issues within the proposed development. The proposed development is over 30 metres away from the existing flats and consented flats on Hesperus Crossway and therefore raises no issues with privacy distances.

In terms of daylighting, the proposals will not impact on the proposed development to the north. The submitted daylighting information is based on out of date information that states that detailed permission has not been granted for plots 26, 27 and 28 to the north of the site. Plot 28 is completed and Plot 27 is under construction. However, the proposed development of mainly two storey houses on this part of the application site is unlikely to impact on this.

The daylight report does indicate that the design of the houses with the protruding gable will have some impact on daylighting on the ground floor houses themselves in the northwest elevation. However, there is an additional window in the southwest elevation that will limit any impact.

Four windows in the ground floor of Block B in corner elevation, where the building returns on itself will not meet the Vertical Sky Component recommended value of 27%. These windows are associated with two flats.

This relates to one bedroom in one flat where the value is 18.3%. The other three windows are all within one flat - two within one bedroom and one within the associated ensuite bathroom window. The values for the two bedroom windows are 22.12% and 26.27% and the ensuite window is 19.36%.

Less protection is given to bathroom windows and the bedroom with the two windows is only marginally below the 27% recommended value. The other bedroom is lower, but given the limited amount of infringements across the development it is acceptable. The infringement also relates to a proposed building and it is not being imposed on an existing property.

Analysis has been provided to show that the open space areas will receive enough sunlight in line with the Edinburgh Design Guidance recommendation.

The proposal does not raise any overriding concerns in relation to privacy, daylighting and sunlighting.

Transport Matters

Access, road layouts and alignments and servicing:

The accesses to the proposed development from Hesperus Crossway and West Harbour Road Street are acceptable in principle. The part road layout proposed due to the application sites boundary matches that anticipated in various masterplan iterations for this part of the site.

Waste Services is content with the information submitted in relation to the swept path analysis to demonstrate access for the refuse vehicle and the location of the bin stores.

Footpaths and cycle routes:

The site is adjacent to the existing foot/cycle path that runs east/west along Hesperus Crossway and north/south along Hesperus Broadway and Chestnut Street.

Along the western boundary of the site is the Edinburgh Waterfront Promenade cycleway/footpath. This is safeguarded in the LDP. The application makes provision for a five metre wide path, narrowing to four metres where it meets the road. This is a sufficient width of promenade within this part of the harbour, with the adjacent area of open space providing additional comfort and safety for future users.

The site is shown as being in an area with good public transport accessibility in the EDG. Bus stops are located approximately 400m from the site on Chestnut Street and on Hesperus Crossway. There are also bus stops to the south of the site on Waterfront Avenue. There are a number of Lothian Bus Services (numbers 24 and 47) that provide links to and throughout the city. Further buses are also available from Granton Square (numbers 16, 19 and 32). A tram safeguard along West Harbour Road and Waterfront Avenue, with a tram stop at Granton Square and on Waterfront Avenue indicatively identified. The proposed development will not interfere with the tram line safeguard.

Car and cycle parking:

Policy Tra 2 Private Car Parking states planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance. The supporting text to Policy Tra 2 sets out that a purpose of the policy is to generally fulfil the wider strategy of encouraging sustainable, non-car modes.

The 2017 EDG parking standards permit a maximum of 162 car parking spaces (one space per unit) in this location, 162 spaces are proposed within the development. Basement car parking is proposed for the flatted blocks amounting to 144 spaces. The use of the basement parking reduces the need for surface car parking and enhances the quality of the urban environment.

The 18 car parking spaces associated with the terraced housing are provided at surface level, but the visual impact of this has been lessened by its location in a restricted number of areas: for blocks D and E in a back-court position and for blocks F and G in a local access street.

All the basement parking is proposed to be equipped for electric charging, above the 1 in every 6 requirement set out in the design guidance. Nineteen spaces are proposed to be accessible, which meets the guidelines.

In terms of cycle parking, for the 144 flatted properties the EDG standards require 303 cycle spaces. The applicant has indicated that 288 spaces are proposed within the basement area, with a mixture of racks to be provided. However, further information is required as the numbers in the basement plans do not tie up. Therefore in this instance a condition is recommended to secure full details and locations of the cycle parking.

There is no requirement to provide dedicated cycle storage for the houses.

Transport matters have been adequately dealt with, subject to conditions.

Landscaping:

Landscape Design:

Detailed landscape plans and a maintenance schedule have been provided to support the application.

Hornbeam street trees are proposed in the main public areas and tie in with those proposed elsewhere within the masterplan area to provide cohesion. Within the more private areas a variety of trees such as birch, cherry and rowan are introduced.

The larger areas of open space are formed from open grass lands to allow for a flexible, multifunctional place. It includes earth mounding and multi-stem trees to provide shelter and enclosure. Details of street furniture, such as seating has also been provided. A place space is proposed within the larger central open space area.

Boundary Treatments:

A range of boundary treatments are proposed with various stone walls proposed throughout the development, with some incorporating wrought iron fences or supplemented with hedging. These will provide high quality boundaries. A composite timber fence is proposed to separate the site from the adjacent uses. Due to the temporary nature of the fence, climber and scrambling shrub planting it proposed to soften this boundary treatment.

Overall the design of the open space and proposed boundaries adequately deal with the relevant reserved matters.

Flooding and Drainage

The reserved matter relates to floor levels and associated information to support the levels. Condition 6 on the outline permission relates to surface water disposal arrangements and condition 14 relates to sustainable urban drainage.

The applicant has provided the relevant flood risk assessment and surface water management information for the site as part of the self-certification (with third party verification) process. The proposals meet the Council's requirements.

SEPA support the proposed finished floor levels which are set at a minimum of 6.0m which is above SEPA's previously recommended level of 5.07 AOD and above that recommended in the submitted flood risk assessment. Further information has also been provided to deal with SEPA's original objection in relation to foul drainage.

The information submitted satisfactorily deals with this reserved matter and conditions 6 and 14 for the application site.

c) Other Material Considerations

Noise:

A Noise Impact Assessment has been provided as required by condition 3a) of 01/00802/OUT. Environmental Protection has considered the assessment and does not object to the application on noise grounds. A condition in relation to acoustic glazing is recommended.

Site investigation:

Site investigation information has been submitted in support of the application as required under condition 3b) and c) of the outline permission. This is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed.

Sustainability:

The applicant has submitted a Sustainability Statement and an Energy Statement in support of the application. Part A of the standards is met through the provision CHP generators and photovoltaic systems. The proposal is a major development and meets the requirements of Part B of the standards.

The proposal meets the essential criteria. In addition, the applicant has provided a commitment to further sustainability measures as set out in the desirable elements sections. Additional measures include the use of electric vehicle charging points, rainwater harvesting and a commitment not to use tropical hardwood.

Archaeology:

The Archaeology Officer has requested that a programme of work is undertaken prior to any development commencing on this site and has recommended a condition. The site boundary of this application covers the southwest corner of Granton Harbour where historic maps show an early 19th century shipyard.

Condition 5 on the original outline permission related to the implementation of archaeological work. Some work has been undertaken up to 2008 in the wider harbour area, but no work has been undertaken within this application site. As there is an existing condition there is no requirement to for a further condition. An informative is recommended to advise the applicant that further archaeological work is required on this site.

d) Public Comments

Material representations - objection

Design Matters:

- Design of the houses, including coloured render, out of keeping with rest of the development - assessed in section 3.3b).
- Poor quality materials proposed - assessed in section 3.3b).
- Proposal reduces the areas sense of place - assessed in section 3.3b).
- Move away from the original masterplan - assessed in section 3.3b).
- Visual impact on this part of Granton Harbour - assessed in section 3.3b).
- Lack of provision for community uses - not directly relevant to this application, facilities proposed elsewhere.

Housing Mix:

- Increased number of flats proposed at the detriment of houses - assessed in section 3.3b).

Height and density:

- Proposed flats too high and monolithic in form - assessed in section 3.3b).
- Increase in density from previous proposals - assessed in section 3.3b).
- More high-rise properties - assessed in section 3.3b).

Landscape/Open Space:

- Limited green space and lack of quality - assessed in section 3.3b).
- Lack of sustainable landscape management proposals - assessed in section 3.3b).

Amenity:

- Overshadowing - assessed in section 3.3b).
- Loss of privacy - assessed in section 3.3b).
- Impact on local amenities and infrastructure - other uses proposed on adjacent sites.

Transport:

- Impact on transport infrastructure and need for improvement of adjacent roads - assessed in section 3.3b).
- Impact on parking - assessed in section 3.3b).
- Peripheral road obstructs the possibility of extending shared public open space to the shoreline - promenade proposed along this part of the shoreline.

Drainage:

- Inadequate provision of sustainable urban drainage - assessed in section 3.3c).

Non-material:

- Intentions of the applicant.
- Public engagement.

Community Council

The community council did not comment on the application.

Conclusion

The principle of housing is established on the site and the layout, design, materials, height and density of the proposal is acceptable. The impact on the amenity of future occupiers and neighbours is acceptable, with only a minor infringement with regards to daylighting. The proposal is acceptable in all other respects, subject to suitable conditions. There are no material considerations that outweigh this.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. Prior to the commencement of construction works, a scheme for the provision of a play area as outlined on drawing number LCD_IS_GH_LP_PK-U_HW01_Rev B shall be submitted for the consideration of the Planning Authority and no work shall begin until written approval has been given. Details to be submitted include:
 - i. type and location of play equipment, seating, fences, walls and litter bins
 - ii. surface treatment of the play area
 - iii. proposals for the implementation/phasing of the play area in relation to the construction of houses on the site.

Thereafter all works required for the provision of play area shall be completed in accordance with the scheme approved in writing by the Planning Authority.

3. The approved landscaping scheme shall be fully implemented within six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the Planning Authority.
4. Prior to the commencement of the construction works full details including technical data on acoustic glazing required to mitigate traffic noise affecting 'Block A' shall be submitted to the Planning Authority for approval in writing and thereafter implemented in accordance with the approved details.
5. Prior to the occupation of the residential units, the section of the promenade and associated works as shown on in plan references A-P-00-G7-901 F (Council plan reference 02B) and A-P-00-G1-010 B (Council plan reference 20B) shall be constructed.
6. i) Prior to the commencement of construction works on site:

- a) A site survey (including initial desk study as a minimum) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
 - ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
7. Prior to the commencement of development, details of the proposed cycle parking regarding location, specification and design to be submitted Planning Authority for approval in writing. This shall meet the council's minimum standards.

Reasons:-

- 1. In order to enable the planning authority to consider this/these matter/s in detail.
- 2. In order to enable the planning authority to consider this/these matter/s in detail.
- 3. In order to ensure that the approved landscaping works are properly established on site.
- 4. In order to protect the amenity of the occupiers of the development.
- 5. In order to ensure that the approved works are properly established on site.
- 6. In order to ensure the most efficient and effective rehabilitation of the site.
- 7. In order to ensure the adequacy of facilities for cyclists.

Informatives

It should be noted that:

- 1. Developer contributions are required in accordance with the legal agreement attached to application 01/00802/OUT.
- 2. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or fifteen years from the date of the outline planning permission, whichever is the later.

3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
5. Further archaeology work is required for this site in line with condition 5 on the outline.
6. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
7. The applicant will be required to demonstrate that the road "Hesperus Crossway" is built to an adoptable standard, including carriageway, footways, footpaths, accesses, cycle tracks, verges and service strips;
8. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent. Street and road designs should be in-line with the Edinburgh Street Design Guidance Fact Sheets, with a particular focus on vehicle speed reduction measures as well as pedestrian and cyclist priority
9. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.
10. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity.

11. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.
12. In support of the Council's LTS Cars1 policy, City Car Club vehicles could be considered for this development to further promote sustainable travel;
13. External cycle parking that is easily accessible, overlooked and close to building entrances should also be considered for this development.
14. Electric vehicle charging points should be installed in accordance with Transport Scotland's Switched On Scotland Phase Two: An Action Plan For Growth (2017).
15. When available the applicant shall provide details of all the boilers to Environmental Assessment to ensure compliance with the Clean Air Act 1993.

Financial impact

4.1 The financial impact has been assessed as follows:

An existing legal agreement is in place for 01/00802/OUT to which this proposal relates to. The agreement required contributions towards transport and education infrastructure. The required transport contributions have already been paid by the previous owner of the site and this part of the legal agreement has been discharged. The relevant education clause requires payment of £1,366 per residential unit (index linked).

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 6 July 2018 and attracted 50 letters of objection.

The representations are addressed in the Assessment Section of the report.

Background reading/external references

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

**Statutory Development
Plan Provision**

The site is located within the Urban Area as shown on the Local Development Plan proposals map. The land is identified as being within Edinburgh Waterfront. Proposal EW 2c (Granton Harbour) states that the area is for a housing-led mixed use development. It sets out a number of Development Principles. These include that proposals will be expected to:

- Complete the approved street layout and perimeter block urban form.
- Provide a housing mix that is appropriate in terms of place-making and would maximise completions within this urban regeneration proposal within the plan period.

Date registered

13 June 2018

Drawing numbers/Scheme

01,02B,03A,04C,05A,06A,07C,08,09B,10-19,20B,21B,25-32,33B,,34B,35,36-42,

Scheme 1

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

LDP Policy Del 3 (Edinburgh Waterfront) sets criteria for assessing development in Granton Waterfront and Leith Waterfront.

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

LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

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

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

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

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

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

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

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

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

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

LDP Policy Env 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 13 (Sites of International Importance) identifies the circumstances in which development likely to affect Sites of International Importance will be permitted.

LDP Policy Env 14 (Sites of National Importance) identifies the circumstances in which development likely to affect Sites of National Importance will be permitted.

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

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

LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

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

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

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

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

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

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

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

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

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

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

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

Relevant Non-Statutory Guidelines

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

Appendix 1

Application for Approval of Matters Specified in Conditions 18/02721/AMC

**At Granton Harbour, West Harbour Road, Edinburgh
Application for approval of matters conditioned regarding the erection of buildings containing 18 houses and 144 flats; formation of road access, parking, private and public open space. Plots K, O, P, Q U, T.**

Consultations

Archaeology Officer comment - dated 3 July 2018

Further to your consultation request I would like to make the following comments and recommendations in respect to this application for approval of matters conditioned regarding the erection of buildings containing 18 houses and 144 flats; formation of road access, parking, private and public open space. Plots K, O, P, Q U, T.

I refer you to my earlier comments in response to 01/00802/OUT and subsequent AMC applications (06/03636/REM, 13/01013/AMC, 13/04320/AMC, 14/05305/AMC, 17/05120/AMC etc.) which outlined the archaeological significance of the Granton Harbour redevelopment site. In this site has been identified as being of archaeological importance overly both the western arm of the harbours breakwater and the site of a 19th century shipyard and associated slipway. Therefore, this application must be considered under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh Local Development Plan (2016) policies DES 3 & ENV9.

Although an outline archaeological mitigation strategy was agreed for the redevelopment of Granton Harbour in response to the original 2001 Outline application, no work has been undertaken to date on this application site. This will require the undertaking of a phased programme of investigation of the site, the first phase of which will be a 10% evaluation. The results of which will inform the scope any further mitigation required to fully record and analyse any significant remains affected.

It is therefore it is essential that the following condition is attached to this PPP application to ensure the completion of this archaeological programme of works;

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

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

Enabling and Partnerships (Affordable Housing) comment - dated 3 July 2018

1. Introduction

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

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

- The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*
- This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.*
- An equitable and fair share of parking for affordable housing, consistent with the relevant parking guidance, is provided.*

2. Affordable Housing Provision

This application is for a residential development consisting of 162 residential homes. The application falls within the remit of the Granton Harbour Master Plan which requires only a 15% affordable housing provision across the entire development area. This 15% will be met by other developments within the wider Master Plan area and therefore there is no duty to provide affordable housing at this individual development in line with the standard AHP.

In terms of accessibility, the affordable homes are situated within close proximity of regular public transport links and are located next to local amenities in Granton.

3. Summary

The applicant is exempt from the standard 25% AHP provision requirement as the 15% affordable housing target across the entire Granton Harbour Master Plan has already been achieved.

Economic Development comment - dated 4 July 2018

The following are comments from the City of Edinburgh Council's Economic Development service relating to planning application 18/02721/AMC for the development of 18 houses and 144 flats along with roads, parking areas and open space at plots K, O, P, Q, U, and T of Granton Harbour, Edinburgh.

Commentary on existing use

The application relates to a 2.46-hectare site within Granton Harbour. The site is bounded by the Firth of Forth to the northwest and Hesperus Crossway to the northeast, with an irregular boundary to the southeast and southwest abutting several industrial properties. The site is made ground reclaimed from the Firth of Forth via infilling. Most of the site has never been developed.

The site is currently occupied by a single property: a 425 sqm depot at 53 West Harbour Road, currently occupied by an engineering company engaged in plant hire. Based upon an average employment density for light industrial activities of one full-time equivalent employee per 47 sqm, this property could, if fully occupied, be expected to directly support approximately 9 FTE jobs (425 / 47). Based upon a mean gross value added per employee for the administrative and support service activities sector (which includes rental and leasing activities) in Edinburgh of £35,628 per employee (2016 prices), this property could, if fully occupied, be expected to directly support approximately £0.32m of GVA per annum (2016 prices) (£35,628 x 9).

The site falls within the Granton Harbour area of the Edinburgh Waterfront strategic development area, which is allocated for housing-led mixed-use development (with an estimated remaining capacity at the time of publishing the Local Development Plan of 1,634 units). The most recent iteration of the wider Granton Harbour masterplan to have been granted consent showed a remaining capacity of 1,987 units.

As the site is over one hectare and currently home to employment uses, it is understood that policy EMP 9 of the LDP will apply; this policy requires that "the proposal includes floorspace designed to provide for a range of business users". The proposals do not include any business space. However, it is recognised that the approved wider Granton Harbour masterplan does not require class 4/5 space in the area in question.

Policy EMP 9 also requires that "the introduction of non-employment uses will not prejudice or inhibit the activities of any nearby employment use". The development as proposed will border multiple industrial properties: a warehouse at 50A West Harbour Road; warehouses at 52B(1) and 52B(2) West Harbour Road; a yard at 2 Chestnut Street; and a mix of six workshops and warehouses at 23 to 37 Sealcarr Street. These properties could potentially negatively impact on the amenity of nearby residential properties via noises, smells, etc. Notwithstanding that the approved masterplan shows the existing industrial properties being redeveloped, it is necessary that the development as proposed does not "prejudice or inhibit" the activities of these properties.

The Edinburgh Waterfront Development Principles state that development proposals at Granton Harbour should "complete the relevant section of the waterside Edinburgh Promenade". The route of the Edinburgh Promenade, as set out by the approved Edinburgh Promenade Design Code and as safeguarded by the Local Development Plan, runs parallel with the harbour breakwater and therefore runs along the western edge of the application site. The designs in the application in question show a parallel cycle path and foot path following this route. The sections of Promenade that have been delivered to date elsewhere in Edinburgh are non-segregated shared surfaces and the design of any new sections should follow this principle. The cycle path and foot path as shown are together 4m wide with green space on one side only. The Edinburgh Promenade Design Code specifies a standard of an 8m clear paved surface flanked on both sides by a 1m belt of landscaping "to incorporate seating and sheltered enclaves".

While the Design Code acknowledges that a 10m wide Promenade will not be achievable or desirable in certain sections, in this instance it is considered that there is scope to widen the paved area of the Promenade by encroaching onto the public green space. The alignment of the Promenade and the carriageway at the junction of West Harbour Road and Ross Kestrel Crescent may require further analysis as the current designs introduce a chokepoint adjacent to a sharp bend which, coupled with the lack of landscaping as a buffer between the Promenade and the carriageway, could give rise to safety issues.

Commentary on proposed uses

Class 9 - Houses / sui generis - Flats

The development as proposed would deliver 162 residential units. These would not be expected to directly support any economic activity beyond potentially a small number of jobs in factoring and personal services such as housekeeping. However, the units could be expected to support economic activity via the expenditure of their residents. Based on average levels of household expenditure in Scotland, the residents of the 162 units could be expected to collectively spend approximately £4.15m per annum. Of this £4.15m, it is estimated that approximately £2.15m could reasonably be expected to primarily be made within Edinburgh. This £2.15m could be expected to directly support approximately 27 jobs and £0.80m of GVA per annum (2016 prices) in Edinburgh, primarily in the retail, transport and hospitality sectors.

SUMMARY RESPONSE TO CONSULTATION

It is calculated that the existing property on the site could, if fully occupied, directly support 9 FTE jobs and £0.32m of GVA per annum (2016 prices). By comparison, it is estimated that expenditure by residents within the proposed development could support 27 jobs and £0.80m of GVA per annum (2016 prices).

It is necessary that the development not prejudice the activities of the adjacent existing industrial units in line with policy EMP 9 of the Local Development Plan.

The development proposals incorporate a cycle/foot path in line with the safeguarded route of the Edinburgh Promenade, which is welcomed. The proposals show a separate cycle path and foot path whereas the sections of Promenade that have been delivered to date are non-segregated shared surfaces; the design of any new sections should follow this principle. The proposed path is only 4m wide whereas the Promenade Design Code specifies a standard width of 8m paved with 1m of landscaping on either side - it is suggested that this path could be widened.

This response is made on behalf of Economic Development.

Waste Services comment - dated 23 July 2018

I have been asked to provide the comments to the application 18/02721/AMC on behalf of Waste and Cleansing Services. I have provided below some general information in relation to this development, but the detailed arrangements need to be agreed with myself at later stage. The architects or developers should liaise directly with me at earliest point via email at anna.napiorkowska@edinburgh.gov.uk

Compliance with Waste Strategy (Domestic Waste Only)

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

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

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

Operational Viability

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

With regards to the application 18/02721/AMC I would require a confirmation on the positioning and sizes of bin stores, pulling distances from bin stores to collection points.

Finally, a confirmation of the distance the refuse vehicle will be expected to reverse is essential to ensure the crews can safely enter, service and exit the site.

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

Environmental Protection comments - dated 27 February 2018

Environmental Protection has commented on a similar application for this site (17/05120/AMC) which was an application for approval of matters conditioned regarding the erection of buildings containing 18 houses and 144 flats; formation of road access, parking, private and public open space.

As the current application is an AMC application relating to the outline planning permission, there is already consent for an acceptable quantum of development on the site. This application is for the development of three new blocks of flats comprising 144 units and 18 terraced houses. The proposals within this application include development of the total area of plots 21 & 22 and partial development of plots 19B, 20A, 20B and 23A make up the following: Plot 19B - 4 terraced houses, public open space Plots 20A & 20B - 8 terraced houses, 12 flats, public and private open space, car parking Plot 21 - 66 flats, 6 terraced houses, public and private open space, car parking Plot 22 - 66 flats, public and private open space, car parking Plot 23A - public open space. All private parking to blocks A, B, and C is provided in the below ground car park on a 1 space per apartment (Total 144) basis with all other private parking plus an additional 20% allowed for visitor parking allocated in on-street provision. Secure cycle parking is also proposed in the secure parking area.

The plots are bordered by West Harbour Road, Ross Kestral Crescent, North Breakwater road, Ross Kestral Drive and Ross Kestral Mews. The site is made up of several plots T, U K, O, P & Q. To the north west of the site is open water with some existing residential uses developed to the north (Merlin Ave). There are several commercial and industrial uses located to the south and east (Forth Industrial Estate) of the proposed development site.

Environmental Protection understands that plot-specific issues will be addressed through detailed development processes (assuming the Masterplan delivers no major shift in the content or context of the outline approval, including development phasing). This proposal follows what has been agreed in the masterplan however the density of this proposal has decreased. The indicative capacity approved in the most recent Masterplan (Y-2f) of plots 19B, 20A, 20B, 21, 22 and 23A is 192 Residential units. The present proposal is for 162 units which is not a major departure from the masterplan although it is noted that it is for partial development of some of the approved plots with the applicant advising that there may be a surplus area for future development to realise the original number in the approved masterplan with The application proposes 144 car parking spaces which is a welcomed reduction from the previous schemes proposed 226.

Noise

The applicant has submitted several noise impact assessments to assess the potential noise impacts on the various proposed blocks of residential buildings.

Plot T

Due to the proximity of Plot T to existing industrial and commercial activities within Forth Industrial Estate, and proposed commercial activities from Plot 19B, there is potential for industrial/commercial noise to impact upon future residents of the proposed development. It should be noted that Environmental Protection have not received any noise complaints from the existing nearby residential properties located on Merlin Avenue.

Existing and proposed industrial/commercial noise sources have been assessed. Daytime external garden noise is predicted to meet target noise criteria at the most exposed properties. Day and night-time internal noise is predicted to meet target noise criteria with open windows at the most exposed houses in Plot T.

Plot K, O,P & Q

The site is bound by West Harbour Road to the south, Plot U to the north, with existing industrial units to the east. The proposed development comprises a six-storey apartment block (Block A).

Due to the proximity of the site to West Harbour Road, there is potential for road traffic noise to impact upon future residents of the proposed development. There are existing industrial/ commercial units to the east, west, south and north-east of the proposed apartments, therefore there is also the potential for noise from these sources to impact on future residents.

The noise impact assessment for 'Block A' shows that internal road traffic noise levels during the daytime will exceed target noise criteria with standard specification closed windows.

In order to reduce the daytime internal noise to within target criteria, glazing with a sound reduction index of at least 36dB(A) is required. To allow for ventilation whilst achieving internal noise criteria, windows incorporating acoustically attenuating trickle ventilators will need to be installed to any bedroom windows on the south, east and west facing elevations of Block A. The ventilators will need to have as a minimum a sound reduction level $D_{n,e,w}$ of at least 35dB in the 500Hz octave band. If two trickle ventilators are to be installed within the same room, the $D_{n,e,w}$ should be 38dB. If further trickle ventilators are to be installed to the same room, the $D_{n,e,w}$ should be increased by 3dB per extra ventilator. Windows shall remain openable at the occupiers' choice for purge ventilation if required.

Environmental Protection shall recommend a condition is attached to ensure specific details on the required acoustic glazing is submitted when the information is available. Environmental Protection will require specific details on the proposed acoustic glazing including an elevation highlighting all the glazing units requiring upgraded glazing.

Plot U

To the south the site is bound by proposed residential development Plots K and Q. Existing industrial/commercial units are located to the south, south-east and south-west. The proposed development comprises flats and houses (Blocks B, C & D).

Existing industrial/commercial noise sources have been assessed. Daytime external garden noise is predicted to meet target noise criteria at the most exposed properties. Day and night-time internal noise is predicted to meet target noise criteria with open windows at the most exposed houses in.

Land contamination

Environmental Protection has received information regarding the outline consent for Granton Harbour (01/00802/OUT). The applicant has submitted an updated Ground Investigation Report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed.

Air Quality

Planning Advice Note (PAN) 51: Planning, Environmental Protection and Regulation 3 sets out the Scottish Executive's core policies and principles with respect to environmental aspects of land use planning, including air quality. PAN 51 states that air quality is capable of being a material planning consideration for the following situations where development is proposed inside or adjacent to an Air Quality Management Area (AQMA):

- o Large scale proposals.*
- o If they are to be occupied by sensitive groups such as the elderly or young children.*
- o If there is the potential for cumulative effects.*

The planning system has a role to play in the protection of air quality, by ensuring that development does not adversely affect air quality in AQMAs or, by cumulative impacts, lead to the creation of further AQMAs (areas where air quality standards are not being met, and for which remedial measures should therefore be taken.

AQMAs have been declared at five areas in Edinburgh - City Centre, St John's Road (Corstorphine), Great Junction Street (Leith) Glasgow Road (A8) at Ratho Station and Inverleith Row/Ferry Road. Poor air quality in the AQMAs is largely due to traffic congestion and the Council's Air Quality Action Plan contains measures to help reduce vehicle emissions in these areas. The Council monitors air quality in other locations and may require declaring further AQMAs where AQS are being exceeded. It is noted that a significant amount of development is already planned / committed in the area and additional development will further increase pressure on the local road network including the nearby AQMA's.

As this is a AMC application and does not propose a major shift from what has been previously been consented. Air quality issues had been considered in the form of conditions and legal agreements for the outline application (01/00802/OUT). As part of the outline application Environmental Health Officers reviewed the data and projections in the supporting reports, and was satisfied that the development could progress without breach to air quality objectives. It is noted that this was a long time ago. The submitted air quality information was a strategic air quality assessment but further consideration could be required to take account of the potential adverse impacts on local air quality because of vehicle exhaust emissions from road traffic generated by any of the forthcoming proposed detailed developments. This would also need to consider the possibility of air quality affecting the actual developments site and future residents. However as this is an AMC application there are limitations on what we can require.

Environmental Protection would raise some concern that the air quality impact assessment did not considered the worst-case scenario and is now outdated. Environmental Protection will require the City of Edinburgh Councils Transport Planning Officer to support the proposal. If there are any issues with the transport assessment then this likely would be an issue for Environmental Protection.

Reducing the need to travel and promoting the use of sustainable modes of transport are key principles as identified in the second Proposed Edinburgh Local Development Plan (LPD). The LDP also states growth of the city based on car dependency for travel would have serious consequences in terms of congestion and air quality. An improved transport system, based on sustainable alternatives to the car is therefore a high priority for the Council and continued investment in public transport, walking and cycling is a central tenet of the Council's revised Local Transport Strategy 2014-19.

Future developments should be encouraged to keep car parking numbers to a minimum, support car club with electric charging, provide rapid electric vehicle charging throughout development site, provide public transport incentives for residents/visitors/employees, improve cycle/pedestrian facilities and links, and contribute towards expanding the electric charging facilities throughout the city.

As mentioned Environmental Protection have raised concerns with the cumulative impacts developments especially large proposals some of which are on the green belt may have on local air quality. Some of the local roads in the area are already congested during peak hours. There will need to be serious changes to the modes of transport used in the area and any planned developments will need to ensure that sustainable transport infrastructure is incorporated into the final detailed designs and is fully supported by the City of Edinburgh Council's Transport Planning officers.

Already committed developments in the area include a considerable number of car parking spaces with some of these developments having still to be developed out. Environmental Protection have concerns that if only limited transport mitigation measures are adopted then this will not be enough to tackle air pollution. For example, the introduction of intelligent traffic signals may assist but the traffic signals need to be linked to all the traffic signals in the local area so they can work in synergy. These signals also only work up to a certain capacity and it is likely they would be quickly overwhelmed with traffic.

The Scottish Government in the 'Government's Programme for Scotland 2017-18 has a new ambition on ultra-low emission vehicles, including electric cars and vans, with a target to phase out the need for petrol and diesel vehicles by 2032. A range of actions underpins this to expand the charging network, support innovative approaches, and encourage the public sector to lead the way, with developers incorporating charging points in new developments. Given that this proposed development is anticipated to be developed out by beyond 2032 it would sensible to ensure the development is future proofed in this regard with 100% electric vehicle charging points provided as a minimum. The proposal includes 162 parking spaces with most of spaces located in the proposed basement. Installation of wall mounted chargers will be straightforward in the basement during the development stage. The applicant has committed to installing electric charging points 27 which is the minimum required as stated in the Edinburgh Design Standards. Environmental Protection would require the developer to consider installing 100% of the spaces with charging facilities.

The applicant is aware that there are now requirements stipulated in the Edinburgh Design Guidance must be achieved. Edinburgh has made progress in encouraging the adoption of electric/hybrid plug-in vehicles, through deployment of extensive charging infrastructure. As plug-in vehicles make up an increasing percentage of the vehicles on our roads, their lack of emissions will contribute to improving air quality, furthermore their quieter operation will mean that a major source of noise will decrease. Due to the outdated nature of the air quality information that underpins this application we would push the developer to address this by doing more than the minimum requirement and install 100% charging provisions. This would be something that could be marketed to future tenants and avoid any issues with some tenants having spaces with charging infrastructure and others without.

The Sustainable Energy Action Plan is the main policy supporting the Council's Electric Vehicle Framework. It is known that increasing the number of plug-in vehicles and charging infrastructure in Edinburgh will provide substantial reductions in road transport emissions that would benefit this development and beyond.

Environmental Protection recommend that 7Kw (type 2 sockets) charging provision will be required for all spaces. Information on chargers is detailed in the Edinburgh Design Standards -Technical Information Design Standards.

Any application must keep the numbers of car parking spaces to a minimum, commit to providing good cycle provisions, electric vehicle charging facilities for bikes/road vehicles and supported with an up to date travel pack. The introduction of car club spaces can reduce the overall requirement for car parking numbers. It should be noted that the car club currently operates many electric vehicles in its fleet. Any allocated car club spaces shall be supported with an electric vehicle charging point.

The applicant must fully have considered the full range of mitigation measures open to them. We would normally encourage developers to work with Environmental Protection to produce a Green Travel Plan which should incorporate the following measures to help mitigate traffic related air quality impacts;

- 1. Keep Car Parking levels to minimum.*
- 2. Car Club facilities (electric and/or low emission vehicles).*
- 3. Provision of electric vehicle charging facilities.*
- 4. Public transport incentives for new residents.*
- 5. Improved cycle/pedestrian facilities and links.*

Environmental Protection also advised the any applicants are made aware that any energy centres must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass. Environmental Protection would support the introduction of other renewable energy systems especially intelligent power systems that would work along with the electric vehicle infrastructure. A development of this size and scale would be able to produce renewable energy and store it in the electric vehicles.

We will need details on any proposed centralised energy centre, for example the proposed fuel and size (energy in/output), again Environmental Protection will not support biomass and if a large gas-powered energy centre is required then secondary abatement technology will need to be incorporated to ensure NOx emissions are minimised. It is recommended that the applicant submits a chimney height calculation at the earliest possible stage to ensure planning are satisfied with any proposed chimney which may need to be sizable. Any plant above 1MW will also now be classified as a medium combustion plant and will need to be registered with SEPA.

On balance, Environmental Protection recommends no objection subject to the following conditions;

Noise

1. Full details including elevational drawings and technical data on acoustic glazing required to mitigate traffic noise affecting 'Block A' shall be submitted to the Planning Authority for its approval at the detailed application stage.

Contaminated Land

1. Prior to the commencement of construction works on site:

(a) A site survey (including initial desk study as a minimum) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

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

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning

Local Air Quality

1. Prior to the use being taken up, 7Kw electric vehicle charging point, shall be installed serving each space in the car park for all residential properties.

Informative

2. Electric vehicle charging points should be installed in accordance with Transport Scotland's Switched On Scotland Phase Two: An Action Plan For Growth (2017)

3. When available the applicant shall provide details of all the boilers to Environmental Assessment to ensure compliance with the Clean Air Act 1993

SEPA comments - dated 19 July 2018

Advice for the planning authority

We have no objection to this proposed development on the grounds of flood risk but we do object to this planning application on the grounds of lack of information on connection for foul drainage. We will review this objection if the issues detailed in Section 1 below are adequately addressed.

1. Foul drainage

1.1 This application is not supported by any substantial information on proposals for foul drainage. The applicants should clarify exactly what arrangements they intend to put in place if they do not connect to the Scottish Water network.

1.2 We object to this application until it is supported by acceptable proposals for foul drainage and emphasise that we would support a connection to the public sewer.

2. Flood risk

2.1 We have no objection to the proposed development on flood risk grounds. Notwithstanding this we expect Edinburgh Council to undertake its responsibilities as the Flood Prevention Authority.

2.2 We have provided advice on a number of planning applications in the Granton Harbour area, including the overall masterplan, reference 01/00802/OUT. We did not object to the overall masterplan. We have, however, made recommendations on finished floor levels and any development below ground.

2.3 An updated Flood Risk Assessment (FRA), has been completed by Fairhurst (August 2017). This updated FRA includes additional analysis to quantify wave action and overtopping rates at the site. It is for the City of Edinburgh Council (CEC) to satisfy itself that the assessment of wave action and joint probability correspond with its analysis of these factors.

2.4 We previously recommended that finished floor levels (FFLs) should be set above 5.07mAOD. The FRA recommends FFLs of 5.44mAOD and review of site elevations FFLs of the ground floor are set at a minimum of 6.0m. We support the elevation of FFLs and the overland flow pathways shown within the Surface Water Management Plan (SWMP). Where ground levels are landscaped they should direct surface water away from developments and not increase flood risk to nearby properties.

2.5 We note that an underground car park is proposed underneath the proposed developments. No further information has been provided on mitigation measures against groundwater ingress, however within the FRA it is stated that the access points or openings to the basement levels should be set to a minimum of 5.44mAOD, which we support. Given the proximity of the sites to the coast and the fact that the parking spaces will be set below the 1 in 200 year extreme still water level for the area we strongly recommend that the car park is tanked and all entrances and exits are elevated relative to the surrounding area so they will not be inundated with surface water in the event of heavy rainfall. We also strongly recommend that in addition to tanking, pumps are installed within to ensure that should water ingress occur, there is a way to remove the standing water.

Caveats & Additional Information for Applicant

2.6 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>

2.7 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

2.8 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to the City of Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and [can be downloaded from http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/](http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/)

Regulatory advice for the applicant

3. Regulatory requirements

3.1 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in the local SEPA office at:

Silvan House, SEPA 3rd Floor, 231 Corstorphine Road, Edinburgh EH12 7AT.

Tel: 0131 449 7296

If you have any queries relating to this letter, please contact me by telephone on 0131 273 7334 or e-mail at planning.se@sepa.org.uk.

SEPA further comments - dated 22 August 2018

Thank you for your email of 14 August 2018 in which you write:

"The application is largely similar to the previously withdrawn application 17/05120/AMC. Fairhurst provided a response to SEPA's objection to that application and the same letter has been submitted with this new application."

On the basis of this information, we can withdraw our objection to planning application 18/02721/AMC as the proposed development will be connected to the public sewer.

Regulatory advice for the applicant

1. Regulatory requirements

1.1 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in the local SEPA office at:

Silvan House, SEPA 3rd Floor, 231 Corstorphine Road, Edinburgh EH12 7AT.

Tel: 0131 449 7296

If you have any queries relating to this letter, please contact me by telephone on 0131 273 7334 or e-mail at planning.se@sepa.org.uk.

Roads Authority Issues - comments dated 10 July 2019

The application should be continued.

Reasons:

1. Detailed and reasoned justification for this level of car parking provision was not provided with the application as required in section 2.4 of the Edinburgh Design Guidance 2017 - Design, Integration and Quantity of Parking;
2. The locations of some of the proposed cycle parking areas need to be reviewed as they are in close proximity to car parking, which could cause accessibility issues for cyclists if/when the car parking is utilised;
3. Further detail is required relating to the layout and style of cycle parking that is proposed, the applicant should consider a mixture of cycle parking styles to fully accommodate all styles of bike;
4. Further detail is required in relation to the entry/exit ramps, particularly for cyclist use. The applicant will need to ensure the appropriate provision is provided to ensure that any conflict between users will be minimised;
5. Toucan crossing required at the Hesperus Crossway - Ross Kestral Crescent Junction to ensure a safe crossing point for pedestrians and cyclists to the Promenade;

Note:

1. The application has been assessed under the 2017 parking standards. These permit the following:
 - a. A maximum 162 car parking spaces, 162 car parking spaces are proposed;
 - b. 1 of every 6 car parking spaces should be equipped for electric charging, all of the car parking is proposed to be equipped for EV charging;
 - c. 8% of car parking is to be designated as accessible, the 19 spaces proposed meets this requirement;
 - d. A minimum of 303 cycle parking spaces, the 288 spaces proposed is deemed acceptable as the cycle parking is within a communal area;
 - e. A minimum of 6 motorcycle parking spaces, the 7 proposed meets this requirement;

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

3. A Quality Audit, as set out in *Designing Streets*, to be submitted prior to the grant of Road Construction Consent. Street and road designs should be in-line with the *Edinburgh Street Design Guidance Fact Sheets*, a particular focus on pedestrian and cyclist priority should be applied;

4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;

5. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

6. All disabled persons parking places should comply with *Disabled Persons Parking Places (Scotland) Act 2009*. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with *Traffic Signs Regulations and General Directions 2016* regulations or *British Standard 8300:2009* as approved;

7. In support of the Council's LTS Cars1 policy, City Car Club vehicles could be considered for this development to further promote sustainable travel;

8. External cycle parking that is easily accessible, overlooked and close to building entrances should also be considered for this development;

Roads Authority Issues - further comments dated 26 February 2019

Further to the memorandum dated 10th of July 2018 and the subsequent information submitted there is no objections to the application subject to the following being included as conditions or informatives as appropriate:

1. A minimum of 303 cycle parking spaces are required in relation to Blocks A, B and C;

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

3. *The applicant will be required to demonstrate that the road "Hesperus Crossway" is built to an adoptable standard, including carriageway, footways, footpaths, accesses, cycle tracks, verges and service strips;*
4. *A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent. Street and road designs should be in-line with the Edinburgh Street Design Guidance Fact Sheets, with a particular focus on vehicle speed reduction measures as well as pedestrian and cyclist priority;*
5. *In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*
6. *The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;*
7. *All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;*
8. *In support of the Council's LTS Cars1 policy, City Car Club vehicles could be considered for this development to further promote sustainable travel;*
9. *External cycle parking that is easily accessible, overlooked and close to building entrances should also be considered for this development;*

Note:

- I. *The application has been assessed under the 2017 parking standards. These permit the following:*
 - a. *A maximum 162 car parking spaces, 162 car parking spaces are proposed;*
 - a. *A minimum of 303 cycle parking spaces for Blocks A, B & C. There is no requirement for the developer to provide dedicated cycle storage facilities for Blocks D, E, F & G as these are houses with private rear gardens with an access that does not require the bike to be taken through the residence (as per Draft Street Design Guidance Fact Sheet C7 - Cycle Parking);*
 - b. *1 of every 6 car parking spaces should be equipped for electric charging, all of the car parking is proposed to be equipped for EV charging;*
 - c. *8% of car parking is to be designated as accessible, the 19 spaces proposed meets this requirement;*
 - d. *A minimum of 6 motorcycle parking spaces, the 7 motorcycle parking spaces proposed meets this requirement;*
- II. *The proposed level of car parking is at the maximum that the 2017 Parking Standards allow and the applicants justification is that by providing underground car parking for the flatted blocks (A, B & C) and small surface car parks and minimal on street parking in relation to the terraced housing (Blocks D, E, F & G) this will minimise the impact of parked cars on the streetscape and further enhances the urban environment, and by providing the maximum number of car parking spaces this should minimise the risk of any car parking overspill onto the surrounding streets and again adversely impacting on the streetscape and urban environment.*

III. The submitted drawings and information do not give a definitive indication on the proposed level of cycle parking for Blocks A, B & C. The proposed site plan (Drawing Number A-P-00-G7-901) states the proposed level of cycle parking provision will be 288 spaces and states the proposed level for each block. The Block A Basement Plan (Drawing Number A-P-B1-G2-008) shows 140 cycle parking spaces and states they are providing 132 spaces. The Block B Basement Plan (Drawing Number A-P-B1-G2-009) shows 132 cycle parking spaces whilst stating there is 156 spaces. As stated above the minimum requirement for cycle parking as per the 2017 parking standards for a development of this size and nature is 303 spaces. It is considered there is ample opportunity to provide the additional spaces required within the current proposals, Transport is satisfied that this requirement can be met by condition;

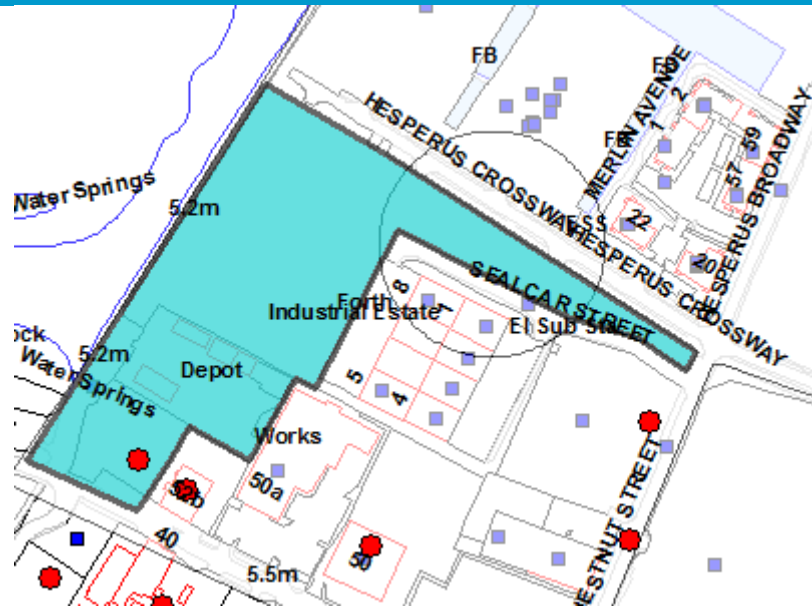
IV. The cycle parking is now considered to be accessible and the alterations to the layout to provide clear access points between car parking is welcomed;

V. A mixture of two-tier cycle racks and "Sheffield" style stands are proposed, this will provide cycle parking for standard and non-standard bikes, this is considered acceptable;

VI. The proposed layout for the entrance/exit ramps for the underground car parks now include a designated section for cyclists. This proposal is considered acceptable;

VII. A toucan crossing is now proposed at the Hesperus Crossway - Ross Kestral Crescent Junction, this will provide a safe and direct crossing point between the Hesperus Crossway cycle facilities And the Promenade;

Location Plan



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END

Development Management Sub Committee

Wednesday 20 March 2019

Report for forthcoming application by

CW Properties. for Proposal of Application Notice

19/00415/PAN

**At Land To East Of 139, Leith Walk, Edinburgh
Refurbishment of the existing building, or potential
demolition for sui generis flatted accommodation
(residential apartments), class 7 hotel/ serviced
apartments, student accommodation and commercial uses
(class 4 business use) and class 11 (gym) with associated
footpaths, roads, landscaping and potential reconfiguration
of existing car park.**

Item number	7.3
Report number	
Wards	B12 - Leith Walk

Summary

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming planning application in respect of the proposed refurbishment or potential demolition of the existing building at 139 to 141 Leith Walk and redevelopment for a mixed use development.

In accordance with the provisions of the Town and Country Planning (Scotland) 1997, as amended, the applicant submitted a Proposal of Application Notice on 31 January 2019 (Reference: 19/00415/PAN).

Links

Coalition pledges

Council outcomes

Single Outcome Agreement

Recommendations

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

Background

2.1 Site description

The application site which is just over 1 hectare in area, is located on the east side of Leith Walk, towards its north end. The western boundary of the site lies behind the buildings lining the frontage of Leith Walk, including the two storey, NHS premises at the southern end of this frontage. A car park serving the NHS building is situated to its rear and is included within the PAN site boundary. Two storey government warehouse buildings occupy the northern part of the site.

A large, stone built, former mill building is located to the north and east. It is currently occupied by a bingo hall. Former railway arches border onto the northern part of the site, some of which are occupied by vehicle repair garages and other businesses, fronting onto Manderston Street.

The site of the former tram depot borders the site to the south. This area is cleared of development and fenced off. Four storey tenement buildings and other flatted buildings lie to the northeast of the site.

The category 'C' listed, former tram office building, dated 1938, (Listed Building reference LB26807) is located to the south of the site. It is two storeys in height and its most recent use is as community centre.

There are two existing access points to the site on the Leith Walk, one at either end of this frontage. The eastern part of the site extends towards Halmyre Street, with vehicular access to the public road network at this location.

The access points to the site from Leith Walk fall within the boundary of the Leith Conservation Area.

This application site is located within the Leith Conservation Area.

2.2 Site History

10 November 2017 - Temporary planning permission granted for modular Gymnasium building for period of 5 years - (Planning reference: 17/03539/FUL).

Main report

3.1 Description Of The Proposal

An application for detailed planning permission will be submitted for the refurbishment or potential demolition of the existing warehouse building, for sui generis flatted accommodation, class 7 hotel, student accommodation and commercial uses, with associated footpaths, roads, landscaping and potential reconfiguration of existing car park serving the existing NHS building at 131 to 141 Leith Walk.

Vehicular, cycle and cycle access provision is via a proposed via Halmyre Street to the south east, with the existing breaks on the Leith Walk frontage identified as further potential connection points to the road and footway network on Leith Walk.

3.2 Key Issues

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

a) the principle of the development is acceptable in this location;

The site is located within the urban area and the proposals should comply with the relevant Local Development Plan (LDP) policies.

LDP Policy Emp 9 (Employment Sites and Premises) states that redevelopment proposals should include floorspace designed for a range of business users on sites over one hectare that are currently in or last occupied by employment generating uses.

LDP Policy Hou 1 (Housing Development) supports housing development at suitable sites within the Urban Area, subject to other development plan policies. The proposals for residential flats would be expected to address the principles of LDP Hou 2 (Housing Mix), which requires an appropriate mix of residential units, to meet the needs of the range of household types in the area, with regard to other considerations.

The residential proposals would also be expected to demonstrate compliance with the terms of LDP Hou 6 (Affordable Housing).

LDP Policy Hou 8 Student Accommodation sets the approach to student housing, with the non-statutory Student Housing Guidance providing further locational criteria. The proposals would be expected to address these policy considerations.

LDP Policy Emp 10 (Hotel Developments) supports the principle of hotel developments in locations within the urban area, with good public access to the city centre, as well as within the city centre and airport.

The provisions of LDP policy Ret 7 (Entertainment and Leisure Developments) provides guidance for leisure uses such as the proposed gymnasium, within town centre locations including Leith.

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

The proposals will be considered against the provisions of the LDP design policies and the Edinburgh Design Guidance.

In particular, the proposed design of the development will need to take into account the impacts of the proposals on the character and appearance of the adjoining conservation area, in accordance with the requirements of Env 6 (Conservation Areas - Development).

The proposals will also be expected to demonstrate that due regard has been paid to the setting of the listed, former tram office building immediately to the south of the site on Leith Walk, in accordance with the requirements of LDP policy Env (Listed Buildings- Setting).

The development proposals will be further expected to address the impacts of the massing, scale and design on the wider townscape and existing views under the terms of LDP policy Des 4 (Development Design- Impact on Setting).

Sufficient information will also be required to demonstrate the impacts of the development on the amenity of neighbouring and future occupiers of the development, to address the terms of LDP policy Des 5 - Development Design- Amenity).

A Design and Access Statement will be provided with the application.

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

The proposal should have regard to the transport policy of the LDP and Designing Streets.

In particular, the proposed development would be expected to include provision for cycle and pedestrian linkages through the site to the existing public network, in accordance with the requirements of policy Des 7 of the LDP (Layout Design).

Consideration should be given to the impact on traffic flows on local roads and access to public transport. Transport information will be required to support the application.

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

An air quality impact assessment will require to be submitted with the forthcoming application, as the site is located in close proximity to two air quality management areas.

The application will need to be screened for an Environmental Impact Assessment (EIA) including the cumulative impact of the proposals. 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.

It is anticipated that the following documents will be submitted;

- Pre-application consultation report;
- Design and Access Statement;
- Archaeological Assessment;
- Planning Statement;
- Transport information;
- Daylighting and Sunlight Analysis;
- Air Quality Assessment;
- Flood Risk Assessment and Surface Water Management Plan;
- Townscape and Visual Impact Assessment;
- Phase 1 Habitat Survey;
- Noise Impact Assessment; and
- Sustainability Statement.

3.3 Assessment

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

Financial impact

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

Risk, Policy, compliance and governance impact

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

Equalities impact

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

Sustainability impact

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

Consultation and engagement

8.1 Pre-Application Process

A Proposal of Application Notice for these proposals was validated on 28 January 2019. (Planning reference 19/00415/PAN).

8.2 Publicity summary of representations and Community Council comments

The proposal of application Notice was sent to Local Ward Councils, the Leith Neighbourhood Partnership, Leith Community Council, Leith Central Community Council, Leith Links Community Council and Leith Harbour and New Haven Community Council on 28 January 2019.

Community consultation events will take place on 22 April 2019 (from 2.30pm until 7pm) and Tuesday 23 April 2019, from 12 noon until 7.30pm). Both events will be held at McDonald Road Library.

The applicant has also advised that notices advertising the public events will be posted to local residents.

Background reading/external references

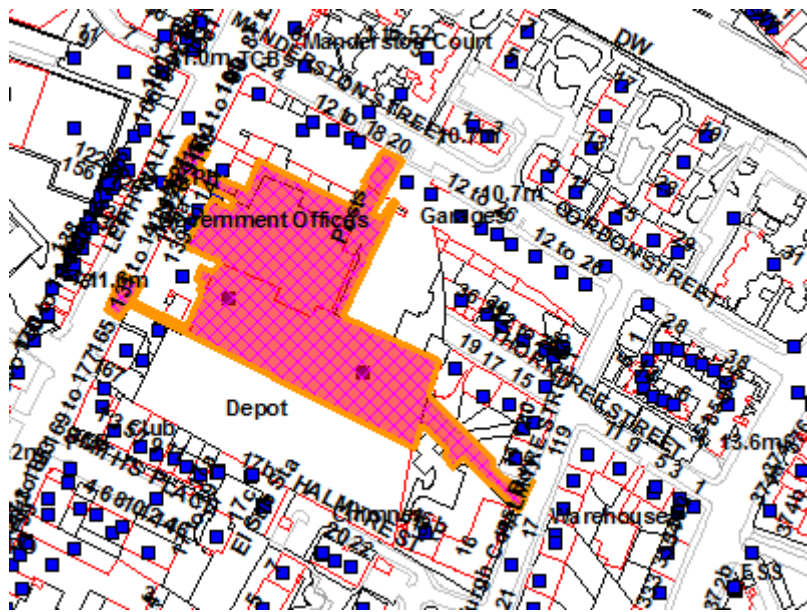
- To view details of the proposal of Application Notice go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)

David R. Leslie

Chief Planning Officer
PLACE
The City of Edinburgh Council

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Location Plan



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