

# 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.**

<b>Item number</b>	7.3
<b>Report number</b>	
<b>Wards</b>	B12 - Leith Walk

## **Summary**

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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

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**Coalition pledges**

**Council outcomes**

**Single Outcome Agreement**

## **Recommendations**

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

## **Background**

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### **2.1 Site description**

The application site 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

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### 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**

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

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

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

## **Equalities impact**

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

## **Sustainability impact**

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

## **Consultation and engagement**

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

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**

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

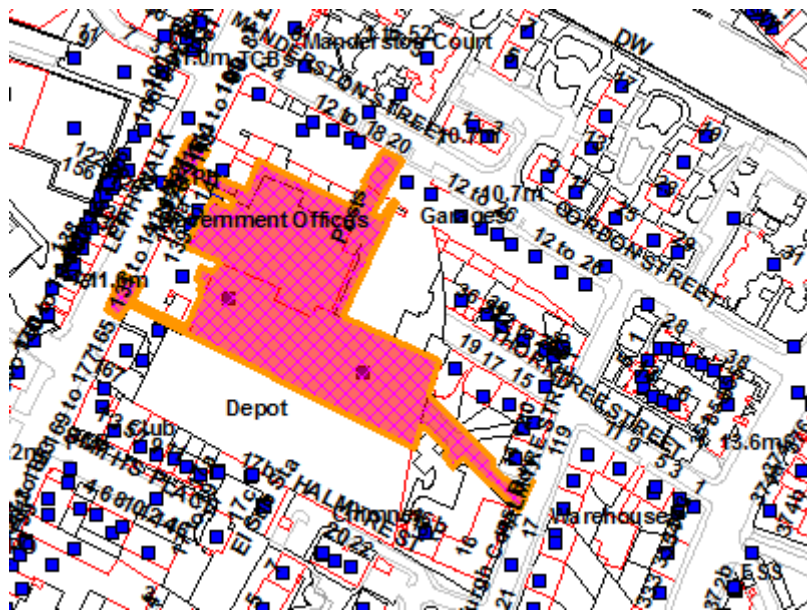
#### **David R. Leslie**

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## Location Plan

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