

Notice of meeting and agenda

Development Management Sub-Committee of the Planning Committee

10:00am, Wednesday 8 May 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 6 May 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 Development Management Sub-Committee of 9 January 2019 (circulated) - submitted for approval as a correct record.
- 3.2 Development Management Sub-Committee of 30 January 2019 (circulated) - submitted for approval as a correct record.

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

Pre- Applications

- 4.1 Craigpark Quarry, 1 Craigpark Ratho, Newbridge EH28 8RJ - Detailed design of the buildings for the Wavegarden Scotland development at Craigpark Quarry and information relative to Condition 1 to be attached to planning permission 17/02471/FUL (Minded to Grant notice issued on 5 May 2018) – application no 19/01604/PAN - report by the Chief Planning Officer (circulated)

- 4.2 Dimma Park, South Queensferry (At Land 100M South Of) - Full planning permission for residential developments (max 80 houses) as a variation to 16/06280/FUL and full planning permission for formation of landscaping and footpath – application no 19/01480/PAN - report by the Chief Planning Officer (circulated)
- 4.3 2 South Gyle Crescent, Edinburgh (Land Adjacent To) - Residential, Offices, Hotel, Retail / Financial, Professional and Other Services / Food & Drink / Non-Residential Institutions (Class 1,2,3 and 10) – application no 19/01329/PAN - report by the Chief Planning Officer (circulated)

Applications

- 4.4 1 Bath Road, Edinburgh, EH6 7BB - Proposed residential development with commercial units and associated landscape, drainage, roads and infrastructure (as amended). – application no 18/08206/FUL - report by the Chief Planning Officer (circulated)

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

- 4.5 4 Currievale Farm, Currie, EH14 4AA - Demolition of existing barn and formation of new kennels with 6 double kennels and isolation kennel for a total of 13 dogs, formation of a new dwelling house in the style of a barn conversion, formation of a dog freedom field (in retrospect), the formation of two poly tunnels with a possible third and ecological development of the remainder of the land – application no 18/09397/FUL - report by the Chief Planning Officer (circulated)

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

- 4.6 10 Manse Road Kirkliston (Land North Of) - Erect new Village Hall – application no 18/07491/FUL - report by the Chief Planning Officer (circulated)

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

- 4.7 Norton Farm, Junction of A8, Glasgow Road, Edinburgh (At Land West Of) - Back to Back LED Displays – application no 19/00898/ADV - report by the Chief Planning Officer (circulated)

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

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(a) 2 Eastfield Road Edinburgh (Land 160 Metres North Of) – Protocol Note by the Head of Strategy and Communications (circulated) - application no 15/05580/PPP

6.1(b) 2 Eastfield Road Edinburgh (Land 160 Metres North Of) - Mixed use development inc. business + employment uses (class 4); hotels (class 7) + ancillary uses including retail (Class 1), financial + professional services (Class 2), food + drink (Class 3), residential (Class 9), non-residential institutions (Class 10), assembly + leisure (Class 11), sui generis flatted development; associated works inc. car parking, servicing, access + public realm. (As Amended) – application no 15/05580/PPP - report by the Chief Planning Officer (circulated)

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

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) 146 Princes Street Edinburgh EH2 4BL - Change of use from retail to whisky-themed visitor experience with ancillary retail, bars, offices, training and event space, including roof-top extension and other external alterations. – application no 19/00574/FUL - report by the Chief Planning Officer (circulated)

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

7.1(b) 146 Princes Street Edinburgh EH2 4BL - Internal and external alterations to enable change of use from retail to whisky-themed visitor experience with ancillary retail, bars, offices, training and event space, including roof-top extension – application no 19/00573/LBC - report by the Chief Planning Officer (circulated)

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

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 8 Bainfield Drive Edinburgh (Land 34 Metres South East Of) - Moorings for boat hotel accommodation (5 boats) at Union Canal, west of Viewforth Bridge – application no 18/08091/FUL - report by the Chief Planning Officer (circulated)

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

Laurence Rockey

Head of Strategy and Communications

Committee Members

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

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

Item 3.1 - Minutes

Development Management Sub-Committee of the Planning Committee

10.00am, Wednesday 9 January 2019

Present:

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

1. General Applications and Miscellaneous Business

The Sub-Committee considered reports on planning applications listed in Sections 4, and 7 of the agenda for the meeting.

Requests for Presentations

The Chief Planning Officer gave a presentation on agenda Item 4.3 – 30 Canann Lane, Edinburgh (At Land to Rear Of) requested by Councillor Neil Ross.

The Chief Planning Officer gave a presentation on agenda Item 4.4 – 40 Craigleith Hill Avenue, Edinburgh requested by Councillor Osler.

The Chief Planning Officer gave a presentation on agenda Item 4.7 – 2-3 Montgomery Street Lane, Edinburgh requested by Councillors Booth and Staniforth.

The Chief Planning Officer gave a presentation on Item 4.8 – 5 Warriston Road, Edinburgh requested by Councillor Booth.

Decision

To determine the applications as detailed in the Appendix to this minute.

(Reference – reports by the Chief Planning Officer, submitted.)

2. Corstorphine Hospital, 136 Corstorphine Road Edinburgh

The Chief Planning Officer had identified an application for planning permission for the redevelopment of the former Corstorphine Hospital to form 76 residential apartments (including 44 new build apartments) and associated community hub, vehicular access, car parking and landscape works (as amended) – (application no 17/04137/FUL) to be dealt with by means of a hearing.

(a) Report by the Chief Planning Officer

The proposal was for a change of use and redevelopment of the former hospital site for residential use that comprised a total of 76 apartments that included 30 apartments in the original hospital building (11 one-bedroom, 12 two-bedroom, 8 three-bedroom and 1

four-bedroom); 24 apartments in two new rear extensions to the main hospital building (8 one-bedroom, 12 two-bedroom and 2 three-bedroom); and 22 apartments in a new building to the south of the main hospital building (13 two-bedroom and 9 three-bedroom). It was proposed that the South Lodge would be converted to a community hub and management/concierge services centre.

The site lay within an urban area in the Edinburgh Local Development Plan (LDP). Policy Hou 1 stated that housing development would be supported on suitable sites in the urban area, provided the proposals were compatible with other policies in the plan. Policy Hou 5 supported the conversion of non-residential buildings to housing in the area, provided a satisfactory residential environment could be achieved with appropriate open space. Provided other policy requirements were met, the development was acceptable in principle.

LDP Policy 4 permitted proposals to alter or extend a listed building where the alterations or extensions were justified. There would be no unnecessary damage to the building's historic structure or diminution of its interest and any additions were in keeping with other parts of the building. The other structures to be demolished comprised the boiler houses and laundry to the rear of the main hospital building and North Lodge were of no special historic or architectural merit and the cleared land would be used for soft landscaping.

The other proposed alterations to the original hospital building were restrained and appropriate, and respected the original fenestration pattern, window surrounds and door openings. The relocation of the gateposts, dwarf wall and railings on the east side of the main entrance on the same alignment further east would have no adverse impact on the basic design of the entrance. The proposed alterations and extensions were therefore justified and would cause no unnecessary damage to the building's historic structure or diminution of its interest, in compliance with LDP Policy Env 4.

There were no potential amenity impacts on future residents because the proposed residential development was in a predominantly residential area and Environmental Protection had no objections to the proposed development, subject to conditions. The development complied with the daylighting, overshadowing and privacy standards in the Edinburgh Design Guidance. There were no neighboring residential properties in close proximity to the site.

The Roads Authority had recommended refusal of the application on the basis that the proposed changes to the existing access did not promote inclusive mobility and prioritised walking and cycling ahead of other transport modes. The scheme had been revised to propose a 125mm upstand kerb to ensure that pedestrian safety was not compromised and a section of the access road at the main entrance where the gradient was less steep had been designed to adoptable standards. An informative had been added regarding speed reduction and traffic management measures to reduce vehicle speed on the access road.

Proposed parking provision breached the Council's 2017 parking standards which allowed for a maximum of 76 parking spaces in Zone 2. However, the application was submitted prior to the approval of the 2017 parking standards, hence the Council's 2009 parking standards had been used in assessing the application. The proposed 102 car parking spaces, which included 7 accessible spaces, 15 visitor spaces and 4 electric vehicle charging spaces, complied with the 2009 parking standards which required a total minimum of 91 parking in this zone (formerly Zone 3a).

Flood Planning and the Scottish Environmental Protection Agency had raised no objection to the final scheme in terms of increased or integral flood risk. Edinburgh Airport had no objections on the grounds of aerodrome safety, provided that conditions regarding bird hazard and a Sustainable Urban Drainage Scheme were applied and appropriate conditions had been applied.

The north and east boundaries of the site were in close proximity to several animal enclosures within Edinburgh Zoo, including those of the Giant Pandas and the Monkey House. The pandas were particularly vulnerable in terms of negative health impacts to noise and vibration during demolition and construction works and Edinburgh Zoo had raised concerns for the pandas' well-being.

For this reason, Scottish Ministers had issued a direction requiring the Council to notify Ministers if it intended to approve the application, given that concerns around the welfare of the pandas could raise issues of national importance.

A condition had been attached based on an agreement reached between the applicant and Zoo which gave comfort that the redevelopment would not progress before adequate measures were taken to ensure that the wellbeing of the pandas was safeguarded from the possible negative impacts of demolition and construction works. These measures would also cover any possible negative impacts on the health of other animals in close proximity to the development.

Also, the construction of two new panda houses in the north-east section of the zoo was underway, so the animals could be re-located away from the development site. The objections submitted by Edinburgh Zoo and an individual had been withdrawn.

Overall, the proposals complied with the Local Development Plan and non-statutory guidance, with the exception of Policy Tra 2 in terms of car parking provision, but a departure was justified in this instance. The proposals had no adverse effect on the character or setting of the listed building and were acceptable in terms of scale, form, design and materials. The development would have no detrimental impact on significant archeological remains, residential amenity, road safety or infrastructure and would have no significant impacts in terms of flooding or aerodrome safety.

The Chief Planning Officer considered that there were no other material considerations which outweighed this conclusion and therefore it was recommended that the Sub-Committee grant planning permission and listed building consent.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/372407

(b) Applicant and Applicant's Agent

John Campbell (James Walker Leith Limited, holding company of the Applicant), Jeremy Scott (Michael Laird Architects), Iain MacPhail (Affordable Housing Consultant) and Alex Sneddon (Transport Planning Limited) were heard in support of the application.

Mr Campbell advised that the main focus was to ensure that the C listed building was preserved, enhanced and brought back into use. The setting would also be improved. This has been a long and complicated application process.

Edinburgh Zoo had been of significant consideration throughout the application process. A legally binding cooperation agreement had been entered into with Scottish Ministers and the Royal Zoological Society of Scotland, and strict management controls had been implemented on construction activities which included working within agreed of acoustical and vibration criteria to ensure the protection and well-being of all the animals in the zoo. The applicant and Scottish Ministers had facilitated the building of two new panda houses for the zoo which should bring significant benefits for the zoo and the city.

Mr Scott provided further information on the architectural concept of the proposals. Externally, the listed building was in quite good condition, apart from the additions that had been made by the NHS over the years due to the requirements of the hospital. Internally, the intention was to restore the building back to its original state. An underground car park was proposed so that visually there would be no parked cars to clutter the landscape.

In terms of affordable housing, Mr MacPhail advised that the applicant's intention from the outset was not to look for a commuted sum but to have affordable housing on site. Engagement had taken place with Link Housing Association and LAR Housing Trust in October 2017, and from the beginning of the process the applicant had worked with the Council's housing department. It was identified by the Housing Associations that there would be a £3.23m shortfall to build affordable housing on site. This equated to a £170,000 shortfall per unit for 19 homes, even if a maximum subsidy had been identified. The Housing Associations advised that the abnormal cost made it difficult to build affordable housing on site due to the topography, ground conditions and conservation area requirements. Second opinions were provided from other Housing Associations advising it would be beyond their financial reach to build affordable housing onsite. The Council accepted that a commuted sum was the route forward. The Council asked the district valuer to carry out an independent assessment of the commuted sum value which would be secured by a Section 75 agreement.

The presentation can viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/372407

Decision

Motion

To grant planning permission subject to the conditions, reasons and informatives and a legal agreement as detailed in the report by the Chief Planning Officer, and:

- 1) An additional condition that a revised landscaping scheme, which addressed access issues for disabled users on the site was brought back to the Development Management Sub-Committee for consideration.
- 2) A further condition that the pandas were moved to their new enclosure prior to the commencement of building works on site.

- moved by Councillor Gardiner, seconded by Councillor Gordon.

Amendment

To refuse planning permission as the application was contrary to LDP Policies Tra 2, Tra 3 and Hou 6.

- moved by Councillor Booth, seconded by Councillor Staniforth.

Voting

For the motion: - 9 votes

(Councillors Child, Dixon, Gardiner, Gordon, Griffiths, McLellan, Mitchell, Mowat and Osler and Neil Ross)

For the amendment: - 2 votes

(Councillors Booth and Staniforth)

Decision

To grant planning permission subject to the conditions, reasons and informatives and a legal agreement as detailed in the report by the Chief Planning Officer, and:

- 1) An additional condition that a revised landscaping scheme, which addressed access issues for disabled users on the site was brought back to the Development Management Sub-Committee for consideration.
- 2) A further condition that the pandas were moved to their new enclosure prior to the commencement of building works on site.

(Reference – report by the Chief Planning Officer, submitted.)

3. Corstorphine Hospital, 136 Corstorphine Road, Edinburgh

The Chief Planning Officer had identified an application for listed building consent for the redevelopment of the former Corstorphine Hospital building to form 54 residential apartments (application no 17/04138/LBC) to be dealt with by means of a hearing.

Decision

To grant listed building consent subject to the conditions, reasons and informatives set out in Section 3 of the report by the Chief Planning Officer.

(Reference – report by the Chief Planning Officer, submitted.)

4. 30 Corstorphine Road, Edinburgh

Details were provided of applications for planning permission and listed building consent for the conversion of the former nursing home, gate lodge and stable block to residential use, erection of two residential blocks comprising 27 residential units, associated landscaping and ancillary works – application nos 17/05071/FUL and 17/05073/LBC.

The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the applications for planning permission and listed building consent be granted.

Motion

To continue the application for a hearing.

- moved by Councillor Gardiner seconded by Councillor Staniforth.

Amendment

To determine the application today.

- moved by Councillor Dixon, seconded by Councillor Booth.

Voting

For the motion: - 6 votes

(Councillors Gardiner, Gordon, McLellan, Mitchell, Mowat and Staniforth)

For the amendment: - 5 votes

(Councillors Booth, Child, Dixon, Griffiths and Neil Ross)

Decision

To continue the application for a hearing.

(Reference – report by the Chief Planning Officer, submitted.)

5. Springwell House, 1 Gorgie Road

Details were provided of a planning application for a change of use and conversion of the original Springwell House buildings from vacant offices to 39 new residential apartments, demolition of some rear extensions and construction of 7 new houses, refurbishment of existing lodge house and construction of new detached lodge house giving 48 residential units in total (as amended) – application no 18/00892/FUL.

The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the application be granted.

Motion

To grant planning permission subject to the conditions, reasons and informatives and a legal agreement detailed in the report by the Chief Planning Officer.

- moved by Councillor Child, seconded by Councillor Mowat.

Amendment

To refuse planning permission as the application was contrary to LDP Policies Hou 3 and Hou 6.

- moved by Councillor Gardiner, seconded by Councillor Booth.

Voting

For the motion: - 6 votes

(Councillors Child, Griffiths, McLellan, Mitchell, Mowat and Neil Ross)

For the amendment: - 5 votes

(Councillors Booth, Dixon, Gardiner, Gordon, and Staniforth)

Decision

To grant planning permission subject to the conditions, reasons and informatives and a legal agreement as detailed in the report by the Chief Planning Officer.

(Reference – report by the Chief Planning Officer, submitted.)

6. 2-3 Montgomery Street, Edinburgh

Details were provided of a planning application for a change of use from two existing lock ups and a meditation/yoga centre to form annex hotel accommodation to 10 -18 Windsor St. The accommodation would comprise a one bed and a two bed unit both with self-catering facilities – application no 18/09103/FUL.

Motion

To grant planning permission subject to the informatives set out in section 3 of the report by the Chief Planning Officer

- moved by Councillor Gardiner, seconded by Councillor Child.

Amendment

To refuse planning permission as the planning application was contrary to Local Development Plan (LDP) Policy Hou 7.

- moved by Booth, seconded by Councillor Staniforth.

Voting

For the motion: - 9 votes

(Councillors Child, Dixon, Gardiner, Griffiths, McLellan, Mitchell, Mowat, and Ross)

For the amendment: - 2 votes

(Councillors Booth and Staniforth)

Decision

To grant planning permission subject to the informatives set out in section 3 of the report by the Chief Planning Officer.

(Reference – report by the Chief Planning Officer, submitted.)

Appendix

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register.</p>		
<p><u>Item 4.1 - The Jewel (At Land East of Corbieshot)</u></p>	<p>The Jewel (At Land East of Corbieshot) - Forthcoming application by Robertson Living for application for residential development, associated access, roads, landscaping and infrastructure works - application no 18/10006/PAN</p>	<p>To note the key issues at this stage.</p>
<p><u>Item 4.2 - 20A Inverleith Row, Edinburgh (At Royal Botanic Garden)</u></p>	<p>20A Inverleith Row, Edinburgh (At Royal Botanic Garden) – Forthcoming application by Royal Botanic Garden for redevelopment and refurbishment of the North East corner of the Royal Botanic Garden. Development comprises works to listed buildings/structures. Construction of a glasshouse, research glasshouses, education and support buildings and landscape works. Erection of 6 polytunnels/temporary decent facilities, construction of access road and associated development and demolition – application no 18/09704/PAN</p>	<p>To note the key issues at this stage.</p>
<p><u>Item 4.3 - 30 Canaan Lane, Edinburgh (At Land To Rear Of)</u></p>	<p>30 Canaan Lane, Edinburgh (At Land To Rear Of) – New dwelling house and driveway accessed from Jordan Lane (as amended) – application no 18/04505/FUL</p>	<p>To GRANT Planning Permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer and an additional condition that the existing opening was blocked off with stone existing rendered brick pillars were removed and filled in with stone.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 4.4 - 140 Craigleith Hill Avenue, Edinburgh</u>	40 Craigleith Hill Avenue, Edinburgh EH4 2JN – Proposed single storey rear extension with access to garden (in retrospect) – application no 18/08460/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.5 - 6 Derby Street, Edinburgh EH6 4SH</u>	6 Derby Street, Edinburgh EH6 4SH – Convert existing attic with dormer to front and rooflights. Internal alternations with rear extension (as amended) – application no 18/08318/FUL	To GRANT Planning Permission subject to the informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.6 - Kellerstain Stables, Gogar Station Road, Edinburgh</u>	Kellerstain Stables, Gogar Station Road, Edinburgh – Erection of new one-and-a-half storey dwelling house on Land to the North East of Kellerstain Estate on Land 40 Metres South Of Kellerstain Lodge, Gogar Station Road, Edinburgh - application no 18/07199/PPP	To REFUSE Planning Permission for the reason set out in the report by the Chief Planning Officer.
<u>Item 4.7 - 2 – 3 Montgomery Street Lane, Edinburgh EH7 5JT</u>	2 – 3 Montgomery Street Lane, Edinburgh EH7 5JT – Change of use from two existing lock ups and a meditation/yoga centre to form annex hotel accommodation to 10 -18 Windsor St. The accommodation will comprise a one bed and a two bed unit both with self-catering facilities – application no 18/09103/FUL	To GRANT Planning Permission subject to the informatives set out in section 3 of the report by the Chief Planning Officer. (on a division).
<u>Item 4.8 - 5 Warriston Road, Edinburgh, EH3 5LQ</u>	Development of 11 new residential flats including associated parking, infrastructure and landscaping (as amended) – application no 18/02451/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives, a legal agreement and referral to Scottish Ministers as set out in section 3 of the report by the Chief Planning Officer.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 5.1 - 4 Mayfield Gardens, Edinburgh, EH9 2BU</u>	4 Mayfield Gardens, Edinburgh, EH9 2BU – Proposed change of use from a 7 bedroom guesthouse with ancillary private living quarters to a 13 bed 15 person HMO with associated works (as amended) – application no 18/07251/FUL –	To GRANT Planning Permission subject to the informatives set out in section 3 of the report by the Chief Planning Officer.
<u>6.1 (a) Corstorphine Hospital, 136 Corstorphine Road, Edinburgh</u>	Corstorphine Hospital, 136 Corstorphine Road, Edinburgh – Redevelopment of the former Corstorphine Hospital to form 76 residential apartments (including 44 new build apartments) and associated community hub, vehicular access, car parking and landscape works (as amended) – application no 17/04137/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer, and a legal agreement, and: <ol style="list-style-type: none"> 1) An additional condition that a revised landscaping scheme, which addressed access issues for disabled users on the site, was brought back to Committee for consideration. 2) A further condition that the pandas were moved to their new enclosure prior to the commencement of building works on site. (on a division).
<u>6.1 (b) Corstorphine Hospital, 136 Corstorphine Road, Edinburgh</u>	Corstorphine Hospital, 136 Corstorphine Road, Edinburgh – Redevelopment of the former Corstorphine Hospital building to form 54 residential apartments - application no 17/04138/LBC	To GRANT Listed Building Consent subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 7.1(a) - 30 Corstorphine Road, Edinburgh, EH12 6HP, Edinburgh</u>	Conversion of the former nursing home, gate lodge and stable block to residential use, erection of two residential blocks comprising 27 residential units, associated landscaping and ancillary works – application no 17/05071/FUL	To CONTINUE the application for a hearing. (on a division).

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 7.1(b) - 30 Corstorphine Road, Edinburgh, EH12 6HP</u>	<p>Alterations to stable block and removal of non-original extensions to former Tor Nursing Home.</p> <p>Alterations to Torwood House to facilitate conversion to residential use (as amended) – application no 17/05073/LBC</p>	<p>To CONTINUE the application for a hearing.</p> <p>(on a division).</p>
<u>Item 7.2 - Springwell House, 1 Gorgie Road, Edinburgh EH12 6HP</u>	<p>Springwell House, 1 Gorgie Road, Edinburgh - Change of use and conversion of the original Springwell House buildings from vacant offices to 39 new residential apartments. Demolition of some rear extensions and construction of 7 new town houses.</p> <p>Refurbishment of existing lodge house and construction of new detached lodge house giving 48 residential units in total (as amended) –application no 18/00892/FUL</p>	<p>To GRANT Planning Permission subject to the conditions, reasons, and informatives and a legal agreement as set out in section 3 of the report by the Chief Planning Officer.</p> <p>(on a division).</p> <p>Note: To agree that a briefing note would be circulated to elected members on how Economic Viability Assessments were carried out.</p>
<u>8.1 (a) 20 Charlotte Square, Edinburgh</u>	<p>Alteration and extension to offices, removal of non-original dormers to front elevation (as amended) – application no 18/03695/FUL</p>	<p>To GRANT Planning Permission subject to the conditions, reasons and informatives and a legal agreement as set out in section 3 of the report by the Chief Planning Officer, and to amend condition 2 to request that a revised planting scheme was considered for the living wall that would allow increased pollination.</p>
<u>8.2 (b) 20, 21 and 22-23 Charlotte Square, Edinburgh</u>	<p>Demolition of existing non-original rear extensions and dormers to front elevation, construction of new rear extensions and new mansard roof at rear, installation of new rooflights, slim double glazed windows and internal alterations (as amended) – application no 18/03413/LBC</p>	<p>To GRANT Listed Building Consent subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.</p>

Item 3.2 - Minutes

Additional Development Management Sub-Committee of the Planning Committee

10.00am, Wednesday 30 January 2019

Present:

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

1. 106 - 162 Leith Walk, Edinburgh, EH6 5DX

The Chief Planning Officer had identified applications for planning permission and conservation area consent for the demolition of existing buildings and erection of a mixed use development including 53 affordable housing flats, student accommodation (471 bedrooms), hotel with 56 rooms (Class 7), restaurant(s) (Class 3) and space for potential community and live music venue (Class 10 & 11), retail (Class 1), public house (sui generis) or commercial uses (Class 2 & 4) at 106 - 162 Leith Walk, Edinburgh, EH6 5DX (application nos 18/04332/FUL and 18/04349/CON) to be dealt with by means of a hearing.

(a) Report by the Chief Planning Officer

The proposal was for a mixed use development incorporating student housing, hotel use, affordable housing and ground floor units suitable for a variety of uses including a live music venue on a site located in and adjacent to Leith Town Centre. The mix and balance of uses were acceptable and would result in an intensification of development along Leith Walk which would support the vitality and viability of the town centre and bring wider regeneration benefits.

The principle of student housing accorded with policy Hou8 in the Edinburgh Local Development Plan (LDP) and the proportion of the site to be developed for student accommodation was considered to be a justified infringement of the student housing guidance. The relatively limited provision of class 4 business space as part of the overall mix accorded with the Stead's Place/Jane Street Development Brief and was considered to be a justified exception to LDP Policy Emp9 as the proposals met other LDP objectives.

On balance, the proposed design, height and layout, including the loss of a small area of open space, were acceptable and the proposal would preserve the character and appearance of the Leith and Pilrig Conservation Areas. Consideration of the impact of the loss of the existing building along 106-162 Leith walk was assessed under application 18/04349/CON.

Potential impacts on the amenity of future residents in terms of noise and odour could be addressed through conditions without prejudicing nearby employment uses. With the exception of a minor infringement of the daylighting guidance, the proposal would not have a detrimental impact on the amenity of neighbouring properties.

Subject to developer contributions towards the tram and relevant transport infrastructure, there were no objections on transport grounds. The number of cycle spaces did not meet the requirements of the Edinburgh Design Guidance. However, the applicant had submitted supporting information to explain the reasons for the number of cycle parking spaces provided and this on its own would not justify refusal of the application.

A significant number of representations had been received both objecting to and in support of the proposals. The wide range of matters raised in the representations had been considered in the assessment of the application.

Overall, it was considered that the application accorded with the development plan as the minor departures on some matters represented justifiable exceptions to LDP policy. In this instance, the regeneration benefits for the town centre and wider area outweighed concerns regarding student housing and employment space, impact on amenity and the level of cycle parking provided.

The Chief Planning Officer considered that there were no other material considerations which outweighed this conclusion and therefore it was recommended that the Sub-Committee grant planning permission and conservation area consent.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/398792

(b) Leith Harbour and Newhaven Community Council

Jennifer Marlborough gave a presentation on behalf of Leith Harbour and Newhaven Community Council.

Ms Marlborough stated that the mixed style and proportions of the existing building were unique to the section of Leith Walk. The Leith Conservation Area character appraisal emphasised the area's unique architectural character and the concentration of buildings in significant historic and architectural quality, the unifying effect of traditional materials and the multiplicity of land use activity. The appraisal also noted that recent housing developments had attracted people on higher than average incomes, whose lifestyles were in contrast to many local residents. A critical concern for local people and business was about closing the gap, to ensure that the whole community benefitted from increased investment.

The Community Council's grounds for objecting to the application were: Local Development Plan Policy Hou 2 (Housing Mix), as the proposed development did not address the range of housing needs in the area; Hou 8 (Student Accommodation), parts

B and C, as the number proposed would lead to excessive concentration and would be detrimental to the established character; Des 1 (Design Quality and Context) as the development would not contribute towards a sense of place and would be damaging to the character; Env 4 (Listed Buildings – Alterations and Extensions) and 5 (Conservation Areas – Demolition of Buildings) as the demolition and replacement of the existing building would not enhance or preserve the special character of the area as the design and material were inappropriate. Reference was also made to the City of Edinburgh Council Planning Information Bulletin issued in March 18, which stated that any development over 0.23 hectares would need to include 50% affordable housing provision on-site.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/398792

(c) Leith Central Community Council

Nick Gardiner and Julian Siann gave a presentation on behalf of Leith Central Community Council.

They stated the Local Development Plan policies that they believed the proposed development contravened:

- Des 1 (Design Quality and Context) as the proposed building was too tall at seven storeys – the Urban Design Panel suggested retail at ground level with three residential storeys above. Features of inappropriate design included a 40 metre run of glazing units on the ground floor, windows on the face of the development which were too small in comparison to other buildings in the area, and the lack of real sandstone on the front façade.
- Des 3 (Development Design – Incorporating and Enhancing Existing and Potential Features) – the present low-level building contributed to the overall character of the area and had not been incorporated into the design.
- Des 4 (Development Design – Impact on Setting) – the height and form of the proposed development were out of proportion to the streetscape and would have an adverse impact on the local area.
- Des 5 (Development Design – Amenity) in relation to reduced daylight – 23 existing windows would have their daylighting cut by below the Vertical Sky Component (VSC) standard of 27%.
- Des 6 (Sustainable Buildings) – the student residences did not make use of low or zero carbon generating technologies.
- Des 11 (Tall Buildings – Skyline and Key Views) – the building would be significantly taller than the surroundings.

They stated that Leith Walk was a diverse area, with an already significant student population and which had already seen many businesses forced to close, and encouraged members to reject the application.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/398792

(d) Leith Links Community Council

Sally Millar gave a presentation on behalf of Leith Links Community Council.

Ms Millar indicated that the community supported the other local community councils in opposing the application. As underlined by Historic Environment Scotland, there was a presumption for the retention of buildings in a conservation area – the existing building was in reasonable condition and should be retained in accordance with Local Development Plan Policy Env 5 (Conservation Areas – Demolition of Buildings). Ms Millar argued that there had been little reasonable effort made by the developer to retain the building and no real justification for the demolition had been provided. Unlike the top of Leith Walk, this area had never been densely tenemented, it was a light and open area with mixed styles of buildings with space around them. The existing building was an important part of the streetscape and played a huge role in keeping the street spacious and open. The loss of the building would therefore adversely affect the character of the area. Ms Miller argued that the following Local Development Plan Policies had not been met:

- Policy Env 22 (Pollution and Air, Water and Soil Quality) as the shape and size of the development would prevent the dispersal of air pollution from vehicles and cause deterioration of air quality.
- Policy Tra 2 (Private Car Parking) as the developer had underestimated the amount of parking required and there was not enough on-street parking in the area to cater for the number of vehicles.
- Policy Tra 3 (Private Cycle Parking) as only one-third of the recommended cycle parking was proposed.
- Policy Hou 3 (Private Green Space in Housing Development) as the development provided less than a third of that recommended by Edinburgh's Planning Policy.
- Policy Hou 4 (Housing Density) as the proposal was too dense, to the point of threatening the local amenity.

Ms Miller stated that the new development would contribute nothing of value to the local community.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/398792

(e) Cockburn Association

Terry Levinthal gave a presentation on behalf of the Cockburn Association.

Mr Levinthal indicated that he would focus on the statutory and legal issues relating to conservation areas. The area had historically been a low density part of Leith. Members were referred to Section 26 of the Tenement Scotland Act 2004 for statutory meaning in relation to tenements. Section 64 of the Planning (Listed Buildings and Conservation

Areas) (Scotland) Act stated there was a general duty in the discharge of planning functions and was therefore equal in the Sub-Committee's duty in discharging the development plan under section 25 of the main act. The application of Section 64 had been subject to several legal tests and was defined in case law – the concept of preserving or enhancing would be achieved either by the positive contribution to preservation or by development which left character or appearance unharmed (known as the “do no harm” principle). Both the Council and Historic Environment Scotland had stated that the existing buildings contributed positively to the conservation area. Mr Levinthal noted that the existing buildings were included when the conservation area was extended in 1998, with the intention that the character would be preserved and enhanced. Local Development Plan Policy Env 5 (Conservation Areas – Demolition of Buildings) stated that proposals for the demolition of an unlisted building within a conservation area but which was considered to make a positive contribution to the character of the area would only be permitted “in exceptional circumstances” – Mr Levinthal argued that no effort had been made to demonstrate this, and that the development proposals presented no public benefits over and above those already contained within the building and that additional benefits could be accrued with development behind the existing site.

Mr Levinthal encouraged the Sub-Committee to refuse consent based on its statutory duty to preserve a conservation area.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/398792

(f) Leith Depot

Julie Carty gave a presentation on behalf of Leith Depot, one of the businesses affected by the proposed development. Leith Depot was a small, independent business that had successfully developed into a cultural asset and community hub. Ms Carty stated that the developer, since buying the building, had removed local businesses, which brought diversity, employment and innovation to the local area, and had made no genuine attempt to retain the building. The applicant had also ignored calls to keep the units open while the Council was making its decision on the application. The current proposals would result in a significant reduction in local commercial businesses – the proposed development would contain only six new mixed use units, while the existing building had over 20 on the first floor and 18 on the ground floor. Ms Carthy argued that the Save Leith Walk Campaign had genuinely engaged public opinion, which favoured a development at the rear of the site – more than 12,000 people had signed a petition, and more than 4,000 had objected online. The building, she argued, was economically viable, structurally sound, and made a positive contribution to both the conservation area and the community. The proposed development at the site was the wrong type of development and was inappropriate for this part of Leith Walk.

Ms Carthy encouraged members to reject the application, as it was neither respectful for local businesses, community opinion or the designation of a conservation area.

The presentation can be viewed via the link below:

(g) Save Leith Walk

Clara Boeker and Pierre Forissier gave a presentation on behalf of Save Leith Walk. They stated that they had good reasons to save the building and clear ideas about how the area behind it could be developed, a view they said was shared by the Leith community councils, local councillors, MPs and MSPs, thousands who had signed the petition to stop the demolition, sent in letters of objection, and hundreds who had attended public meetings and consultation events. Opposition to the demolition was particularly strong among local residents, business owners and the people who used Leith Walk on a regular basis. The Save Leith Walk Campaign had led an open consultation for over 8 months, holding weekly street stalls, public meetings and canvassed opinion. They argued that the proposed demolition and development did not meet 19 Scottish Government and City of Edinburgh Council planning policies. They reminded members of the comments made by Historic Environment Scotland in relation to the presumption of retention of the building, the Cockburn Association in relation to the enhancement or preservation of the area, comments by the City of Edinburgh Council's Economic Development department regarding the negative economic impact of the new development, the Council's planning report, which highlighted that the development would infringe student housing regulations, and the Edinburgh Urban Design Panel's recommendation that no building on this site should be more than four storeys tall, compared the development's proposed seven storeys. The presenters argued that the Stead's Place Development Brief was outdated and no longer fit for purpose, as the economic landscape of Leith and Edinburgh had changed dramatically. The building had undergone a transformation in the last 10 years, which was now a thriving community hub. They noted that the structural report from 2018 had stated that the building was in a sound structural condition.

The presenters stated that the local community had lots of ideas about what could be developed behind the site. A recent community planning workshop, involving local businesses, volunteer organisations, community councils, politicians, architects and town planners, had focused on alternative visions for development, and highlighted the need for affordable and social housing for people of all ages, improved community and green spaces, and support for small locally owned businesses and voluntary organisations. They argued that there was space for 200 homes in the area of land behind the existing building, comprising affordable/social housing and student accommodation.

The presenters asked members to reject the proposals.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/398792

(h) Leith Ward Councillors

Councillors Adam McVey and Gordon Munro addressed the Sub-Committee as the members for Leith Ward.

Councillor McVey stated that he felt that, while the majority of people in Leith wanted to see the site developed, they did not want the building demolished or for the development to progress as set out in the application. He made reference to Local Development Plan Policies Hou 8 (Student Accommodation) and Des 1 (Design Quality and Context), which he did not believe had been met by the applicants. He indicated that he shared concerns about the number of cycle parking spaces and also shared the view of Historic Environment Scotland and the Cockburn Association in terms of the location of the building within the conservation area. On the economic analysis, Councillor McVey argued that the situation had changed since this was carried out, with businesses moving into the building and creating an anchor of the community. The community required a residential-led development, and this was also backed up by the Council's planning policy.

Councillor Munro asked members to reject the applications on planning policy grounds. He referred to the Edinburgh Urban Design Panel's meeting with developers on 28 March 2018, at which they encouraged the development of the heritage historical analysis for the site, particularly in respect of the existing two-storey red sandstone buildings and the contribution they make to the character of the conservation area, noting the buildings' "impressive animation to Leith Walk" and their contribution to the Leith community. The Panel had advised that this analysis could inform a design for the site, particularly the Leith Walk frontage. Councillor Munro noted that Historic Environment Scotland did not consider that the information provided justified the demolition of the buildings, as there was no structural or actual impediment to reusing the building besides financial considerations. He referred members to Local Development Plan Policies Env 5 (Conservation Areas – Demolition of Buildings), Env 6 (Conservation Areas – Development), Des 1 (Design Quality and Context), Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features), Des 4 (Development Design – Impact on Setting), Des 5 (Development Design – Amenity), Ret 1 (Town Centres First), Ret 3 (Town Centres), Hou 8 (Student Accommodation), Tra 2 (Private Car Parking), Tra 3 (Private Cycle Parking) and Tra 9 (Cycle and Footpath Network) as grounds for rejection. Councillor Munro encouraged members to reject the applications.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/398792

(i) Leith Walk Ward Councillors

Councillors Amy McNeese-Mechan, Susan Rae and Lewis Ritchie addressed the Sub-Committee as the members for Leith Walk Ward.

Councillor Ritchie stated that the application was one of only a few local planning applications that had gathered so much interest or received so many objections. He argued that objections were rooted in planning policy. The design, he argued, was incongruous due to its height, scale and massing, and served as an example of overdevelopment. The overabundance of materials was an attempt to break up the dominance of the façade, but the final design felt muddled and confused. Leith Walk was

in desperate need of more affordable housing. This development did not meet the policy of providing a 50/50 split between student and general housing. Councillor Ritchie encouraged the Sub-Committee to reject the applications.

Councillor Rae stated that the proposed demolition of the existing buildings had shocked the community, as it was an integral part of the Leith Walk, and had galvanised the community to carry out the biggest volunteer-run consultation and educational exercise ever mounted in Leith, over the course of just under a year. They held public meetings which were broadcast live, ran street stalls, organised petitions and fundraising events. Currently, only 2% of the housing in the ward was council housing, and 9% was student housing. This development would raise that to 12%. Councillor Rae encouraged members to reject the applications.

Councillor McNeese-Mechan raised concerns about the “ghettoization” of the proposals, with accommodation for students and tourists at the front, with a segregated social and affordable housing development at the back. The 53 affordable homes on the new site were not enough. The proposed student accommodation was a high rise block which would separate students from the community and the affordable housing at the back appeared to be an afterthought. There was no demand for a hotel on Leith Walk and no evidence of innovative thinking with regard to social housing models. Edinburgh hotels did not have full occupancy, even in the city centre, so any new hotel on Leith Walk would have empty rooms, in an area which badly needed affordable housing.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/398792

(j) Applicant and Applicant’s Agent

Graeme Bone, Fife Hyland and Paul Doherty (on behalf of Drum) and Michael Halliday (on behalf of Halliday Fraser Munro) were heard in support of the application.

The site was purchased by Drum in 2017 and was long acknowledged to be a development and regeneration opportunity. The approach taken was to ensure that the proposals were in accordance with planning regulations. The existing built environment at the site was tired and obsolete and the accommodation of very poor quality. An initial options appraisal had concluded that it was not economically viable to retain the building at the site. The rents achievable were very low, ranging from £2.50 to £5 per square foot. The development proposals were therefore taken forward, starting with an extensive consultation exercise. The comments and observations expressed during the consultation had informed the proposals. For example, the height of the building was reduced, the ground floor parade would be retained in order to enhance the vibrancy of the section of Leith Walk, existing tenants had been offered the opportunity to return to the development, and the new development would include a live music venue. Some of the public consultation strayed into issues that were wider than the proposed development, for example, private ownership, the Council’s affordable housing policy and gentrification which, while worthy topics, were not relevant to the planning application.

The various elements of the proposed development were summarised: a new retail and business parade, a 56-bedroom student hotel operated by the University of Edinburgh, post-graduate student accommodation, affordable housing to the rear of the site, and a safe, well-lit link from Leith Walk to Pilrig Park. The University of Edinburgh had submitted an operating plan in support of the application. The Leith Walk frontage included a café-bar and a co-working space, which would be open to students, hotel guests and local residents. The demolition of the existing building would preserve the character of the conservation area. The Local Development Plan, the supplementary guidance, the development brief, and the advice from officers and statutory consultees including Historic Environment Scotland were clear that the application complied with the Local Development Plan and was in the public interest. The proposal was a true mixed use solution and fulfilled an aspiration of the Council to regenerate and stimulate economic activity in a neglected part of Leith.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/398792

Decision

- 1) To refuse planning permission, as the proposals were contrary to:
 - Local Development Plan Policy Env 5 in respect of Conservation Areas – Demolition of Buildings as the red sandstone building made a positive contribution to the character and appearance of the conservation area and the design of the proposed replacement building did not outweigh the loss of the existing building
 - Local Development Plan Policy Env 6 Conservation Areas – Development part a) as the proposed development did not preserve or enhance the special character or appearance of the conservation area.
 - Local Development Plan Policy Des 1 Design Quality and Context as the development would have had a detrimental impact on the appearance of the surrounding conservation area.
 - Local Development Plan Policy Des 4 Development Design – Impact on Setting part a) as the height and form of the proposed development would not have a positive impact on its surroundings.
 - Local Development Plan Policy Des 5 Development Design – Amenity part a) because it would have a detrimental impact on the levels of daylight afforded to existing residential properties.
 - Local Development Plan Policy Hou 8 Student Accommodation as the location was not appropriate in terms of access to university and college facilities by walking, cycling or public transport and it would result in an excessive concentration of student accommodation to an extent that would be detrimental to the maintenance of balanced communities or to the established character and residential amenity of the locality.
 - Local Development Plan Policy Tra 3 Private Cycle Parking as the proposed private cycle parking did not accord with the standards set out in the non-statutory Edinburgh Design Guidance.
 - The non-statutory Student Housing Guidance as the new build residential gross

floor area did not represent a minimum of 50% of the total new build housing and student accommodation gross floor area.

- 2) To refuse Conservation Area Consent, as the proposals were contrary to:
- Historic Environment Policy Statement 2016 as the existing building made a positive contribution to the character and appearance of the conservation area and the design of the proposed replacement building did not outweigh the loss of the existing building.
 - Local Development Plan Policy Env 5 in respect of Conservation Areas – Demolition of Buildings and the non-statutory guidance on Listed Buildings and Conservation Areas as the existing building made a positive contribution to the character and appearance of the conservation area and the design of the proposed replacement building did not outweigh the loss of the existing building.

(Reference – report by the Chief Planning Officer, submitted.)

Appendix

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register.		
6.1(a) – 106 - 162 Leith Walk Edinburgh EH6 5DX	Application nos 18/04332/FUL & 18/04349 – Protocol Note	Noted.

[6.1\(b\) – 106 - 162](#)
[Leith Walk](#)
[Edinburgh EH6 5DX](#)

Demolition of existing buildings and erection of a mixed use development including 53 affordable housing flats, student accommodation (471 bedrooms), hotel with 56 rooms (Class 7), restaurant(s) (Class 3) and space for potential community and live music venue (Class 10 & 11), retail (Class 1), public house (sui generis) or commercial uses (Class 2 & 4). Includes associated infrastructure, landscaping and car parking - application no 18/04332/FUL

To **REFUSE** planning permission, as the proposals were contrary to:

- Local Development Plan Policy Env 5 in respect of Conservation Areas – Demolition of Buildings as the red sandstone building made a positive contribution to the character and appearance of the conservation area and the design of the proposed replacement building did not outweigh the loss of the existing building
- Local Development Plan Policy Env 6 Conservation Areas – Development part a) as the proposed development did not preserve or enhance the special character or appearance of the conservation area.
- Local Development Plan Policy Des 1 Design Quality and Context as the development would have had a detrimental impact on the appearance of the surrounding conservation area.
- Local Development Plan Policy Des 4 Development Design – Impact on Setting part a) as the height and form of the proposed development would not have a positive impact on its surroundings.
- Local Development Plan Policy Des 5 Development

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
		<p>Design – Amenity part a) because it would have a detrimental impact on the levels of daylight afforded to existing residential properties.</p> <ul style="list-style-type: none"> • Local Development Plan Policy Hou 8 Student Accommodation as the location was not appropriate in terms of access to university and college facilities by walking, cycling or public transport and it would result in an excessive concentration of student accommodation to an extent that would be detrimental to the maintenance of balanced communities or to the established character and residential amenity of the locality. • Local Development Plan Policy Tra 3 Private Cycle Parking as the proposed private cycle parking did not accord with the standards set out in the non-statutory Edinburgh Design Guidance. • The non-statutory Student Housing Guidance as the new build residential gross floor area did not represent a minimum of 50% of the total new build housing and student accommodation gross floor area.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>6.1(c) – 106 - 162 Leith Walk Edinburgh EH6 5DX</p>	<p>Complete Demolition in a Conservation Area – application no 18/04349/CON</p>	<p>To REFUSE Conservation Area Consent, as the proposals were contrary to:</p> <ul style="list-style-type: none"> • Historic Environment Policy Statement 2016 as the existing building made a positive contribution to the character and appearance of the conservation area and the design of the proposed replacement building did not outweigh the loss of the existing building. • Local Development Plan Policy Env 5 in respect of Conservation Areas – Demolition of Buildings and the non-statutory guidance on Listed Buildings and Conservation Areas as the existing building made a positive contribution to the character and appearance of the conservation area and the design of the proposed replacement building did not outweigh the loss of the existing building.

Development Management Sub Committee

Wednesday 8 May 2019

Report for forthcoming application by

Tartan Leisure Ltd. for Proposal of Application Notice

19/01604/PAN

At Craigpark Quarry, 1 Craigpark, Ratho

Detailed design of the buildings for the Wavegarden

Scotland development at Craigpark Quarry and information relative to Condition 1 to be attached to planning permission 17/02471/FUL (Minded to Grant notice issued on 5 May 2018).

Item number	4.1
Report number	
Wards	B02 - Pentland Hills

Summary

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for planning permission at Craigpark Quarry in Ratho.

In accordance with the provisions of the Town and Country planning (Scotland) Act 1997 as amended, the applicants submitted a Proposal of Application Notice 19/01604/PAN on 29 March 2019.

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 site is part of the disused Craigpark Quarry, at the western edge of the village of Ratho. The site does not include land approved for housing under application number 13/02527/FUL.

Planning permission was minded to grant for a wavegarden leisure facility within the quarry, application reference 17/02471/FUL.

The site is bound to the north by a strip of trees and shrubbery, next to the Union Canal, which is a scheduled ancient monument and by the Edinburgh International Climbing Arena to the north east. It is bound to the west by agricultural land and to the south by Bonnington Quarry.

A Local Nature Conservation Site runs along the northern edge of the site and to the south east there is an area of Long Established Woodland of Plantation Origin.

This application site is located within the Ratho Conservation Area.

2.2 Site History

The site was an active quarry producing hard rock until 1990 when all extraction ceased.

May 2002 - planning application for restoration of redundant quarry and mixed use redevelopment comprising housing, business and commercial uses, with associated engineering works refused (application reference 02/01597/FUL).

14 August 2009 - planning permission was granted for the erection of 117 dwelling houses on the neighbouring site and restoration of the disused quarry to the south west for public amenity purposes (formation of country park) (application reference 05/01229/FUL). An Environmental Impact Assessment was submitted with this application. The proposal included 45 town houses 42 four storey apartments, and 30 detached dwelling houses. The planning permission is subject to a legal agreement, requiring amongst other matters the implementation of a phased restoration programme and landscape management plan. The approved restoration works are currently in progress, with infilling of the quarry site now well underway.

21 November 2014 - planning permission was granted for a material variation to planning permission Ref; 05/01229/FUL to provide amended housing layout and substitution of house types and associated works (application reference 13/02527/FUL).

17 June 2016 - A PAN was submitted for the restoration of former Craigpark Quarry for outdoor countryside and water related leisure and recreation, waterside development, visitor accommodation, access infrastructure and ancillary facilities. Ref 16/03170/PAN and was withdrawn on 22 December 2016.

21 December 2016 - A PAN was submitted for Infrastructure provision (including operational works), landscaping and access (pedestrian and vehicular) associated with the development of the site for an outdoor leisure complex, including tourism accommodation facilities, ancillary (class one) retail and (class three) food and drink uses and associated works (for planning permission in principle) (application reference 16/06371/PAN).

25 April 2019 - planning permission was minded to grant for an Outdoor leisure complex incl. water sport+training facilities infrastructure, access (pedestrian+vehicular), landscaping+ancillary works (full planning permission), ancillary class 1 (retail)+class 3 (food+drink) uses, tourism accommodation facilities (PPP) (application reference 17/02471/FUL).

Main report

3.1 Description Of The Proposal

The application is for full planning permission for the detailed design of the buildings for the Wavegarden Scotland development at Craigpark Quarry in relation to condition 1 of planning permission 17/02471/FUL.

3.2 Key Issues

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

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

The site is located within the Countryside Policy Area as defined in the Edinburgh Local Development Plan. Policy Env 10 allows for recreation development where a countryside location is essential and development is in scale and quality of design appropriate to the use and the rural character of the area.

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

The applicant indicated in the original submission that an architectural competition may be held to ensure high quality design on the site. The buildings will be required to accord with the siting, height and footprints approved in the original application. A design and access statement will be required to accompany the application.

c) there are any other environmental factors that require consideration;

The application will be required to satisfy the requirements of condition 1 of application reference 17/02471/FUL as follows:

Notwithstanding the information submitted on the plans hereby approved, detailed planning permission must be sought for all the support buildings (including orientation building, HUB reception building, WETs building and Service Building), the recreation facilities (including the water sports facility, zip wire, ski and snowboard kicker, the tubing slide and ancillary structures), and the visitor overnight accommodation buildings (including lodge and pod buildings) shown on the proposed masterplan drawing reference 14048 L106 EOO. The total gross floor area of the buildings should not exceed 4500 square metres and the buildings should not exceed two storeys in height A.O.D.

The detailed application should include the following information:

- Height, massing, siting and ground floor levels;*
- Design and external appearance of all buildings, roof form, open space, public realm and other structures;*
- All operational aspects of water sports facility, open space and public realm;*
- Existing and finished site and floor levels in relation to Ordnance Datum;*
- Roads, footways, cycleways, servicing and layout of car parking and cycle parking provision in accordance with standards agreed within the approved layout; including an access management plan;*
- Amendments of any treatment to adopted roads and footways;*
- Surface water management, drainage arrangements, SUDs proposals and SUDs maintenance plan;*
- All operational aspects and noise assessment of the commercial and business uses including details of servicing arrangements, opening hours, all external plant, machinery and/or ventilation, hours of deliveries and collections, inclusion of a site management plan; details should be provided which confirm that the ventilation will meet the relevant criteria;*
- Waste management and recycling facilities;*
- External lighting, including floodlighting and street lighting arrangements for the development;*
- Site investigation/decontamination arrangements;*
- Ecological studies including mitigation works to protect against any damage to protected species, bats, otters and badgers;*
- Full details of the proposed centralised energy centre;*
- Detailed soft and hard landscaping plan and levels around the proposed buildings;*
- A schedule of all plants to comprise species, plant size and proposed number and density;*
- Inclusion of hard and soft landscaping details including tree removal;*
- Landscape management plan including schedule for implementation and maintenance of planting scheme; and*
- Any boundary treatments, including noise barriers.*

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

- Pre-application consultation report;
- Planning statement;
- Design and Access Statement;
- Landscape and Visual Impact Appraisal;
- Flood Risk Assessment and Surface Water Management Plan;
- Noise Impact Assessment;
- Tree Survey and Constraints Plan to BS 5837:2012; and
- Phase 1 Habitat and Protected Species Survey.

3.3 Assessment

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

Financial impact

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The Proposal of Application Notice (reference 19/01604/PAN) has been advertised in the Edinburgh Evening News. The applicant has notified the Community Council and local councillors on 28 March 2019.

A dedicated website has been created for the site called www.wavegarden.scot

The applicants will hold a consultation meeting at Ratho Library on 8 May 2019 between 3pm and 8pm.

The results of the community consultation will be submitted with the application as part of the Pre-application Consultation Report.

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

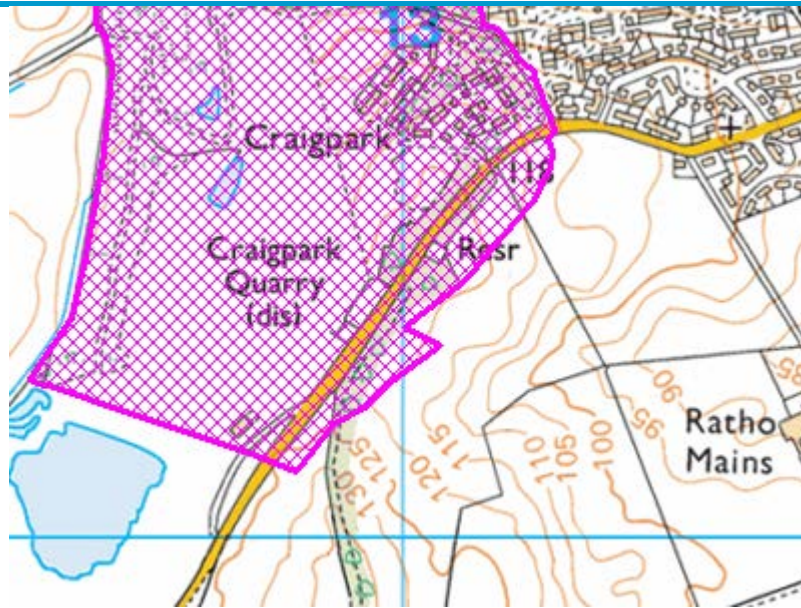
PLACE

The City of Edinburgh Council

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Location Plan



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Development Management Sub Committee

Wednesday 8 May 2019

Report for forthcoming application by

Taylor Wimpey (East Scotland) for Proposal of Application Notice

19/01480/PAN

At Land 100M South Of Dimma Park, South Queensferry, Full planning permission for residential developments (max 80 houses) as a variation to 16/06280/FUL and full planning permission for formation of landscaping and footpath.

Item number	4.2
Report number	
Wards	B01 - Almond

Summary

The purpose of this report is to inform the Development Management Sub-committee of a forthcoming application for full planning permission for the residential development (max 80 houses) as a variation to planning permission 16/06280/FUL and full planning permission for formation of landscaping and footpath.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicant submitted a Proposal of Application Notice on 14.03.2019 (reference: 19/01480/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 site covers approximately 3.4 hectares and is located on the southern edge of Queensferry. It currently comprises agricultural land.

To the north west is the existing residential area at South Scotstoun, which consists of mostly two storey dwellings. To the north is the former Agilent Technologies site, which has been redeveloped for housing. To the east lies the railway line.

To the south of the site is the A90 and to the west is the B800. The B800 sits higher than the site. The roads have been altered as part of the Forth Road Bridge construction works.

2.2 Site History

21.03.2018 Pending Planning Permission for Residential development of flats and houses with associated accesses, roads, drainage, parking and landscaping (as amended) (Ref: 16/06280/FUL).

Main report

3.1 Description Of The Proposal

An application for full planning permission will be submitted for the residential developments (max 80 houses) as a variation to 16/06280/FUL and full planning permission for formation of landscaping and footpath.

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 situated within the Urban Area and allocated as HSG 33 (South Scotstoun) in the LDP as housing land for development. Development must accord with the South Scotstoun Development Principles contained in the Queensferry South Site Brief.

The site must be assessed against all relevant policies within the LDP and the Edinburgh Design Guidance will also need to be considered by the applicant.

b) The design, scale and layout are acceptable within the character of the area; and does the proposal comply with the design policies of the Local Development Plan;

The applicant will be required to comply with all relevant design policies within the LDP as well as supplementary guidance where applicable (e.g. Edinburgh Design Guidance). A design and access statement will be required to support the application as well as a daylight, overshadowing and privacy assessment for both the proposal and neighbouring properties.

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

The proposals should have regard to transport policies of the LDP and Edinburgh Streets Design guidance. The applicant will be required to provide transport information including a travel plan and to demonstrate how the proposal complies with parking standards including service arrangements and cycle parking provision.

d) There are any other environmental factors that require consideration;

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

- Pre-Application Consultation report;
- Planning Statement;
- Design and Access Statement;
- Viewcones of Protected Views;
- Sustainability Form S1;
- Daylight, privacy and overshadowing information;
- Transport Information;
- Waste management information;
- Protected species information/extended phase 1 survey;
- Ground investigations/Site investigations;
- Flooding risk and drainage information;
- Noise/air quality information;
- Detailed hard and soft landscape plan and planting schedule; and
- Surface Water Management Plan.

The proposals will be required to be screened under Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

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

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The applicant's Proposal of Application Notice noted that a public exhibition will be held at South Queensferry Community Centre on 30 April 2019. A public notice will be placed in the Edinburgh Evening News at least seven days prior to the event.

The applicant has confirmed that Queensferry and District Community Council and local councillors received a copy of the Proposal of Application Notice on 14 March 2019.

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

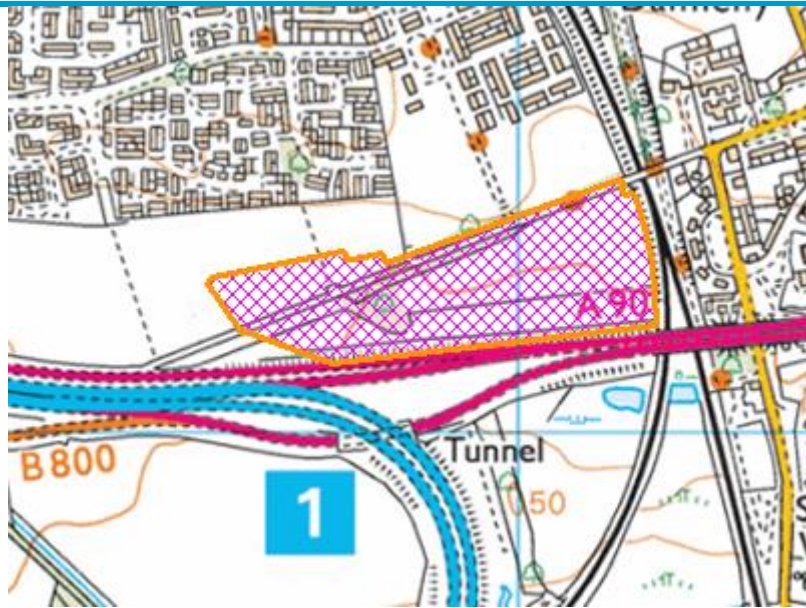
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Location Plan



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Development Management Sub Committee

Wednesday 8 May 2019

Report for forthcoming application by

BDW Trading & Tesco Personal Finance PLC. for Proposal of Application Notice

19/01329/PAN

At Land Adjacent To 2, South Gyle Crescent, Edinburgh Residential, Offices, Hotel, Retail / Financial, Professional and Other Services / Food & Drink / Non-Residential Institutions (Class 1,2,3 and 10).

Item number	4.3
Report number	
Wards	B03 - Drum Brae/Gyle

Summary

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for planning permission for a residential led mixed use development at land adjacent to 2 South Gyle Crescent, Edinburgh.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicants submitted a Proposal of Application Notice: 19/01329/PAN on 08 March 2019.

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, covering an area of 3.66ha, lies west of South Gyle Crescent and south east of South Gyle Broadway, wrapping around the existing office building on the corner of the site. The site is mostly vacant except for a surface car park that formed part of a previous scheme in the middle of the site.

To the east is St Augustine's High School and Forrester High School and the Gyle shopping centre one mile to the west. The surrounding area is predominantly commercial in nature. There is existing residential to the north of the site and a recently completed residential development 0.2 miles to the west comprising of flats and houses.

2.2 Site History

02 April 2019 - An application for the relocation of the existing car park to facilitate redevelopment of the site is pending consideration (planning reference: 19/01641/FUL).

06 August 2010 - An application for planning permission for an office building forming part of phase 2 of a masterplan for the site was granted (planning reference: 08/04316/FUL).

24 May 2006 - An application for the renovation and extension of an existing office on the site and masterplan indicating how the whole site would be developed was granted (planning reference: 05/02513/FUL).

25 May 2006 - An application for the erection of 251,944sqf of office space including 520 parking spaces was granted (planning reference: 03/01345/FUL).

Main report

3.1 Description Of The Proposal

The application is a Proposal of Application Notification of Full Planning Permission for a residential-led mixed use development including 328 residential flats and Classes 1, 2, 3 and 10. No details are provided at this stage in the process.

3.2 Key Issues

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

a) The principle of the development is acceptable in this location;

The site forms part of the Edinburgh Park/South Gyle area identified in the Edinburgh Local Development Plan (LDP) and as such Policy Del 4 and the Edinburgh Park/South Gyle Development Principles must be considered. These allow for a wider mix of uses including housing as a component of business led proposals. The site will also be assessed against all other relevant policies within the LDP and the Edinburgh Design Guidance.

b) The design, scale and layout are acceptable within the character of the area; and does the proposal comply with the design policies of the Local Development Plan;

The applicant will be required to comply with all relevant design policies within the LDP as well as guidance where applicable e.g. Edinburgh Design Guidance. A design and access statement will be required to support the application as well as a daylight, overshadowing and privacy assessment for both the proposal and neighbouring properties.

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

The proposal shall have regards to LDP transport policies and Edinburgh Street Design Guidance. Developer Contributions and Infrastructure Delivery Supplementary Guidance will apply to the proposal. The applicant will be required to provide transport information to demonstrate how the proposal prioritises active travel and is aligned with parking standards, including service arrangements and cycle parking provision.

d) There are any other environmental factors that require consideration;

The applicant will be required to submit sufficient information to demonstrate that the site can be developed without having an unacceptable detrimental impact on the environment. In order to support the application, the following documents are anticipated:

- Pre-Application Consultation report;
- Planning Statement;
- Design and Access Statement;
- Sustainability Form S1;
- Daylight, privacy and overshadowing information;
- Transport Information;
- Ecology information;
- Waste management information;
- Flooding risk and drainage information; and
- Noise/air quality information.

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The applicant's Proposal of Application Notice noted that a public exhibition was to be held at the Marriott Hotel, 111 Glasgow Road, Edinburgh on 2 April 2019 from 14.30 - 19.30. A public notice was placed in the Edinburgh Evening News on 26 March 2019 and the applicant intended to advertise the event locally by using leaflets in public buildings.

The applicant has confirmed that Corstorphine Community Council and ward Councillors received a copy of the Proposal of Application Notice on 8 March 2019.

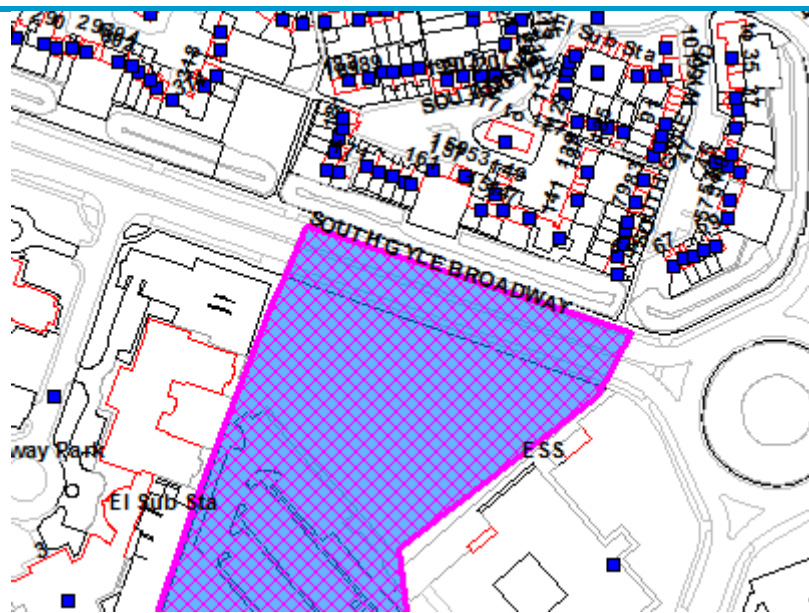
Background reading/external references

- 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](#)

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Location Plan



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Development Management Sub Committee

Wednesday 8 May 2019

**Application for Planning Permission 18/08206/FUL
At 1 Bath Road, Edinburgh, EH6 7BB
Proposed residential development with commercial units
and associated landscape, drainage, roads and
infrastructure (as amended).**

Item number	4.4
Report number	
Wards	B13 - Leith

Summary

This proposal is of an acceptable scale and density and will provide 212 new flats. It will contribute to the wider regeneration of Leith Waterfront through the provision of non-new housing and six commercial units on a brownfield site. The proposal is of an acceptable layout and design and will have a positive impact on the amenity of the surrounding area. The proposal provides acceptable levels of car and cycle parking.

The proposal will provide the required 25% affordable housing provision.

Concerns have been raised regarding air quality and noise pollution and on balance, given the wider benefits of the proposal subject to the inclusion of appropriate conditions, the application is acceptable.

Concerns have also been raised by the City Archaeologist. In response to these concerns the applicant has reflected the historical significance of the site with inclusion of low circular walls incorporated into the landscape design of the central courtyard areas. Given this amendment, and subject to a suitable condition relating to archaeology, the application is acceptable.

In all other aspects the proposal accords with the Development Plan and generally complies with the relevant Non-Statutory Guidance.

The proposal is acceptable. There are no material considerations that outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDEL01, LDEL03, LDES01, LDES02, LDES04, LDES05, LDES06, LDES07, LDES08, LEN06, LEN20, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, NSP, NSGD02, NSMDV,
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Report

Application for Planning Permission 18/08206/FUL At 1 Bath Road, Edinburgh, EH6 7BB Proposed residential development with commercial units and associated landscape, drainage, roads and infrastructure (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 rectangular in shape and covers 1.41 hectares. There is an office block and a large timber shed on the site.

The site is bounded to the south by Salamander Street with four to six storey housing beyond. There are commercial units on the ground floor of this block.

To the east is Bath Road and a corner residential tenement with a public house on the ground floor. Along the southern edge of the site and a section of the eastern edge there is a 6 metre high stone wall which is unlisted. To the north is a car pound owned by City of Edinburgh Council (CEC) and a cleared site on land owned by Forth Ports beyond. Bordering the site to the west are two Grade 'B' listed buildings (LB 26744 - dated 14/ 12/70) which are two to three storeys in height. These properties are a kitchen and joinery workshop and a tiling showroom.

There are two existing accesses to the site off Bath Road and Salamander Street/Baltic Street. The latter access off Salamander Street/Baltic Street lies within the Leith Conservation Area.

This application site is located within the Leith Conservation Area.

2.2 Site History

29 December 2016 - Listed Building Consent granted to part demolish structurally unsafe boundary wall and subsequent re-instatement (application reference 16/05506/LBC).

26 October 2011 - Planning permission granted for the storage of 7500 tonnes of salt-stockpiled top open air on existing hardstanding areas and covered with sheeting (application reference 11/02873/FUL).

24 June 1997 - Planning permission granted for the demolition of an existing sawmill, and extension of existing building (application reference 97/00578/FUL).

Main report

3.1 Description Of The Proposal

The proposal is for the construction of 212 new flats comprising both private and affordable housing. A mix of one, two and three bed flats will be provided for 159 private flats and 53 affordable units.

Three separate apartment blocks are proposed. These blocks are shaped like an inverted 'U' and each one encloses a landscaped courtyard which is open to the south. The height of the westernmost block adjacent to the listed buildings is four storeys, and increases to six storeys at the north and east edge. The remaining two blocks are six storey reducing to four storeys fronting on to Salamander Street. All the blocks each have a commercial unit at the southern end of each 'arm'. The commercial blocks are at the ground floor of a four storey block. Each of the commercial units is 67 square metres and will be Class 4 business use.

The existing six metre stone wall is being removed and a new low brick wall (0.45 metres) with railings is being constructed 2.5 metres north from the existing stone wall. Hedging will be planted behind the new brick wall.

The design of the flats is contemporary and simple. Materials proposed are brick and render on the external walls with grey cladding panels. The roof is flat with mounted photovoltaic panels. Windows are recycled uPVC. Windows and doors are grey in colour. Balconies are located on the north and south facing elevations.

Vehicular access will be taken from two points at Bath Road and Salamander Street. One hundred and fourteen spaces are proposed for the flats which include nine disabled parking spaces. There are two car clubs bays and 19 bays are shown to be suitably equipped for electric vehicle charging. Internal secure cycle parking is provided. A total of four hundred and sixty two cycle spaces are provided. The cycle stores are located at the entrances of the apartment blocks. Pedestrian access to each of the block of flats is from Salamander Street. There is a difference in level from the footpath to the flats so each block is accessed via a set of steps or a ramp. A footpath leads to the main entrances for each block.

The access road serving the proposed development off Salamander Street is formed by setts. These setts will be lifted and relaid in the same place. Similar setts will be laid at the points where the main access road to the north of the site leads into the parking areas between the blocks.

Two bin stores per block are proposed fronting on to the main access route at the north of the site.

Each of the apartment blocks is built around a square of useable green space. This space includes trees, ornamental shrubs, and grasses with areas of bulb planting. These green spaces will also have low level circular walls constructed in any re-usable stone from the original stone wall at the south and east edge of the site. This area will be semi public/private.

Smaller hard landscaped areas between the buildings and the footpaths which are not useable will be filled with gravel. Other smaller landscaped areas on the frontage of Salamander Street adjacent to the steps and ramps will form feature shrub beds. Similar feature shrub beds will also be provided to break up the line of parking bays.

Trees will be planted along the southern and eastern edges of the site.

A landscaped roof is proposed for the roof of all the four storey blocks which look on to Salamander Street. Each landscaped roof will have a hedge line or bamboo planting within trough planters to provide screening. There will be a paved /decked /pergola area to encourage sitting out. Areas of grass will be surrounded by soft landscaping with specimen shrubs and small trees.

A full landscaping scheme for the site has been submitted.

Scheme 1

Scheme 1 retained the stone wall at the southern edge with a reduction in height. The original scheme did not provide sufficient width along Salamander Street for a cycle path. The landscaping scheme within the courtyard areas did not address the heritage of the site.

Supporting Statements:

- Planning Statement;
- Pre- Application Report;
- Design and Access Statement;
- Transport Assessment;
- Flood Risk Assessment and Drainage Strategy;
- Ecology Report;
- Noise Impact Assessment;
- Lighting Assessment; and
- Air Quality Assessment.

These documents have been submitted in support of the application and 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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

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 residential use is acceptable on this site;
- b) the proposals preserve or enhance the setting of the conservation area;
- c) the proposed layout, height, design, materials and density are acceptable;
- d) the proposal is detrimental to the amenity of neighbours and the proposal provides sufficient amenity for the occupiers of the development;
- e) the proposal is acceptable in terms of archaeology;
- f) the proposed access, car and cycle parking is acceptable;
- g) the proposal meets sustainability criteria;
- h) whether there are other material planning considerations;
- i) the proposal has any equalities or human rights impacts; and
- j) the representations have been addressed.

a) Principle of development

The site is part of the urban area and within the Edinburgh Waterfront Area as identified by the adopted Edinburgh Local Development Plan (LDP). The site is identified in the LDP as an area suitable for housing-led mixed use development. It is located within the Central Leith Waterfront Area, Proposal EW1b. One of the development principles of this area is that new housing should be designed to mitigate any significant adverse impacts on residential amenity from existing or new industrial development.

LDP Policy Del 3 states that planning permission will be granted for development which will contribute towards the creation of new urban quarters at Leith Waterfront and Granton Waterfront. The proposal complies with this policy as it delivers a housing led mixed use development in the Leith Waterfront Area.

LDP Policy Hou 1 supports housing as part of mixed use regeneration proposals at Edinburgh Waterfront including Proposal EW1b. The proposal complies with this policy as it provides family housing and commercial use on a brownfield site.

LDP Policy Des 2 supports development which will not compromise the effective development of adjacent land.

A planning application is expected on the site to the west of the proposal. There is no development proposed on this boundary. There is an access road running the length of the boundary and parking on its eastern edge.

The layout shows an access road running along the northern edge of the application site and parking spaces on the boundary. Parking spaces have been removed from this edge, at the opposite side from where the garage courts start. This allows access to the adjacent site and improves permeability.

This proposal does not compromise the effective development of adjacent land and complies with LDP Policy Des 2.

LDP Policy Emp 9 sets out criteria for the assessment of proposals to redevelop employment sites in the urban area for non-employment uses. In this case the use is primarily residential. Policy Emp 9 c) states that business floorspace should be provided for a range of uses if a site is larger than 1 hectare. This application includes six commercial units within the proposal. They are located along Salamander Street frontage at the end of each 'arm' within the blocks. They are stepped back from the main road. The commercial units will provide suitable business space within this development and will complement similar units constructed several years ago on the south side of Salamander Street. Economic Development supports the provision of this commercial space.

Policy Emp 9 b) allows proposals where they will contribute to the comprehensive regeneration and improvement of the wider area. A number of previously industrial areas have already been redeveloped for residential use in the vicinity. These sites also include commercial units. The redevelopment of this site will also improve the wider area as it removes an unsightly stone wall from the site frontage and introduces green space into the streetscape.

Policy Emp 9 a) allows the introduction of non-employment use where it will not prejudice the activities of employment uses in the surrounding areas. Mitigation measures are proposed in the form of acoustic glazing on new properties in the new development which will help to address the risk of complaints from new residents.

The principle of residential development on the application site is acceptable. The loss of industrial use and provision of commercial units is acceptable and complies with LDP Policy Emp 9.

b) Setting of the conservation area and listed buildings

LDP Policy Env 6 sets out the criteria against which development within a conservation area will be permitted.

LDP Policy Env 3 states that development affecting the setting of a listed building will be permitted if it is not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

The short access road into the development at the west end of the site is the only part of the proposed development which lies within the Leith Conservation Area. This access road is characterised by original setts. The applicant intends to lift the original setts clean and re-lay in situ. To reflect the proximity of the conservation area, setts will also be introduced at certain points along the main access road at the junctions of the two garage courts and where there is a gap in the parking strip at the north edge of the site.

The proposal will enhance the conservation area as the original six metre stone wall at the southern edge of the site, which is unsightly, is to be removed. The line of the boundary will be set back 2.5 metres and a low stone wall with black railings erected to mark the new boundary. This will allow more light into the street and the proposed courtyard areas surrounded by each block will add colour and interest to the streetscape.

There are two listed buildings outwith the site but adjacent to the setted access road at the west end. The proposal addresses the setting of these buildings by retaining the setted access road immediately adjacent. The number of storeys in the westernmost block nearest to the listed buildings is reduced to four storeys to respect the height of the listed buildings.

The proposed development would not have an adverse impact on the setting of the Leith Conservation Area or the listed buildings adjacent. The proposal complies with Policy Env 6 and Policy Env 3 of the LDP.

c) Layout, Height, Design, Materials and Density

LDP Policies Des 1 and Des 4 set out the design and layout criteria against which this application is assessed.

The layout of the site forms three regular flatted blocks each enclosing a landscaped green space on three sides. The open side of each block fronts on to Salamander Street giving the open space a south facing aspect. Black railings mounted on a low brick wall with stone coping forms a strong frontage on to Salamander Street. The layout of the site gives much needed openness to this section of Salamander Street and the grid structure allows permeability through the site.

The height of the blocks vary from four to six storeys. There are four storeys on the western arm of the west block. This is adjacent to the listed buildings on the western boundary of the site which are two and three storeys. Four storeys is sympathetic to the height of these buildings and is acceptable. The remaining blocks are six storeys to the rear and four storeys at the front. The change in height offers interest, fits well with surrounding properties and offers an opportunity for roof gardens on the four storey blocks.

The design and form of the development varies from the urban grain of the surrounding buildings which are generally hard on to the heel of the footpath and have no green space fronting on to the road. The proposal offers variety and interest with an open aspect and active frontages at ground level. Details like feature corners with recessed terraces, green courtyard spaces visible from the road and roof gardens create interest. The design and form is acceptable in this location.

The proposed materials are appropriate in this area and tie in well with materials used in recently constructed developments nearby.

The proposed development site would have a density of 150 dwellings per hectare. This is a fairly high density development. This is acceptable in this location as the site is approximately three miles from the city centre and is in close proximity to a good public transport network. The density is acceptable.

The layout, height, design, materials and density of the proposed development is acceptable.

d) Amenity of occupiers and neighbours

LDP Policy Des 5 -Development Design - Amenity seeks to ensure that development does not adversely impact on the amenity of existing neighbours and that future occupiers will have an acceptable level of amenity.

Noise

The applicant's Noise Impact Assessment (NIA) considers the potential noise source from traffic noise from Baltic Street/Salamander Street. It also considers occasional commercial and industrial noise from the various neighbouring industrial sites and the Pond public house to the east of the site. The applicant proposes commercial units on the ground floors of the development. A condition is to be attached to these units restricting the use to Class 4 only. No noise should be generated from a class 4 use.

The applicant proposes two measures to address the noise impact on the proposed development from various sources. Firstly, appropriate acoustic glazing and secondly, the installation of a mechanical ventilation system (similar to that required for local air quality purposes). The solution put forward by the applicant to minimise the impacts of noise is confirmed by Environmental Protection as probably the best option to minimise noise impacts. Environmental Protection states it cannot support mechanical ventilation because enforcing is too difficult and consequently states that the application should be refused on noise grounds.

Details of mitigation measures in terms of acoustic glazing and mechanical ventilation have been submitted by the applicant. Internal layouts of flats on the facade nearest the public house have also been amended to minimise sleep disturbance. Although it is acknowledged that the noise sources are numerous and varied, the likely impact level has been assessed in detail. The mitigation measures are acceptable in this instance and that the amenity of future occupiers will not be adversely impacted in terms of noise.

Air Quality

LDP Policy Env 22 - Pollution and Air, Water and Soil Quality - states that planning permission will only be granted where there will be no significant adverse effect on air quality.

The site is located within the Salamander Street Air Quality Management Area (AQMA). The AQMA was designated in January 2017 due to elevated levels of Particulate Matter 10 (PM10) being detected over a number of years. The air quality levels for PM 10 concentrations must be assessed against the 18 ug/m³ annual average objective. The Council has been undertaking monitoring levels in this area since 2009 to enable a trend to be established over a ten year period. The applicant was asked to carry out on site monitoring for PM 10 and they did this using a continuous automatic air quality monitor for a three month period. The applicants monitoring survey did not identify a breach of the 18 ug/m³ over the three month period. However, this was a snap shot and Environmental Protection consider that more weight should be given to their monitoring data which continues to cause concern at the elevation of PM 10 in the area. The identification of the AQMA at Salamander Street has triggered the need for the preparation of an action plan to address the elevated levels of PM10. This involves working with Scottish Government, Forth Ports Authority, SEPA and local developers to identify ways of reducing the levels of PM 10 in the area. This process is currently underway.

The applicant has proposed mechanical ventilation and filtration as a form of mitigation against the PM 10 levels at the application site. The use of MVHR (mechanical ventilation with heat recovery) will also provide additional noise mitigation with the MVHR system removing the requirement for trickle ventilators to all windows. The heat recovery element will enhance the sustainability credentials of the development by reducing heat demand, and in turn emissions, through more efficient capture and re-use of heat which would normally be lost. The applicant has provided drawings and details of the proposed filtration system. The filters would have to be changed regularly and properly maintained. Environmental Protection are not keen to support this as they cannot enforce such a condition.

Environmental Protection recommends the application is refused on air quality grounds. The site is located in the middle of the Salamander Street AQMA for PM10 levels therefore exposing the future residents to excessive levels of pollutants likely to adversely affect their health. Although the applicant has applied mitigation measures Environmental Protection remain concerned with the levels of amenity that would be afforded to the residents and the likelihood that complaints would be received regarding industrial operators.

In making an assessment in relation to this application, consideration has been given to the appeal decision at 2 Ocean Drive (14/05127/FUL). In this case, the Council refused planning permission on air quality and impact on health grounds. In overturning the Council's decision to refuse planning permission, the Reporter observed that there is a downward trend in annual mean PM 10 levels at the monitoring station at Salamander Street and across the city. The Reporter concluded that he was not satisfied overall that adverse effects for health should be properly regarded as significant and the proposal would not conflict with LDP Policy ENV 22. The application site is identified in the LDP as an area suitable for housing - led mixed use development. It has similar PM10 levels as the previously mentioned appeal site.

All matters relating to air quality and this proposal have been considered. On balance, it is accepted that PM10 levels have breached national levels in the past. However, it is acknowledged that with the designation of the Salamander Street AQMA, an action plan will be prepared which will have the primary objective of reducing PM10 levels in the area. This combined with the fact that the applicant has provided details of mitigation measures in the form of mechanical ventilation is helpful. It is concluded that the proposal does not conflict with LDP Policy Env 22 on air quality grounds.

Privacy, Daylighting and Overshadowing of Open Space

An objection has been raised on the grounds that the privacy of existing residents in the block on the south side of Salamander Street will be affected by the new development. The distances from building line to building line along Salamander Street vary from 18.2 metres to 20.7 metres. This is considered acceptable and does not have an adverse effect on the amenity of the existing residents.

The application site is in close proximity to the residential block on the south side of Salamander Street. The proposal will introduce a four storey block with a six storey block to the rear. Daylight drawings have been prepared by the applicant and these can be viewed on the planning portal. The drawings show the worst case scenario for the residential windows facing on to the new development. The drawings show the existing and proposed vertical sky calculations. The vertical sky component of the existing situation is 32.5% which is within the parameters as set out in the Edinburgh Design Guidance. Although the proposal reduces the vertical sky component of this block to 27%, this is still within the parameters of the Guidance and is therefore acceptable. As this is the worst case scenario, the vertical sky component for all other residential windows will also be within the parameters of the Guidance.

The applicant has confirmed that the daylight levels for the proposed development achieves the recommended daylight levels as stated in the Edinburgh Design Guidance.

A sun path diagram has been submitted. The courtyard areas of useable open space are south-facing. This diagram shows that the open space within the courtyard areas comply with the Edinburgh Design Guidance.

Useable Open Space

LDP Policy Hou 3 requires an appropriate level of greenspace provision in new housing developments. A standard provision of 10 square metres per flat is applied. There is a landscaped courtyard for each block. The courtyards are south facing with low stone walls to reflect the heritage of the site, seating, treeplanting, bulb planting and shrubs. The courtyards total 2,307 square metres. There are also roof terraces with seating areas and landscaping. These total 410 square metres. There is an additional area of useable space on the northern boundary measuring 127 square metres forming a break in the car parking. The total useable space provided amounts to 2,844 square metres. The proposed layout meets the requirements. The ground floor apartments will have small private garden areas backing on to the courtyard areas.

The useable open space complies with Policy Hou 3.

Housing Mix and Internal Space Standards

There are 28 one bed flats, 146 two bed flats and 38 three bed flats. The three bed flats comprise 18% of the total which is slightly less than the 20% set out in the Edinburgh Design Guidance. This is acceptable as there is a range of sizes for all the flats starting from the minimum. The one bed flats range from 52.2 to 61.9 square metres. The two bed flats range from 66.8 to 73.8 square metres and the three bed flats range from 81.81 to 91.15 square metres. The sizes of all of the proposed flats comply with the minimum standards set out in the Edinburgh Design Guidance.

e) Archaeology

The City Archaeologist states that the site occurs within an area of potentially national archaeological significance due to being used as a glassworks until 1874. A written statement of investigation (WSI) produced in 2018 demonstrated that substantial and predominantly well preserved remains survived in situ across the whole of the site. After assessing the proposed layout, the City Archaeologist stated that the layout does not respect the site's important archaeological heritage and is therefore contrary to LDP Des 3.

In addition, the scale of the proposed works will necessitate the loss of the site's buried archaeology in particular the loss of the glass cones. In this respect the proposed scheme is also contrary to LDP POL Env 9 (a & b).

The stone wall forming the site's southern boundary is of archaeological significance as it dates back to the origins of the glass works in the 18 Century. The City Archaeologist states that losing a significant part of the wall contravenes policies Des 3 and Env 9 of the LDP. In view of the above, the City Archaeologist recommends that the application is refused as it is contrary to the policies stated.

The applicant has sought to address these archaeological concerns. The layout of the central open spaces potentially allows for the remains of two of the four cones to be left in situ. The landscape design in these courtyard spaces has been amended to create low level circular walls of a diameter similar to the historic cones, to provide a sympathetic design in response to the former glassworks. Any re-useable stone from the boundary wall can be used to construct the circular walls, providing an appropriate landscape design that responds to the site's historical use. Plaques and information signs will also be installed within the central courtyard spaces providing a description of the historic site uses.

The relocation of the stone wall on the southern boundary is necessary to facilitate the provision of a cycle route identified through the LDP Action Programme. The applicant has undertaken a survey of the wall and confirmed that what is salvageable and re-useable could best be utilised in the construction of the low circular walls within the courtyard spaces.

It is considered that through the amendments to the courtyard space design and the need for the relocation of the wall, the applicant has sufficiently demonstrated an understanding of the need to reflect the site's historic significance in the layout. An infringement to LDP policies Des 3 and Env 9 is accepted. The City Archaeologist requests that if consent is granted it is essential that a programme of archaeological works is undertaken along with a detailed survey of the boundary wall and the provision of a public /community engagement programme. This will be secured by a condition.

f) Access, Car and Cycle Parking

There are two proposed accesses to the site from Bath Road and Salamander Street. The proposed accesses are acceptable.

The development will provide 105 off-street car parking spaces. This equates to 50% of the total number of units. The justification for the proposed level of car parking relates to the site's location in terms of easy access to facilities and services in the surrounding area. The applicant also highlights the site's accessibility to public transport and the bus stops that are within an easy walking distance (400 metres) of the site. The site will also benefit from the proposed tram line completion, where a tram stop/halt is proposed 140 metres from the western boundary of the site (Constitution Street). A minimum of 8% of car parking is required to be accessible. Nine accessible spaces are required which meets the requirements. Nineteen spaces are shown to be equipped for electric vehicle charging. This is acceptable. Two car club spaces are provided in the centre of the site.

Cycle storage for a minimum of 462 cycles is provided which meets the minimum requirements. Cycle stores are distributed throughout the residential blocks in eight communal stores. High density two-tier storage racks are proposed, all of which have been strategically positioned to ensure easy accessibility.

The original layout has been amended to show the boundary wall extending the south edge of the site, steps and access ramps relocated to allow for a wider corridor along Salamander Street. The amendment was made to facilitate the implementation of the Bernard Street/ Salamander Active Travel and Public Realm Project as identified in the LDP Action Programme and ensure that this cycle route will be of high standard throughout and further encourage active travel in this area.

There are some concerns regarding pedestrian priority at the access junctions on Salamander Street and Bath Road. Whilst these have not been addressed in the amended drawings it has been highlighted to the applicant and agreed that this can be addressed at the RCC stage.

Transport Infrastructure

The applicant will be required to contribute the following sums towards the relevant transport actions identified in the LDP Action Programme:-

Bernard Street/ Salamander Street	£236,168
Ocean Drive Eastward Extension	£488,872
Leith Links to Bath Road	£54,498
Salamander Street to Foot of Leith Walk	£22,896
Henderson St-The Shore- Commercial Street	£10,812

Bernard St /The Shore Junction	£6,996
Total Transport Contributions	£820,242

A contribution of £199,882 will also be required towards the tram.

These contributions will be secured through a legal agreement.

g) Sustainability

The applicant has submitted a sustainability statement in support of the application. The proposed development will meet current Building Standards, will be constructed on brownfield land and will meet a 30% carbon reduction. Photovoltaic panels will be mounted on roof to maximise solar gain. Recycled materials will be used where possible.

The proposal is classed as a major development and has been assessed against Part B of the sustainability standards.

The proposal meets the essential requirements of the Edinburgh Standards for Sustainable Buildings.

h) Other Material Considerations

Affordable Housing

LDP Policy Hou 6 requires 25% affordable housing provision. For the proposed development, this equates to 53 units. The applicant is proposing to provide the 53 affordable units in the easternmost block adjacent to Bath Road. They will consist of one, two and three bedroom apartments and will be tenure blind. Discussions are underway with Port of Leith Housing Association as the potential RSL provider. The applicant will be required to enter into a legal agreement to secure the provision of these units.

Education

The site lies within the Leith Trinity Education Contribution Zone.

The Council has assessed the impact of growth set out in the LDP through an Education Appraisal (January 2018) taking account of school roll projections. The Council's assessment has identified where additional infrastructure will be requested to accommodate the cumulative number of additional pupils from developments coming forward in this area.

Based on 184 flats and not including one bedroom flats, the total contribution is £180,320 towards education infrastructure (Index from Quarter 4 2017 to the date of payment). The applicant will be required to enter into a legal agreement to secure the delivery of this contribution.

Flooding and Drainage

The proposal will provide adequate drainage and is acceptable with regard to surface water management and flooding.

SEPA do not object to the proposal.

Ecology

LDP Policy Env 16 Species Protection - supports development that has no adverse impact on species protected under European or UK law.

The applicant has submitted an ecology report. This has been reviewed. It is accepted that the appropriate surveys have been undertaken and no bats were found roosting in any of the existing buildings. No other protected species were found. There is no objection to this application in relation to LDP Policy Env 16.

i) Equalities and Human Rights

This application raises no adverse comments in terms of equalities and human rights.

j) Matters raised in representations

Material objections

- New buildings will be too high. Addressed in section 3.3 (c).
- New buildings will make area too densely populated. Addressed in section 3.3 (c).
- Loss of privacy and restricted daylight. Addressed in section 3.3 (d).
- General traffic in surrounding area. Addressed in section 3.3 (f).

Material representation in support

- Provides much needed new housing.
- Design ties in well with surrounding buildings.
- More people will be attracted to the area.

The Leith Harbour and Newhaven Community Council Comments:

The Community Council supports the quality of building design and landscaping. It welcomes the integrated and tenure blind affordable housing. It also supports the improvement of the Salamander Street frontage and acknowledges the importance given to place and green space.

Conclusion

This proposal is of an acceptable scale and density and will provide 212 new flats. It will contribute to the wider regeneration of Leith Waterfront through the provision of new housing and six commercial units on a brownfield site. The proposal is of an acceptable layout and design and will have a positive impact on the amenity of the surrounding area. The proposal provides acceptable levels of car and cycle parking.

The proposal will provide the required 25% affordable housing provision.

Concerns have been raised regarding air quality and noise pollution and on balance, given the wider benefits of the proposal subject to the inclusion of appropriate conditions, the application is acceptable.

Concerns have also been raised by the City Archaeologist. In response to these concerns the applicant has reflected the historical significance of the site with inclusion of low circular walls incorporated into the landscape design of the central courtyard areas. Given this amendment, and subject to a suitable condition relating to archaeology, the application is acceptable.

In all other aspects the proposal accords with the Development Plan and generally complies with the relevant Non Statutory Guidance.

The proposal is acceptable. There are no material considerations that outweigh this conclusion.

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

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. The following noise protection measures to the proposed units as defined in the KSG Acoustics Noise Impact Assessment report (1675/R1/rev 2), dated 1 February 2019:
 - Glazing units with a minimum insulation value of (Rw, Ctr 33dB) 4/10/6mm double glazing should be installed for the external doors and windows of the bedroom and living room facades as highlighted on drawing 17059(PL)002_A dated 5/7/2018.

- Glazing units with a minimum insulation value of (Rw, Ctr 33 dB) 4/10/4mm double glazing should be installed for the external doors and windows of the bedroom and living room facades as highlighted on drawing 17059(PL)002_A dated 5/7/2018.
- Mechanical ventilation with ISO coarse glass G3 filters shall serve all properties as shown on drawing numbers 17059(PL)060, 17059(PL)061 and 17059(PL)062 all dated 29/3/10.

Shall be carried out in full and completed prior to the development being occupied.

3. Air Quality Mitigation. Prior to the occupation of the development mechanical ventilation with ISO coarse glass G3 filters shall serve all properties as shown in drawing numbers 17059(PL)060, 17059(PL)061 and 17059(PL)062 all dated 29/3/2019.
4. No demolition /development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (historic building recording, excavation, reporting and analysis, interpretation, public engagement and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
5. 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.
6. The ground floor commercial premises shall be restricted to Class 4 (Business) of the Town and Country Planning Act Use Classes Order (Scotland) only, and for no other purpose without the written consent of the Planning Authority.
7. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.

Reasons:-

1. In order to ensure the most efficient and effective rehabilitation of the site.
2. In order to protect the amenity of the occupiers of the development.
3. In order to protect the amenity of the occupiers of the development.
4. In order to safeguard the interests of archaeological heritage.
5. In order to enable the planning authority to consider this/these matter/s in detail.
6. In order to protect the amenity of the occupiers of the development.
7. In order to ensure that the approved landscaping works are properly established on site.

Informatives

It should be noted that:

1. The applicant shall enter into a suitable legal agreement in respect of the following:
 - i) Education contribution of £180,320 towards infrastructure (Quarter 4 2017 value to be indexed at the point of payment).
 - ii) Affordable housing (53 units) - 25% on site delivery.
 - iii) Transport Actions (£820,242).
 - iv) Tram contribution (£199,882).
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.
5.
 - a) 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.
 - b) A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent.
 - c) 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. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.

6. Prior to the use being taken up, eighteen 7kw (Type 2, Mode 2), electric vehicle charging points, as shown on drawing no. E11195/1502 Rev C dated 29/3/2019 shall be installed and fully operational all within the non-adopted areas of car parking.

Financial impact

4.1 The financial impact has been assessed as follows:

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

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has no impacts 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

A Proposal of Application Notice was submitted and registered on 9 March 2018.

Copies of the notice were also sent to:

- Leith Harbour and Newhaven Community Council;
- Leith Links Community Council; and
- Three Ward Councillors.

A public exhibition was held on 9 May 2018 from 3 to 7pm at Leith Library, Ferry Road.

Full details can be found in the Pre-Application Consultation report which sets out the findings from the community consultation. This is available to view on the Planning and Building Standards Online Services.

8.2 Publicity summary of representations and Community Council comments

Neighbour notification was carried out on the 4 October 2018. Nine representations were received: two objections and seven in support. A letter in support of the application was received from the Leith Harbour and Newhaven 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 is within the Urban Area of the adopted City Local Plan. It is located within the Central Leith Waterfront Area, Proposal EW1b.

Date registered

27 September 2018

Drawing numbers/Scheme

01,2B-6B,7C,8A,9A,10B-12B, 13,14A,15B-17B,19A, 20B-22B, 24A,25B-27B,29A,31A,32A,33-35, 37,40B-42B.,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lesley Porteous, Planning Officer

E-mail:lesley.porteous@edinburgh.gov.uk Tel:0131 529 3203

Links - Policies

Relevant Policies:

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

LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

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.

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

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.

Appendix 1

Application for Planning Permission 18/08206/FUL At 1 Bath Road, Edinburgh, EH6 7BB Proposed residential development with commercial units and associated landscape, drainage, roads and infrastructure (as amended).

Consultations

Scottish Water response dated 12 October 2018

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

Water

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

Foul

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

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

Surface Water

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

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

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

General notes:

Scottish Water asset plans can be obtained from our appointed asset plan providers:

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

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

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

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

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

Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-yourproperty/new-development-process-and-applications-forms>

Next Steps:

Single Property/Less than 10 dwellings

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

10 or more domestic dwellings:

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

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

Non Domestic/Commercial Property:

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

Trade Effluent Discharge from Non Dom Property:

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

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/ourservices/compliance/trade-effluent/trade-effluent-documents/trade-effluent-noticeform-h>

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

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains. The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

Economic Development response dated 19 October 2018

Commentary on existing use

The application relates to a 1.41-hectare site bounded by a depot to the north; Bath Road to the east; Salamander Street to the south; and 'B' listed former gasworks to the west. The site is currently occupied by Keyline which operates it as a trade counter for the sale and hire of construction materials and equipment. Keyline's operations extend into the listed buildings to the west which are not part of this application.

The bulk of the site is presently used for open storage. The main permanent structures on the site are two large adjoining warehouse buildings totalling 3,113 sqm and a smaller 202 sqm cement store, giving a total of 3,313 sqm of space (net).

The economic impact of the existing uses can be estimated. The Employment Densities Guide (3rd edition) published by the Homes and Communities Agency states that retail warehouses support on average one full-time equivalent employee per 80 sqm (net). This suggests that the existing uses could be expected to directly support approximately 41 FTE jobs ($3,313 \div 80$). The Scottish Annual Business Statistics published by the Scottish Government state that the average gross value added per job for the wholesale trade sector is £106,323 per employee. This suggests that the existing uses could be expected to add approximately £4.36 million of gross value added to the economy of Edinburgh per annum (2016 prices). As noted, Keyline's activities extend beyond the boundaries of the application site, meaning these figures will not give a comprehensive picture of the economic impacts of their operations in this area.

There are pressures on the supply of industrial space in Edinburgh. However, it is recognised that the space in question, which is understood to date from the 1960s, is unlikely to be suitable for long-term industrial use.

As the site is over one hectare, policy EMP 9 of the LDP applies. This policy requires any development to incorporate 'floorspace designed to provide for a range of business users [...] some new small industrial/business units'. As confirmed by the LDP glossary this refers specifically to floorspace/units in use class 4.

The western edge of the site, which abuts the listed buildings, lies within the Leith Conservation Area.

Commentary on proposed uses

The application proposes the clearance of the existing site and its comprehensive redevelopment to deliver three blocks of four-six storeys, each including flats and two commercial units on the ground floor fronting onto Salamander Street.

* Class unspecified

The development as proposed would deliver 408 sqm of space (gross) across six units on the ground floors of each of the three blocks. The applicant has not specified the use class and has stated that this is to be agreed with the Council during the determination period. Due to the unspecified use class the projected economic impact is variable; projected economic impacts for different use classes if fully occupied are shown below:

* Class 1: 367 sqm net (408 × 0.9); 21 FTE jobs (367 ÷ 17.5); £0.62 million GVA per annum (2016 prices) (21 × £29,484).

* Class 2: 337 sqm net (408 × 0.825); 21 FTE jobs (337 ÷ 16); £1.60 million GVA per annum (2016 prices) (21 × £76,387*).

* Class 3: 367 sqm net (408 × 0.9); 21 FTE jobs (367 ÷ 17.5); £0.46 million GVA per annum (2016 prices) (21 × £21,696).

* Class 4: 337 sqm net (408 × 0.825); 64 FTE jobs (708 ÷ 11'); £5.82 million GVA per annum (2016 prices) (62 × £93,923').

* Based on a mean gross value added per employee for the administrative and support service activities sector; financial services sector; and professional, scientific and technical activities sector.

' Based on a mean employment density for finance; technology; and professional services occupiers.

' Based on a mean gross value added per employee for the financial services sector; professional, scientific and technical activities sector; and information and communication sector.

The projected economic impact of the 408 sqm of commercial space (if fully occupied) ranges from 21 to 64 FTE jobs and from £0.46 million to £5.82 million of gross value added per annum (2016 prices). Class 4 units are projected to have the greatest economic impact. This is due to both the high employment density of office units and the high average productivity (in terms of gross value added per employee) of the industries that typically occupy office units.

* Sui generis ' Flats

The development as proposed would deliver 212 flats. These would not be expected to directly support any economic activity. 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 212 flats could be expected to collectively spend approximately £5.43 million per annum (2016 prices). Of this £5.43 million, it is estimated that approximately £2.82 million could reasonably be expected to primarily be made within Edinburgh. This £2.82 million could be expected to directly support approximately 35 jobs and £1.04 million of GVA per annum (2016 prices), primarily in the retail, transport, and hospitality sectors.

Overall impact

The development as proposed is projected to directly support between 21 and 64 FTE jobs and between £0.46 million and £5.82 million of gross value added per annum (2016 prices), with expenditure by residents projected to support an additional 35 jobs (headcount) and £1.04 million of GVA per annum (2016 prices). These are gross figures that do not account for displacement or multiplier effects.

Floorspace for business users

As set out above, policy EMP 9 of the LDP applies to this development. The development therefore must incorporate 'floorspace designed to provide for a range of business users [...] some new small industrial/business units'. The applicant has provided for 408 sqm of replacement commercial space within the new development but has not specified the use class. While it is recognised why developers may wish to retain flexibility, from an economic development perspective this introduces a high risk that zero (or a nominal quantum of) class 4 space will be delivered.

It is noted that there is an increasing tendency for applicants to conflate class 4/5/6 space with other non-residential uses classes. These different use classes represent distinct markets and are not interchangeable from an economic development perspective. There are major pressures on the supply of both industrial space and office space in Edinburgh. Removing 3,313 sqm of this space without providing any replacement space would exacerbate these pressures. Other non-residential uses classes such as class 1 are not subject to the same pressures. The removal of industrial space can be regarded as part of the ongoing evolution of this area of the city away from heavy industry, but the re-provision of small business units is entirely consistent with the status of Leith as a business hub driven by start-ups, micro-businesses and creative enterprises and is compatible with residential development. The site in question is substantial and the applicants are proposing to greatly increase the development intensity. There is therefore not considered to be a strong case for not including a meaningful quantum of class 4 space as part of the redevelopment.

To mitigate these issues, and to ensure compliance with policy EMP 9, it is recommended that the 408 sqm of commercial space be restricted to use class 4. This may influence the final design of the six units in question as, while glazed frontages offering good visibility to passing pedestrians are an attractive feature for retailers and restaurateurs looking for custom from passing trade, they are less attractive to office occupiers who are likely to prefer an arrangement with less visibility of the interior of the unit to passers-by to avoid a 'fishbowl' effect.

Other considerations

The applicant proposes to leave elements of the boundary wall to the south of the site in place (albeit reduced in height). Notwithstanding other benefits this may have, it does not appear that this would be compatible with the minimum footway width for high-density residential streets of 2m specified in the Edinburgh Street Design Guidance. The complete removal of the wall for the length of the frontage onto Salamander Street would enable the footway to be widened to achieve the relevant standard. A narrow footway falling below the relevant standard would appear not to be consistent with the proposal set out in the Leith Docks Development Framework to '[provide] greater emphasis on pedestrian and cycle routes' on Salamander Street.

SUMMARY RESPONSE TO CONSULTATION

It is estimated that the current uses on the site in question could be expected to directly support approximately 41 FTE jobs and £4.36 million of gross value added per annum (2016 prices).

It is projected that the 408 sqm of replacement commercial space could, if fully occupied, directly support 21 to 64 FTE jobs and £0.46 to £5.82 million of gross value added per annum (2016 prices). Expenditure by residents could support a further 35 jobs (headcount) and £1.04 million of GVA per annum (2016 prices). To secure the greater economic impacts; address the growing shortage of office space in Edinburgh; and ensure compliance with Local Development Plan policy EMP 9, it is recommended that the 408 sqm of commercial place be restricted to use class 4.

The applicant proposes to leave elements of the boundary wall to the south of the site in place. It is considered that this may compromise pedestrian amenity by preventing the footway from being widened to the minimum standard of 2m specified in the Edinburgh Street Design Guidance.

SEPA response dated 31 October 2019

We have no objection to this planning application. Please note the advice provided below.

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

Advice for the planning authority

1. Flood Risk

1.1 We have no objection to the proposed development on flood risk grounds. Notwithstanding this we would expect Edinburgh Council to undertake their responsibilities as the Flood Prevention Authority.

1.2 We have reviewed the information provided in this consultation and it is noted that part of the application site lies within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of flooding. In addition, the risk from the Water of Leith and tidal interactions have been investigated.

1.3 A Flood Risk Assessment (FRA) has been submitted in support of the application. The City of Edinburgh Council (CEC) have given Kaya Consulting with the hydraulic model for the Water of Leith Flood Prevention Scheme (FPS) between cross sections WOL_1 and WOL_9. We have had numerous discussions with CEC regarding the modelling of the Water of Leith (WOL) and we would highlight that there are significant uncertainties associated with the hydraulic model that are unresolved. In addition, there are uncertainties associated with the predicted design flows along the WOL, however we acknowledge that the consultant has undertaken a separate hydrological analysis from the WOL FPS model. The area of protection for the FPS, at its downstream extent, is at Bonnington, therefore we would caution the use of the WOL FPS model due to the lack of review in the area of interest.

1.4 We would note that Figure 7 within the FRA indicates a site boundary which is different to the site boundary located on other figures within the FRA.

1.5 Section 4.4 within the FRA states that the 2D model results indicate that the docks would be overtopped with flood waters predicted to reach approximately 5.0mAOD. From discussions with CEC we understand that if there was a total failure of the docks a flood level of 5.27mAOD would be achieved before overtopping of the lock would occur. Therefore, we would highlight to the council that the proposed finished flood levels of 5.6mAOD would only incur a freeboard of 0.33m and we would strongly recommend that 0.6m freeboard is applied.

1.6 Further investigation into the risk of surface water flooding at this site is recommended to ensure the proposed development will not be at a risk of flooding and nearby existing property and infrastructure will not be at an increased risk of flooding. A detailed assessment, which should be submitted to the council, will inform areas suitable for development at this site and include details of any proposed mitigation measures. We would note that the attenuation crates/geocellular storage is located beneath car parking hence access for maintenance will be easier than if it were underneath buildings. We would highlight that groundwater levels have not been assessed as part of the FRA. There is the potential for groundwater levels to be reasonably close to the surface or to fluctuate with the tide. Therefore, tanking of the attenuation crates may be required. Groundwater levels may constrain their use and high groundwater levels could also force them upwards. The council should be satisfied that the attenuation crates will operate as designed.

1.7 Although there are significant uncertainties associated with the modelled flood levels, the site boundary ground levels are a minimum of 1.23 metres above the estimated 1:200 year flood level for the WOL. Finished floor levels are proposed to be set at 5.6mAOD, which is approximately 0.33m above the dock shipping lock. This would mitigate the residual risk should the apparatus fail. As such, we do not object to the proposed change of use from industrial to residential but would strongly urge water resistant and resilient design and materials are used during construction. Consideration should be given to tanking the building, locating electrics above predicted flood levels, and connections to sewers, including non-return valves.

1.8 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 Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: 2D 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/>.

2. Air Quality

2.1 The proposed development lies within the Salamander St Air Quality Management Area (AQMA) declared for exceedances of the national PM10 objectives. The proposed development may introduce new receptors to an area of poor air quality, therefore an air quality impact assessment is required to determine whether the air quality objectives are being met on the proposed development site and to identify appropriate mitigation. The scope and method of the assessment should be agreed with the City of Edinburgh Council.

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

3. Foul Drainage

3.1 We note the foul drainage from the site will be discharged to the public sewerage network. The applicant should consult Scottish Water in this regard. We confirm that it is the responsibility of Scottish Water to ensure that the additional flow arising from this development will not cause or contribute to the premature operation of consented storm overflows.

4. Surface Water Drainage

4.1 We note the applicant proposing SUDS to manage surface water from the development. The discharge of surface water to the water environment should be in accordance with the principles of the SUDS (Sustainable Drainage Systems) Manual (C697) published by CIRIA.

4.2 Comments from Scottish Water and, where appropriate, the Local Authority Roads Department and the Local Authority Flood Prevention Unit should be sought on the SUDS strategy in terms of water quantity/flooding and adoption issues.

4.3 Surface water drainage from the construction phase should also be dealt with by SUDS. The applicant should refer to the regulatory guidance below which outlines the regulatory requirement. Such drainage should be in accordance with C648 and C649, both published by CIRIA. It should be noted that oil interceptors are not considered SUDS in their own right but are beneficial as part of the treatment train.

Further advice for the applicant

The applicant will note that we have not objected to the proposal and should take account of the advice provided above.

5. Flood Risk

5.1 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/>.

5.2 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.

Regulatory advice for the applicant

6. Regulatory requirements

6.1 Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).

6.2 Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

6.3 A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:

- * is more than 4 hectares,

- * is in excess of 5km, or

- * includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25

See SEPAs Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

6.4 Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.

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 your local SEPA office.

Communities and families response dated 12 November 2019

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (August 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2018).

Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the finalised Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (August 2018).

Assessment and Contribution Requirements

Assessment based on:

184 Flats (28 one bedroom flats excluded)

This site falls within Sub-Area LT-1 of the 'Leith Trinity Education Contribution Zone.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.

The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed.

The proposed development is therefore required to make a contribution towards the delivery of these actions based on the established 'per house and 'per flat' rates for the appropriate part of the Zone.

If the appropriate infrastructure contribution is provided by the developer, as set out below, Communities and Families does not object to the application.

Total infrastructure contribution required:

£180,320

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 22017 to the date of payment.

Housing response dated 30 November 2018

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.

* 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 6 Affordable Housing in the Edinburgh Local Development Plan.

2. Affordable Housing Provision

This application is for a development consisting of 212 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (53) homes of approved affordable tenures. We request that the developer enters an early dialogue with the Council:

- * The tenure of the affordable housing must be agreed by the Council and;
- * The Registered Social Landlord(s) (RSLs) should be identified to take forward the affordable homes, and deliver a well integrated and representative mix of affordable housing on site.

The applicant has stated that the affordable housing will account for 53 (25%) of the new homes across several different parts of the site and will consist of flatted one, two and three bedroom apartments. This is welcomed by the department. We emphasise the importance of the proposed three bed properties (family housing) being located on the lower levels to accommodate the requirements of family housing.

The affordable homes are required to be tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides. An equitable and fair share of parking for affordable housing, consistent with the parking requirements set out in the Edinburgh Design Guidance, is provided.

In terms of accessibility, the affordable homes are situated within close proximity (within 400 metres) of regular public transport links and are located close to local amenities at in Bernard Street.

3. Summary

The applicant has made a commitment to provide 25% on site affordable housing and this is welcomed by the department. These will be secured by a Section 75 Legal Agreement. This department welcomes this approach which will assist in the delivery of a mixed sustainable community.

- * The applicant is requested to enter into an early dialogue with the Council and identify Registered Social Landlord(s) (RSLs) to deliver the affordable housing
- * The tenure of the affordable housing must be agreed with the Council
- * All the affordable homes must meet the Edinburgh Design Guidance and also meet the relevant Housing Association Design Guidance size and space standards
- * In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be expected to be identical in appearance to the market housing units, an approach often described as 'tenure blind'
- * The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.

Flood Planning response dated 10 January 2019

We now have all the information requested and have accepted them. This application can now proceed to determination with no further comments from our department.

Transport response dated 2 April 2019

Further to the memorandum sent on the 1st of February and the subsequent information provided there are 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 £820,242 to relevant transport actions identified in the LDP Action Programme. The sum to be indexed as appropriate and the use period to be 10 years from date of payment (see note II for further information);
2. Contribute the sum of £199,882 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 (see note III for further information);
3. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
4. Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;
5. In support of the Council's LTS Cars1 policy, the applicant should consider contributing the sum of £12,500 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area;
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 should note that the proposed SUDs storage tanks are not approved at this time and this may have a significant impact on the proposed road design and layout;
8. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;
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. 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;
13. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.

Note:

I. The application has been assessed under the 2017 parking standards. These permit the following:

- a. A maximum of 217 car parking spaces (Residential = 212: 1 per unit, Commercial = 5: 1 per 50m² in zone 2), 105 car parking spaces are proposed;
- b. A minimum of 462 cycle parking spaces, (1 space per studio, 2 spaces per 2/3 room unit and 3 spaces per 4+ room unit. It should be noted that this assessment is based on habitable rooms). 462 cycle parking spaces are proposed;
- c. Where there are 10+ dwellings a minimum of 8% of the car parking is required to be designated as accessible, 8 spaces are required, the 9 spaces proposed which meets these requirements;
- d. Where 10+ car parking spaces are proposed 1 of every 6 car parking spaces should be equipped for electric vehicle charging. 18 spaces are required, the 19 EV spaces proposed meets these requirements;
- e. A minimum of 8 motorcycle parking spaces, 0 are proposed

II. The Transport contributions were calculated based on current LDP Actions identified as relevant to this site. The actions and the total action costs are as follows:

- * Bernard St/Salamander St Active Travel and Public Realm Project - £6,125,000
- * Ocean Drive Eastward Extension - £12,678,750
- * Leith Links to Bath Road - £367,500
- * Salamander St to Foot of the Walk - £441,000
- * Henderson Street ' The Shore ' Commercial Street (Bus Priority) - £209,856
- * Bernard St ' The Shore Junction - £133,458

To find a per unit cost the remaining housing capacity of relevant LDP areas needs to be considered:

- * Leith Waterfront (Western Harbour) = 1,873
- * Central Leith Waterfront = 2,720
- * Leith Waterfront (Salamander Place) = 1,355

Dividing these action costs by the relevant capacity of these LDP areas will provide a per unit cost, then multiplying by the proposed number of units will provide a contribution to each action:

- * Bernard St/Salamander = £6,125,000 / 5498 (LW(WH) + CLW + LW(SP)) = £1,114 per unit x 212 units = £236,168
- * Ocean Drive Eastward Extension - £12,678,750 / 5498 (LW(WH) + CLW + LW(SP)) = £2,306 per unit x 212 units = £488,872
- * Leith Links to Bath Road = £367,500 / 1355 (LW(SP)) = £271 per unit x 212 units = £54,498

* Salamander St to Foot of the Walk = £441,000 / 4075 (CLW + LW(SP)) = £108 per unit x 212 units = £22,896

* Henderson Street ' The Shore ' Commercial Street (Bus Priority) - £209,856 / 4075 (CLW + LW(SP)) = £51 per unit x 212 units = £10,812

* Bernard St ' The Shore Junction - £133,458 / 4075 (CLW + LW(SP)) = £33 per unit x 212 units = £6,996

Total Transport Contributions = £820,242

II. The Tram contribution is based a Net Use contribution that takes the existing use into consideration. Net Use = Proposed Use ' Existing Use

* Proposed Use based on 212 residential units and 486m² GFA of commercial use in zone 1 = £367,161 (resi = £325,647 + retail / comm = £41,514)

* Existing Use based on 3650m² of industrial use in zone 1 = £167,279

* Net use = £367,161 - £167,279 = £199,882

III. The amended site layout now shows the boundary wall on the south of the site and access ramps relocated to allow for a larger corridor width along Baltic Street/Salamander Street. This was done to facilitate the implementation of the Bernard Street / Salamander Street Active Travel and Public Realm Project, as identified in the LDP Action Programme and ensure that this cycle route will be of a high standard throughout and further encourage active travel in this area;

IV. The justification for the proposed level of car parking relates to the sites location in terms of easy access to facilities and services in the surrounding area. The applicant also highlights the sites accessibility to public transport and the bus services that are available from bus stops within an easy walking distance (400m) of the site. The site will also benefits from the proposed tram line completion, where a tram stop/halt is proposed 140m from the western boundary of the site (Constitution Street), this will further improve the sites public transport accessibility and should assist in minimising car trip generation from this development;

V. The proposed 462 cycle parking spaces are distributed throughout the residential blocks in eight communal stores. High density two-tier storage racks are proposed, all of which have been strategically positioned to ensure accessibility and ease of use. The stores all have external level access points into the semi-private gardens which are the only access points to the cycle stores;

VI. The accessible parking has been placed strategically to ensure each building access point has sufficient cover for accessible parking.

VII. There are some concerns regarding pedestrian priority at the access junctions on Baltic Street/Salamander Street and Bath Road, whilst these have not been addressed in the amended drawings it has been highlighted to the applicant and agreed that this kind of detail can be picked up at the RCC stage;

VIII. The proposed use class and size of the commercial units means that they will not require significantly large vehicles to carry out servicing. It is proposed that the small parking area can be utilised as these will likely be underutilised through the day;

Environmental Protection response dated 12 April 2019

The site is identified within an area of major change in the Edinburgh Local Development Plan (ELDP), the site is located within Edinburgh Waterfront (EW1b) categorised as major new development in strategic development area. The current LDP states that the Central Leith Waterfront (EW1b) Area should be of commercial and residential led mixed-use development. Forth Ports Ltd has decided to retain land at the Britannia Quay and south of Edinburgh Dock for port related use, and therefore a modified approach to the development of this area from what is included in the Leith Docks Development Framework (2005) is required. LDP recognises the need for mixed use regeneration of Central Leith Waterfront. It will provide a significant number of new homes however it is noted that the nearby site (16/03684/FUL) has consent for a residential led development when the LDP proposed a commercial-led mixed use would be more appropriate. One of the key development principles is designing new housing to mitigate significant adverse impacts on residential amenity from existing or new general industrial development.

The proposed development site lies north east of Baltic Street / Salamander Street and west of the junction with Bath Road. The road name changes from Baltic Street to Salamander Street at the south west corner of the proposed development site, close to the junction with Assembly Street. The area consists predominantly of commercial and with some residential use. There is existing residential use immediately opposite the proposed development site on Salamander Street, Salamander Court and heading south along Salamander Street and Elbe Street. To the west of the site there is the rear of a kitchen and joinery workshop and tiling showroom, both of which are accessed from a common courtyard further along Baltic Street to the west. On the corner of Baltic Street and Elbe Street is the Elbe Room cafe bar. There is existing flatted residential use directly above and opposite the bar on Elbe Street. To the east of the proposed development site lies The Pond pub, which is located on the far side of Bath Road. It also has residential use immediately above and diagonally opposite it on the junction of Salamander Street and Salamander Place. Bath Road runs north along the east aspect of the proposed development site and provides access to the Forth Ports. To the west of Bath Road and behind the site lies the former premises of Aggregate Industries concrete batching plant. This operator has been formally vacated and the licence for cement batching has been returned to Scottish Environment Protection Agency (SEPA). Diagonally opposite the south-east corner of the site on the junction of Salamander Place and Salamander Street is Dalton's metal recycling. To the north of the site is the City of Edinburgh Council car pound and a storage area; beyond which is the Forth Ports authority docks and basins.

The applicant proposes a 212-flatted residential development with 105 associated parking spaces. Three blocks are proposed, each formed in a U-shape facing towards Salamander Street with open space in the three-sided courtyard formed by the flats. Each block will have 4 and 6 storey components with the highest elements on the Forth Ports aspect. There is also provision for commercial use at ground floor on each side of the blocks (6 spaces in total) with bike storage beyond. Access to the proposed development will be taken from Salamander Street immediately to the west of the site and also from Bath Road to the east. The closest proposed build lines to Salamander Street will be at a separation distance of approximately 6m from the nearside kerb.

Noise

The applicant has submitted a supporting noise impact assessment which as concluded that the dominant environmental noise source across the proposed development site is road traffic noise from Baltic Street / Salamander Street. There are also occasional contributions of commercial and industrial noise from the various neighbouring industrial and public houses.

The applicant's noise impact assessment has identified that noise from the road is the dominant noise affecting the site. The applicant has conducted noise surveys to demonstrating that noise levels from the road do significantly affect the internal rooms of the development site. The applicant has provided details of the required minimum glazing specifications to mitigate traffic noise. The orientation of the blocks has ensured that the outdoor amenity space will also be exposed to a significant level of noise from the traffic. The applicant has also included outdoor balconies on these facades which will be exposed to levels in excess of the required noise standards, although it is understood that the balcony areas do not make up the minimum amenity space requirements as there are other outdoor amenity areas although these areas will be exposed to high levels of traffic noise.

The applicant has investigated possible noise from The Pond public house. There is potential for the effects of occasional amplified music events, other noise sources including patron ingress and egress, smokers conversing outside the pub and emptying glass bins to adversely impact residential amenity of any future residents. The applicant has concluded that the minimum specification of the glazing and associated ventilation system that are already required for the control of road traffic noise can be used on the facades affected to reduce noise impacts from the public house. The applicant has also amended the layouts of the residential units overlooking the pub. Bedrooms have been moved away from the facade overlooking the pub to minimise the risk of sleep disturbance from noise associated with the pub. However Environmental Protection require good internal noise levels to be achieved allowing for windows to be open from non-transport related noise sources. It should also be noted that Environmental Health and Licencing Officers have received many complaints regarding entertainment noise affecting existing residential properties. The applicant is required to install a mechanical ventilation system for local air quality purposes and this would reduce the likelihood of residents needing open windows and therefore reduce exposure to noise.

Noise from activities at Dalton's scrap yard is most likely to affect the closest flats on the corner of Salamander Street and Bath Road, however due to the layout of the applicant's site there are number of other units that will have a direct line of site into the scrap metal yard and therefore be exposed to noise from it. The applicant's noise impact assessment again states that the mitigation proposed for the transport noise sources will protect residents from noise from the scrap metal yard. This type of industrial noise is extremely invasive with high peak levels of noise being created when metal is moved around the site. It is noted that there are residential properties located closer to the scrap metal yard however it had initially been thought that they had been designed with no habitable rooms on the facades overlooking the scrap metal yard but this was inaccurate. Following a site visit by an officer it was noted that noise from the scrap yard was audible above traffic noise during day time hours. Environmental Health Officers have received noise complaints regarding noise from the scrap metal yard affecting nearby residential properties. The operations on the scrap metal site is regulated by Scottish Environment Protection Agency therefore they would investigate these complaints. It is recognised that the site is restricted to day time operations only.

The proposed block of flats most exposed to the noise sources are the affordable units.

The applicant has correctly identified that noise from Forth Ports site can vary with the extent of the activities that are occurring at any given time. To address the potential for variation, an unattended survey was undertaken over the course of a week. This could not have been assessed the possible worst-case scenario with regards noise from the site. There is little in the form of planning and Environmental legislation that restricts the operations on the docks. Heavy industrial operations including the loading of vessels with scrap metal during the night has and could occur again on the port at any given time.

The applicant's noise survey identified that all evening and night time periods follow a similar pattern of broadband ambient noise, commensurate with an urban environment. Ambient levels of monitored noise were significantly lower than the road traffic noise that will be incident on the Salamander Street and Bath Road aspects of the proposed development. The applicant assumes that given that there are a variety of uses along the Forth Ports docks and basins that may occur intermittently. It is noted that the previous cement batching plant that occupied the site on the docks to the north of the application site had been operating from that site for many years and there was also the processing of the scrap metal which occurred on the neighbouring dock of many years. The applicant's noise impact assessment recommends that all future occupants can close their windows and still achieve levels of background ventilation commensurate with the Buildings (Scotland) Regulations. Environmental Protection do not accept a closed window standard as a form of noise mitigation for non-transport related noise sources. Mechanical ventilation is not something that we could support, there are overarching issues with local air quality and having the ability to condition such systems through Planning. The applicant has provided details of a proposed ventilation system including detailed drawings showing all inlets, outlets and duct work and plant.

Environmental Health do receive noise complaints regarding operations on the docks from existing residential properties. These complaints are challenging as they can involve a vessel being loaded or unloaded. The vessels are not in the port for a long enough period to establish a nuisance.

No specific assessment has considered the operations to the west of the site including the 'sawmill' and the parking compound that is used to store cars that have up-lifted. It is expected that a number of these vehicles could be impounded with intruder alarms sounding which should have been assessed. The applicant has engaged with the car pound and the car pound advised that no alarms sound in the evenings. There is no guarantee that the 'sawmill' site will be developed out as residential.

The applicant proposes commercial uses on the ground floor of the blocks, any noise impact assessment would need to take these uses into consideration. Environmental Protection would require specific details on the proposed use classes. The applicant should be aware that any proposed class 3 uses will have noise issues as well as odour concerns that would need to be assessed.

The development site is surrounded by different noise types of noise sources and any future tenants would not be able to move into a quiet area of the property. Being able to open windows would depend on the noise environment outside. Future tenants would also need to consider outdoor pollution when opening windows. The outdoor level of amenity is poor due to the noise and air quality. The applicant has proposed a mechanical ventilation system to serve all apartments and provided details of the required ventilation system. This would reduce the need for windows to be opened but would not mean windows would not be opened for fresh ventilation purposes and if tenants turn off the ventilation system. It's not possible to condition maintain the ventilation system through planning. The proposed ventilation system requires regular maintenance as it will include filters. The filters and ducts will require maintenance to ensure the system works efficiently, quietly and cleanly with no build-up of mould in ductwork.

It is noted that the proposed development site is surrounded by many different noise sources and that any proposed residential development in this location would be challenging and what is proposed is possibly the best option to minimise impacts albeit not to a level Environmental Protection could support.

Local Air Quality

The site is currently well served by existing bus services operated by Lothian Buses. The currently planned extension of Edinburgh's existing tram line will take the route down Leith Walk, connecting Ocean Terminal with the city's airport, via Princes Street. This will further enhance the site's surrounding public transport network and its connectivity with the rest of the city.

The applicant has advised that car parking is provided in line with the council's standards. This sets out minimum and maximum standards with which the new development complies. The development is well located to take advantage of local amenities and public transport network and proposes cycle parking. The applicant will be required to provide a minimum of 18 (7Kw type two) electric vehicle charging points as required in the Edinburgh Design Standards. Environmental Protection recommend that 100% provision is included with rapid chargers incorporated into any car parking serving the commercial uses. It is noted that the drawing number E1195/1502 Rev C dated 29/03/2019 highlights the location of the eighteen charging points. The applicant must install all eighteen charging points in the non-adopted parking areas. They must be fully installed and operational prior to occupation. It is noted that the installation of eighteen chargers is the minimum requirement as detailed in the Edinburgh Design Standards.

As the site is near the St Bernard's Street Air Quality Management Area (AQMA) and is located in the centre of the recently declared AQMA for particulate matter smaller than 10 micrometres PM10 (Salamander Street). The applicant has been carrying out onsite monitoring for PM10. Elevated levels of PM10 pollutant have been the reason an AQMA has been declared in and around this development site in January 2017. Fugitive emissions from the handling and storage of open material at Leith Docks, was found to be a contributory factor in the elevated concentrations. This AQMA does cover the applicants proposed development site. The applicants has monitored PM10 on-site using a continuous automatic air quality monitor for a three month period. Wind speed and direction are also being recorded at the monitoring station with a time lapse camera capturing activities in the surrounding area.

PM is measured in many different size fractions according to diameter. Most monitoring is currently focussed on PM10, but the finer fractions such as PM2.5 and PM1 are becoming of increasing interest in terms of health effects. Fine particles can be carried deep into the lungs where they can cause inflammation and a worsening of the condition of people with heart and lung diseases. In addition, they may carry surface-absorbed carcinogenic compounds into the lungs.

Local authorities must assess PM10 concentrations against the 18ug/m³ annual average objective hence the assessment considered whether the PM10 Objective levels would be breached. Planning have been monitoring PM10 in this area since 2009. This has enabled a trend to be established over a ten year period. The applicants survey is a snap-shot taken over three months and did not identify any breaches during the measurement period. However as this was a snap-shot more weight must be given to Planning's air quality monitoring data.

If the site is to be developed out for residential use the City of Edinburgh Council would be obliged to continue monitoring and assess the levels in accordance with current government standards. If objective levels continue to be breached it will make working on the Action Plan to improve the AQMA much more difficult. Action planning with stakeholders particularly Forth Ports in this case would need to be undertaken robustly, to try to ensure concentrations are reduced.

Environmental Protection are therefore concerned with the PM10 levels impacting this site, it is recognised mitigation options are limited to deal with this pollutant within the proposed development site. The applicant has as requested conducted on site air quality monitoring which has been reviewed by Environmental Protection, SEPA and Planning.

The applicants AQIA concluded that air quality levels are within the acceptable level specified by the Scottish Government and that no mitigation measures are specifically required. The applicant was advised that we would need the applicant to address the fact the site is located in the middle of an AQMA for PM10. The applicant has therefore proposed mechanical ventilation and filtration as a form of mitigation. The use of MVHR (mechanical ventilation with heat recovery) will also provide additional noise mitigation with the MVHR system removing the requirement for trickle ventilators to all windows as commented on above in the noise section of this report. The heat recovery element will enhance the sustainability credentials of this development by reducing heating demand, and in turn emissions, through more efficient capture and reuse of heat which would normally be lost.

The applicant has provided drawings and details of the proposed filtration system that has been proposed. They will be served by a coarse class G3 Filter however as stated above in the noise section Environmental Protection cannot recommend conditions that would ensure the system was maintained. The filters would need to be changed regularly due to the levels of pollution in the area. It is also understood that as a developer there is really no other mitigation methods available and there is nothing that can be done for outdoor areas.

The applicant has assessed the possible transport impacts the proposal will have on especially on the Bernard Street AQMA which has been declared due to traffic related pollution. As stated above the site is well located with regards access to amenity, employment and sustainable transport. Environmental Protection would have preferred a scheme with less car parking. However when the air quality impacts from the consented use are compared with the traffic impacts from the proposed residential use it is accepted that the impacts would be negligible regarding traffic impacts.

Nuisance dust is a separate issue, this is the type of dust that is visible and will be visible in clouds of dust. It should be noted that Environmental Health Officers have investigated seventeen dust complaints due to thick dust clouds being generated by the off-loading of aggregates from vessels on the Port. SEPA may hold further details on these incidents. There are several operational cement batching plants in the Port which are regulated by the Scottish Environmental Protection Agency (SEPA) under the Pollution Prevention and Control regime (PPC). It is also noted that SEPA have raised concerns with this proposed application on the ground of local air quality impacts which is a material planning consideration.

Environmental Protection has concerns regarding residential use on this site. This site is located adjacent to some of the likely sources of the pollutants and will introduce new residential properties into middle of an area already exceeding the statutory objective levels for PM10.

Odours

The application site is located approximately 800m from the Seafield Waste Water Treatment Work (WWTW) the applicant has provided a study into the possible impacts WWTW will have on the proposed development site. The impacts will be negligible and Environmental Protection accepts the findings of this assessment.

Contaminated Land

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

In conclusion, Environmental Protection recommend the application is refused. This is due to the potential noise impacts may have on the development site. The site is located in the middle of the Salamander Street AQMA for PM10 levels therefor exposing future tenants to excessive levels of pollutants likely to adversely affect their health. It is recognised that the applicant has applied mitigation measures however Environmental Protection remain concerned with the levels of amenity that would be afforded to future tenants and the likelihood that complaints will be received regarding neighbouring industrial operators.

Therefore, overall Environmental Protection recommends that this application is refused, however if consented the following conditions should be attached;

Conditions

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. The following noise protection measures to the proposed residential units, as defined in the KSG Acoustics Noise Impact Assessment' report (1675/R1/rev2), dated 01 February 2019:

- Glazing units with a minimum insulation value of (Rw,Ctr 33dB) 4/10/6mm double glazing should be installed for the external doors and windows of the bedroom room and living-room facades as highlighted on drawing 17059(PL)002_A dated 05/07/2018 .

- Glazing units with a minimum insulation value of (Rw,Ctr 28dB) 4/10/4mm double glazing should be installed for the external doors and windows of the bedroom room and living-room facades as highlighted on drawing 17059(PL)002_A dated 05/07/2018 .

- Mechanical ventilation with ISO coarse class G3 filters shall serve all properties as shown in drawing numbers 17059(PL)060, 17059(PL)061 and 17059(PL)062 all dated 29/03/2019.

shall be carried out in full and completed prior to the development being occupied.

Air Quality Mitigation - Mechanical ventilation with ISO coarse class G3 filters shall serve all properties as shown in drawing numbers 17059(PL)060, 17059(PL)061 and 17059(PL)062 all dated 29/03/2019.

Prior to the use being taken up, eighteen 7Kw (Type 2, Mode 2), electric vehicle charging points, as show on drawing no. EIII95/1502 Rev C dated 29/03/2019 shall be installed and fully operational all within the non-adopted areas of car parkin

Archaeological response dated 16 April 2019

Further to your consultation request I would like to make the following comments and recommendations concerning this application for proposed residential development with associated landscape, drainage, roads and infrastructure.

The site is regarded as occurring within an area of potentially national archaeological significance being from 1747 the site of the important Leith glass works. Originally constructed by the Edinburgh Glasshouse Company it survived under various names until the 1874 when the site was sold off, though the last glass cone was not demolished until 1912. The site's historic significance is documented in Jill Turnbull's book 'From Goblets to Gaslights; The Scottish Glass Industry 1750-2006 published by the Society of Antiquaries of Scotland in 2017.

Not only was the site important in the industrial development of Edinburgh and Scotland the site and more significantly its cones became iconic features within the port's townscape. The cones feature in numerous contemporary paintings and illustrations as illustrated in Jill's publication including the important Leith Races (1859) by William Reed. (see Fig 1).

Accordingly, this application must be considered under 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 CEC's Edinburgh Local Development Plan (2016) Policies DES 3, ENV8 & 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.

Fig. 1 Detail from 'Leith Races' by William Reed showing Leith Glass Works

Buried & Built Heritage

Given the archaeological significance of the site it was required that a programme of archaeological excavation was undertaken prior to determination, in line with CEC Policy ENV9. As discussed at pre-application stage the results would allow for the assessment of survival of any remains and allow for mitigation to be developed which would seek to preserve in situ and also help develop the design of the final scheme in order to reflect and interpret the sites heritage, in line with Policy DES3 and Scottish Government's Place Making Agenda.

A WSI for the evaluation produced by Headland Archaeology and agreed in October 2019 with evaluation being undertaken during November and December 2019. Headland's report (Oasis Ref Headland1-340290) submitted and signed off in February demonstrated that substantial and predominantly well preserved remains survived in situ across the whole of the site.

Fig.2 1849 OS Map superimposed on Google maps showing historic glass works

Having assessed the proposed layout development does not take does not respect the layout of the glass works, for instance the marked cone on Fig 2 directly underlies the NE corner of the first proposed residential block. As such the proposed design does little to respect the sites important archaeological heritage and is therefore considered to be contra to CEC Policy DES 3.

In addition, the scale of the proposed works will necessitate the loss of the site's buried archaeology in particular will see the loss of key aspects including the remains of the glass cones which the evaluation by Headland have demonstrated have survived. Given the significance of the site to Scotland's Industrial Heritage it has been concluded that this proposed scheme is also contra to Policy ENV9 (a & b)

Historic Glass Works Wall on Salamander Street

The surviving stone wall forming the site's southern boundary wall along Salamander Street is of archaeological significance. This wall dates back to the origins of the glass works in the 18th century and is the last upstanding evidence for these national important glass works. Of significance is fact that the wall contains the remains of the front elevations of the glass work's workshops, with blocked doorways and windows clearly visible.

The proposed scheme will see significant reductions in height as well as creation of numerous new entrances. Although some reduction in height can I believed be achieved (i.e. the loss of latter rebuilding) the proposed plans have not fully assessed the heritage impacts. As such the current proposals are considered to have a significant archaeological impact upon this important heritage asset and one that is considered to be contra to policies DES 3 & ENV 9.

It has therefore recommended that this application be refused permission on archaeological grounds.

However, should the Planning Authority grant consent, it is essential that the site a programme of archaeological works is undertaken prior to development to fully excavate, record the site's archaeological remains and to fully analyses and publish the results of these works.

In addition, and in association with the above, it is essential that a comprehensive and detailed historic building survey is undertaken the site's boundary wall along Salamander Street prior to development. This will require the removal of all external render on both elevations to reveal all historic fabric (pre-20th century). This recording will include drawn phased plans and elevations (both internal and external) combined with photographic and written surveys and analysis. This is in order to provide an accurate record of this significant wall before it is demolished.

Furthermore, given the potential importance of these remains in terms of Leith and Edinburgh, it is recommended that the programme of archaeological works contain provision for programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) the scope of which will be agreed with CECAS.

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 recording, excavation, reporting & analysis, interpretation, public engagement 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.

Waste Services response dated 16 April 2019

I refer to the communications with you regarding the above new development which will consist of 212 flatted properties. This letter is confirmation that agreement on the waste strategy in line with our architect's instructions has been agreed. Please see the details below of the requirements for this development that have been reached and please note the following conditions will apply.

Please also ensure that a copy of this letter is provided to the builder/developer, site manager and the property management company.

Waste strategy for new developments

The City of Edinburgh actively promotes the provision of recycling facilities in all new developments and throughout the city. The Waste (Scotland) Regulations 2012 make mandatory the provision of specific household waste recycling services and our own waste strategy supports this. Recycling collections are integral to the overall waste collection system, so it is necessary to incorporate recycling facilities within your development.

Provision and collection of waste containers

For flatted developments we normally require that communal wheeled containers are used for household waste and recycling. This would consist of containers for residual waste, mixed recycling, glass and food.

Information showing the dimensions of the communal containers has already been provided for your information in the architect instructions.

For your particular development at Bath Road, we would require the following in each bin store in line with our architect's instructions:

Bin store 1 -3-and 5 = 43 Units

6 x 1280 litre Residual

4 x 1280 litre Mixed Recycling

1 x 660 litre Glass

1 x 500 litre FW

Bin store 2-and 4 = 31 Units

4 x 1280 litre Residual

3 x 1280 litre Mixed Recycling

1 x 660 litre Glass

1 x 500 litre FW

Bin store 2-and 4 = 21 Units

3 x 1280 litre Residual

2 x 1280 litre Mixed Recycling

1 x 660 litre Glass

1 x 500 litre FW

It will be the builder/developer's responsibility to provide the residual and recycling containers in line with our requirements, as outlined in the architect instructions. We can assist with this and will recover the costs of doing so. We require twelve weeks notice for bin orders, in order to arrange for the ordering, manufacture and delivery of bins. These should be submitted as a purchase order to the officer responsible for your development.

Responsibility for the bin storage areas will lie with the builder / developer until handed over to the property management company.

Property management

On completion of the building or individual block and when handover from the builder/developer has taken place the following requirement will apply:

Property management company responsibility includes:

- * Ensure that all material, residual or recyclable, are deposited within the communal bins prior to collection
- * Removal of excess waste where residents do not use the containers provided
- * Removal of any dumped items e.g. furniture, carpets, white goods etc
- * General cleaning of the bin storage areas

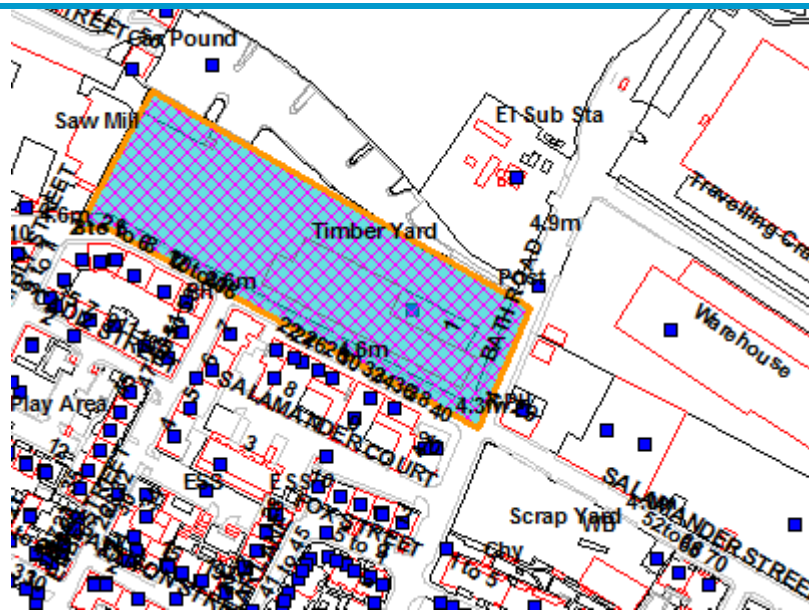
* Ongoing provision and maintenance of associated infrastructure, e.g. bin lifts, bin stores etc

The City of Edinburgh Council responsibility includes:

* Provide initial guidance documentation for residents in using the recycling facilities
Servicing of residual and recycling waste containers as scheduled

It is appreciated that new occupiers may initially have quantities of cardboard and other recyclable material generated from new appliances. We request that householders flatten cardboard boxes and deposit them in the mixed recycling bins provided. Large cardboard boxes should be flattened and placed alongside the containers for collection. Excess waste can be taken to the local Community Recycling Centre, which are open 7 days a week. More information about these is on our website.

Location Plan



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END

Development Management Sub Committee

Wednesday 8 May 2019

**Application for Planning Permission 18/09397/FUL
At 4 Currievale Farm, Currie, EH14 4AA
Demolition of existing barn and formation of new kennels with 6 double kennels and isolation kennel for a total of 13 dogs, formation of a new dwelling house in the style of a barn conversion, formation of a dog freedom field (in retrospect), the formation of two poly tunnels with a possible third and ecological development of the remainder of the land.**

Item number	4.5
Report number	
Wards	B02 - Pentland Hills

Summary

The proposal involves a new development within the green belt which is not necessary for the purposes of agriculture, woodland and forestry, horticulture or countryside recreation; and for which there is no exceptional reason to justify its construction. The proposal involves the construction of new buildings which would have an adverse impact on the rural character and appearance of the surrounding area, and the design and scale of which is not acceptable. In addition, the proposal would have a materially detrimental impact on the living conditions of neighbouring residents. The proposal is contrary to policies Env 10, Des 1 and Hou 7 of the adopted Edinburgh Local Development Plan and the Council's Guidance for Development in the Green Belt and Countryside.

Links

[Policies and guidance for this application](#)

LDPP, LEN09, LEN10, LEN21, LEN22, LDES01, LDES05, LTRA02, LHOU07, NSG, NSGCGB,

Report

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Recommendations

1.1 It is recommended that this application be Refused and Enforced subject to the details below.

Background

2.1 Site description

The planning application relates to a section of open fields covering a total area of 3.26 hectares, located at the western end of a single lane access road leading off Curriehill Road. The original Currievale Farm steadings are located directly to the east of the site and have been converted into residential dwellings. The main Edinburgh-Carlisle Railway line is located directly to the south of the site. An existing barn storage structure is located adjacent to the western boundary of the site. The surrounding area is predominantly rural in nature and is characterised by farmland and open fields.

2.2 Site History

23 November 2017 - Planning permission in principle refused for a proposed dwelling adjacent to Currievale Farm (application reference: 17/02952/PPP).

Main report

3.1 Description Of The Proposal

The application seeks planning permission for the following development on the site:

- The demolition of an existing metal barn storage structure and the construction of a new barn style dwellinghouse. The exterior walls of the dwellinghouse will consist of silver/gray scottish larch cladding with the roof being formed from metal sheeting.

- The construction of new dog kennels, poly tunnels, bee hives and the formation of an exercise yard in the north eastern corner of the site. The exterior walls of the kennels will consist of rough cast render with a membrane flat roof.

Planning permission is also sought in retrospect for the fencing off of a section of land in order to form a dog training and walking facility adjacent to the western boundary of the site known as 'Freedom Field'.

Supporting Documents

The applicant has submitted the following supporting documents which are available to view online via Planning and Building Standards Online Services:

- Design Statement

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 proposed scale, design and materials are acceptable;
- c) The proposal would have an adverse impact on the amenity of living conditions of neighbouring residents;
- d) The proposal affects road safety;
- e) The proposal raises any issues in respect of flooding, pollution and air, water and soil quality.
- f) The proposal raises any issues in respect of the development of a site of archaeological significance;
- g) The proposal raises any issues in respect of aerodrome safeguarding, and

h) Any issues raised in representations have been addressed.

a) Principle of Development

The proposal is located within the Edinburgh Green Belt as defined in the adopted Edinburgh Local Development Plan (LDP). LDP policy Env 10 permits development under limited circumstances for the purposes of agriculture, horticulture, forestry, countryside recreation, the intensification of an existing use or other uses appropriate to the rural character of the area or where a countryside location is essential.

In addition to the above, the Council's Non-Statutory Guidance for Development in the Countryside and Green Belt sets out exceptional circumstances where new dwellings in the countryside may be justified. Dwellings will generally not be permitted unless they are associated with a countryside use and a functional need for the dwelling has been established.

The site consists predominantly of scrubland and has not been subject to development and therefore, does not constitute brownfield land. While there is a steel storage barn building located in the south west corner of the site, this is associated with an agricultural use. The site retains an essentially rural nature and has an important role in contributing to the character of the surrounding green belt.

The proposal would involve the construction of a stand-alone dwelling and dog kennels within the site. The proposal would form an incongruous development with no direct relation to the character of the site which would serve to detract from the landscape character of the surrounding area.

The proposed dwelling has no correlation with an acceptable countryside use. The proposal does not meet any of the relevant criteria associated with LDP policy Env 10 or the criteria outlined in the non-statutory guidance regarding the circumstances in which new dwellings in the countryside can be considered acceptable. Consequently, there are no exceptional planning reasons for approving a new house in this location.

b) Scale, Design and Materials

The proposed dwelling is a contemporary interpretation of a traditional barnhouse and forms an unsympathetic addition within the setting of the existing property and wider landscape. The design of the proposed dwelling is such that it would form an incongruous feature within the surrounding area, contrasting sharply with the stone built former steadings located to the east and having a detrimental impact on the visual amenity of the area.

The proposed kennel block neighbouring the new dwellinghouse would introduce a third architectural style. As with the new dwellinghouse, the contemporary design would form an incongruous addition which contrasts with the design and appearance of the steading. The siting, design and materials result in a conspicuous addition which is detrimental to the rural character of the area.

The proposed scale, design and materials of the development are not acceptable and the proposal is contrary to LDP policy Des 1.

c) Neighbouring Amenity

The site lies in close proximity to a number of residential dwellings which are situated within the former farm steading buildings located to the south east.

The proposal will have a neutral impact on neighbouring amenity. The orientation of the property will not cause significant overlooking of the neighbouring property. In terms of daylight and sunlight there is sufficient space between the existing and proposed development to result in a neutral impact on daylight and sunlight.

Environmental Protection were consulted on the proposal and highlighted concerns regarding the potential impact of dog barking noise complaints on the amenity of neighbouring residents. The kennel element of the proposal would result in several dogs being kept in a small location and has the potential to give rise to notable levels of dog barking and howling with a resultant materially detrimental impact on the amenity of neighbouring residents. Environmental Protection have further advised that they have already received complaints of dog howling from the existing Freedom Field complex.

The proposal would have a materially detrimental impact on the living conditions of nearby residents due to noise disturbance and is contrary to LDP policy Hou 7.

d) Road Safety and Parking

Transport Planning has raised no objection to the application. The addition of a single dwelling and outbuilding is likely to have a neutral impact on the local transport network.

The proposal complies with LDP policy Tra 2.

e) Flooding, Pollution and Air, Water and Soil Quality

Flood Prevention were consulted on the proposal and raised no objection to the application. The addition of a single dwelling and outbuilding is likely to have a neutral impact on flood risk.

SEPA were consulted on the proposal and raised no objection. The proposal does not raise any issues in respect of pollution and air, water and soil quality.

The proposal complies with LDP policies Env 21 and Env 22.

f) Development of a Site of Archaeological Significance

The city archaeologist was consulted on the proposal and identified the site as being of potential archaeological significance. The city archaeologist stated that he had no objection to the proposal subject to the inclusion of a condition requiring a programme of archaeological work to be completed prior to the commencement of development.

The proposal will not have an adverse impact on a site of archaeological significance and complies with LDP policy Env 9.

g) Aerodrome Safeguarding

Edinburgh Airport were consulted on the proposal and raised no objection subject to the inclusion of suspensive conditions requiring details of a bird hazard management plan.

The proposal does not raise any issues in respect of aerodrome safeguarding.

h) Matters Raised in Representations

Objection Comments

Material Considerations

- Proposal is not an acceptable green belt development - addressed in section 3.3 (a).
- Proposal will have an adverse impact on the character and appearance of the surrounding area - addressed in section 3.3 (a) and 3.3 (b).
- Design of the proposal is inappropriate - addressed in section 3.3 (b).
- Proposal will have a detrimental impact on the living conditions of nearby residents - addressed in section 3.3 (c).
- Proposal raises issues in respect of road safety - addressed in section 3.3 (d).
- Proposal raises issues in respect of flood risk and waste water - addressed in section 3.3 (e).

Non-Material Considerations

- A caravan has previously been sited on the land without planning permission.
- Impact of the proposal on house prices.
- Signage being erected along the access lane.
- Proposal will not bring any employment benefits for the local area.
- Issues relating to contributions to the maintenance of the road.

Support Comments

Material Considerations

- Proposed use is acceptable in principle - addressed in section 3.3 (a).
- Proposal will have positive impact on the character and appearance of the surrounding area - addressed in sections 3.3 (a) and (b).

- Proposal is an acceptable use - addressed in section 3.3 (a).
- Proposal will have an acceptable impact on traffic levels - addressed in section 3.3 (d).
- Proposed noise levels will be acceptable and will not have a detrimental impact on the amenity of neighbouring residents - addressed in section 3.3 (c).

Non-Material Considerations

- Existing use of the site provides a benefit to dog walkers.
- Existing structural condition of the barn building.

Conclusion

In conclusion, the proposal involves a new development within the green belt which is not necessary for the purposes of agriculture, woodland and forestry, horticulture or countryside recreation; and for which there is no exceptional reason to justify its construction. The proposal involves the construction of new buildings which would have an adverse impact on the rural character and appearance of the surrounding area, and the design and scale of which is not acceptable. In addition, the proposal would have a materially detrimental impact on the living conditions of neighbouring residents. The proposal is contrary to policies Env 10, Des 1 and Hou 7 of the adopted Edinburgh Local Development Plan and the Council's Guidance for Development in the Green Belt and Countryside. It is recommended that planning permission is refused with a recommendation to proceed to enforcement action to effect the cessation of the current use of the 'Freedom Field' dog training site. There are no material considerations which outweigh this conclusion.

It is recommended that this application be Refused and Enforced subject to the details below.

3.4 Conditions/reasons/informatives

Reason for Refusal:-

1. The proposal is contrary to policy Env 10 of the adopted Local Development Plan (LDP) and the Council's Guidance for Development in the Countryside and Green Belt as it would involve the development of a new build dwellinghouse in a green belt location with no exceptional planning reason to justify its construction.
2. The proposal is contrary to policy Des 1 of the adopted Local Development Plan. By virtue of its scale, design and materials, the proposal would be damaging to the character and appearance of the surrounding area.

3. The proposal is contrary to policy Hou 7 of the adopted Local Development Plan as it would have a materially detrimental impact on the living conditions of neighbouring residents.

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

Eighty seven letters of representation has been received. 54 letters of objection were received and 33 letters of support. A full summary of all the matters raised by these representations can be found in section 3.3 (h) 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
Date registered	22 October 2018
Drawing numbers/Scheme	01 - 05, Scheme 1

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

Contact: James Allanson, Planning Officer
 E-mail:james.allanson@edinburgh.gov.uk Tel:0131 529 3946

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

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 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 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 Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

Relevant Non-Statutory Guidelines

Non-statutory guidelines DEVELOPMENT IN THE COUNTRYSIDE AND GREEN BELT, provide guidance on development in the Green Belt and Countryside in support of relevant local plan policies.

Appendix 1

**Application for Planning Permission 18/09397/FUL
At 4 Currievale Farm, Currie, EH14 4AA
Demolition of existing barn and formation of new kennels with 6 double kennels and isolation kennel for a total of 13 dogs, formation of a new dwelling house in the style of a barn conversion, formation of a dog freedom field (in retrospect), the formation of two poly tunnels with a possible third and ecological development of the remainder of the land.**

Consultations

City Archaeologist

Further to your consultation request I would like to make the following comments and recommendations in respect to this application the demolition of existing barn and formation of new kennels with 6 double kennels and isolation kennel for a total of 13 dogs, formation of a new dwelling house in the style of a barn conversion, formation of a dog freedom field (in retrospect), the formation of two poly tunnels with a possible third and ecological development of the remainder of the land.

The site forms part of and occupies the NW corner of Currievale Farm. The farm was constructed between 1852 & 1857, with the current converted steading dating to this period. However evidence from aerial photography (see fig 1 below) has identified earlier occupation immediately adjacent to the site in the form of a multi (3) ditched large enclosure or fort (Currievale Fort NT16NE59. This type of monument in the Lothians is commonly dated to the Iron Age of the latter 1st millennium BC/early 1st Millennium AD, though an earlier Late Bronze Age date can't be ruled out.

Accordingly, this application is regarded as occurring within an area of archaeological potential and 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) ENV8 & 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.

Buried Archaeology

The proposals will require significant ground-breaking works regarding both the demolition of the current barn and construction of the new development. Such works will have significant impacts upon any surviving archaeological remains associated with the development of the farm but also significantly potentially prehistoric remains given the proximity of the adjacent late prehistoric Currievale fort.

However, it is considered that development of the site would have overall have a low-moderate archaeological impact. It is recommended therefore that a programme of archaeological work is undertaken prior to/during demolitions and development in order that any archaeological remains encountered are fully excavated and recorded where preservation in situ is not possible.

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 nor development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, reporting and analysis, 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.

SEPA

Thank you for your consultation email which SEPA received on 14 December 2018.

Advice for the planning authority

We have no objection to this planning application. Please note the advice provided below.

1. Flood risk

1.1 We have reviewed the information provided in this consultation and it is noted that, the application site (or parts thereof) lies adjacent to the medium likelihood (0.5% annual probability or 1 in 200 year return period) fluvial flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of flooding.

1.2 For planning purposes the functional flood plain will generally have a greater than 0.5% (1:200) probability of flooding in any year. Built development should not therefore take place on the functional flood plain. Scottish Planning Policy states in paragraph 255, that "the planning system should promote a precautionary approach to flood risk from all sources", as well as flood avoidance and flood reduction, where appropriate. It further defines in paragraph 256 that, "the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity."

1.3 Review of LiDAR (DTM) data indicated that the proposed site lies at a higher elevation than the watercourse to the north and the ground to the west. As the site is adjacent to the indicative flood envelope and we hold no additional information to indicate that the site is at flood risk, we have no objection to the proposed development on flood risk grounds. It is recommended that contact is made with your Flood Risk Management Authority regarding this issue. If your authority requires further comment from us, additional information would be necessary to enable us to comment upon the flood risk at the application site.

2. Waste water drainage

2.1 There was no planning application available and as such the details for waste water drainage are not known. This site is within an area where there is a public sewerage system, and as such waste water drainage from the development should be directed to that system. The applicant should consult with Scottish Water to ensure a connection to the public sewer is available and whether restrictions at the local sewage treatment works will constrain the development.

2.2 If the proposals should change we would wish to be consulted at the earliest opportunity as we would not support private drainage proposals in an area served by the public sewer.

Detailed advice for the applicant

3. Flood risk

3.1 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.

3.2 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.

3.3 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 entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation.

Regulatory advice for the applicant

4. Regulatory requirements

4.1 Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).

4.2 Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

4.3 A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:

- o is more than 4 hectares,*
- o is in excess of 5km, or*
- o includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25*

See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

4.4 Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.

4.5 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 your local SEPA office at:

Silvan House, 231 Corstorphine Road, Edinburgh, EH12 7AT Tel: 0131 273 7296

If you have any queries relating to this letter, please contact me by telephone on 0131 273 7296 or e-mail at planning.se@sepa.org.uk.

Environmental Protection

Environmental Protection has concerns regarding this application.

The application proposes to site kennels within the front garden area of a newly proposed residential property. Residential properties are situated near to the east of the proposed kennels. The kennels will be capable of housing 13 dogs.

The application property is in a quiet rural area in close proximity to existing residential properties. This Department receives dog barking noise complaints on a regular basis both from within residential properties and kennel premises. The introduction of kennels into this quiet residential area is likely to allow dogs to bark on a 24 hour basis. Therefore, it is the opinion of this Environmental Protection that dog barking noise complaints are likely to be received and the residential amenity of the local area could be detrimentally affected. There is already an element of dog activity on the site and it should be noted that dog howling has been complained about already.

It is difficult to mitigate noise from dog barking and there is no competent technical acoustic guidance available regarding dog barking. There is no other suitable location on in the site to locate the kennels to reduce the likely noise impacts on the existing residential properties.

With regards the farmhouse proposal, Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning & Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent (except where it is inappropriate to do so, for example where remediation of severe contamination might not be achievable).

It is also noted that the applicant is proposing to install a wood burning stove in the proposed farmhouse. The applicant must ensure that they are aware that Edinburgh is Smoke Control Area and any wood burning stove must be fully compliant with the Clean Air 1993. There is a list of approved appliances for use in Scotland on the Department for Environment, Food and Rural Affairs website.

Environmental Protection recommends that the application be refused due the adverse noise impacts this proposal will have on neighbouring amenity.

Edinburgh Airport

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

Submission of a Bird Hazard Management Plan

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

- monitoring of any standing water within the site temporary or permanent*
- sustainable urban drainage schemes (SUDS) - Such schemes shall comply with Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).*
- management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 3 'Wildlife Hazards.'*
- reinstatement of grass areas.*

- maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow.
- which waste materials can be brought on to the site/what if any exceptions e.g. green waste.
- monitoring of waste imports (although this may be covered by the site licence).
- physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste.
- signs deterring people from feeding the birds.

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

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

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

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

Submission of Landscaping Scheme

No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Planning Authority, details must comply with Advice Note 3 'Wildlife hazards' (available at <http://www.aoa.org.uk/operations-safety/>). These details shall include:

- any earthworks.
- grassed areas.
- the species, number and spacing of trees and shrubs.
- details of any water features.
- drainage details including SUDS - Such schemes must comply with Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).
- others that you or the Authority may specify and having regard to Advice Note 3: Wildlife Hazards].

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

Reason: To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of birds and an increase in the bird hazard risk of the application site.

Submission of SUDS Details

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

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

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

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

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Edinburgh Airport, or not to attach conditions which Edinburgh Airport has advised, it shall notify Edinburgh Airport, and the Civil Aviation Authority and the Scottish Ministers as specified in the Safeguarding of Aerodromes Direction 2003.

Roads Authority

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

- 1. 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;*

Note:

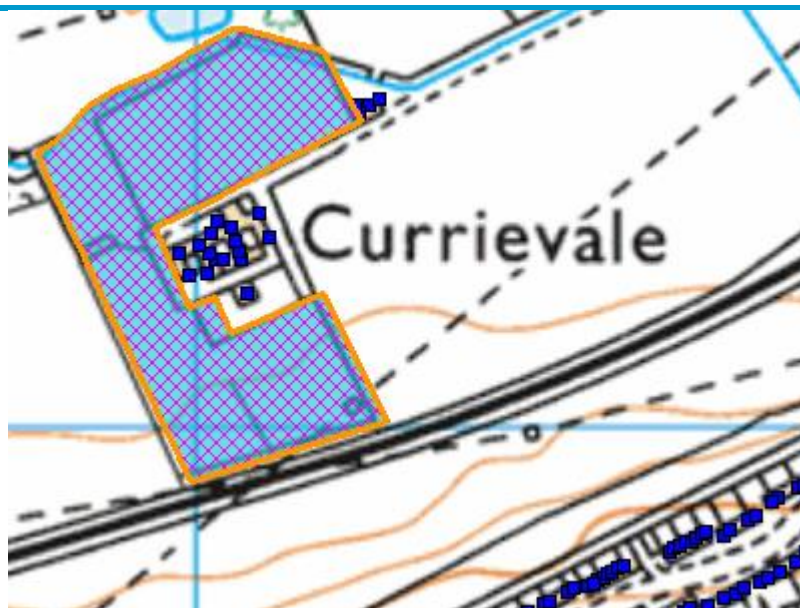
The application has been assessed under the 2017 parking standards. This type of development is not specifically mentioned in the parking numbers table. It is noted that 6 car parking spaces are being provided, which is acceptable to Transport.

This development is served off a private (non-adopted) access.

Flood Prevention

We are happy for this to proceed to determination with no further comment from flood prevention.

Location Plan



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END

Development Management Sub Committee

Wednesday 8 May 2019

Application for Planning Permission 18/07491/FUL At Land North Of 10, Manse Road, Kirkliston Erect new Village Hall

Item number	4.6
Report number	
Wards	B01 - Almond

Summary

The proposed development complies with the policies in the Edinburgh Local Development Plan and the non-statutory Design Guidance and will not adversely impact on general amenity, residential amenity or road safety. There are no other material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	LDES01, LDES04, LDES05, LEN18, LHOU07, LTRA02, LTRA03, LRS06, NSGD02,
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Report

Application for Planning Permission 18/07491/FUL At Land North Of 10, Manse Road, Kirkliston Erect new Village Hall

Recommendations

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

Background

2.1 Site description

The site is a former playground on the curved corner of Manse Road and Liston Place in an established residential estate to the south side of the main road. The intended site is 525sq.m gross floor area and is up to two metres below street level at its north end (Liston Place).

The site is bounded to the south by a 2.5 metre wide access to a substation just outwith the south west corner of the site. Beyond this is the gable of a cottage at No.10 Manse Road. To the west of the site are the low lying rear gardens of Nos. 1 and 3 Liston Road; the two storey terraced houses themselves being at the higher street level.

Abutting the front part of the site at street level to the west is the single storey flat roofed local shop. To the north across Liston Place, which is wide and has a central verge, are pair of semi-detached two storey houses. To the east across Manse Road in mature grounds, is a large villa believed to be the original Manse after which the road is named.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The proposal is to build a new village hall on the site with provision for one minibus parking space under a car port plus a small courtyard in excess of 100 sq. metres in area, with five bike racks next to the pavement. The building would be single storey with pop-up gallery ridge at the north end and two storeys at the south end, due to the drop in site levels toward the south.

Accommodation: would be a central hall at ground floor/street level surrounded on the periphery by meeting rooms, an office, a seating area and toilets. A viewing gallery/walkway would span the main hall longitudinally at first floor level to allow spectators to watch activities.

Materials: Vertical weather boarding, render and facing brickwork. Windows will be powder coated aluminium framed. Roof is to be profiled metal sheeting with the area over the internal spaces in single ply. Internally, all doors will be acoustically insulated timber. Non-glazed external doors will be steel panel.

Design statement: The applicant's supporting statement and Options Appraisal is 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 proposed use is acceptable in principle in this location;
- b) the design and materials are acceptable and accord with local plan policies;
- c) there are any amenity issues - overshadowing, site height/coverage, noise;
- d) there are any parking or transport issues;
- e) there are any flooding issues;
- f) there are any open space issues; and
- g) the representations have been addressed.

a) Principle of Development

The site is in the heart of an established residential area with a primary school close by to the west of the site and a shop next door. The site is identified in the Edinburgh Local Development Plan (LDP) as Urban Area where mixed uses are acceptable provided there is no loss of amenity. Policy Hou 7 safeguards against developments which would have a materially detrimental effect on the living conditions of nearby residents.

Alternative sites such as Kirkliston Leisure Centre, the existing community centre and the local primary school have been ruled out as suitable sites for a new village hall for valid reasons explained in the applicants supporting Options Appraisal statement.

In principle, the development is acceptable provided amenity and road issues are addressed.

b) Design and Materials

The design utilises the differing levels in the site carefully, its curved corner position and the proximity of surrounding houses. It has been designed to serve a range of community uses which the village currently lacks. The materials are eco-friendly as much as possible with predominantly timber and render external cladding. The design incorporates an interesting pitched roof entrance feature and internal linear gallery without making the building too bulky on the site.

The design and materials are acceptable and comply with Policies Des 1 and Des 4 of the Edinburgh Local Development Plan (LDP) and the Council's Design Guidance.

c) Amenity issues

Overshadowing - The south-facing elevation of the new building is approximately 1.0m from the south boundary of the site. This elevation aligns with the north-facing, side gable of the neighbouring house. There is one window on the north-facing wall of the neighbouring house. The distance between the two gables will be 6.2m, ensuring that daylight for this window is not compromised.

The west-facing elevation of the new hall is approximately 1.2m from the west site boundary. Beyond the site boundary there is a service strip belonging to Scottish Power and beyond that is the garden of 1 Liston Road. The new building is set significantly lower than 1 Liston Road, there being a change in ground level of circa 2.0m between 1 Liston Road and the floor level of the new hall. This means that only the top 3.0m (approx) of the new hall will be visible from 1 Liston Road, viewed across Scottish Power's service strip.

Whilst the bottom corner of the garden at no.1 Liston Road will be flanked by the tall rear elevation of the local shop on its north side and the wall of the new hall perpendicular to this, the orientation of the new building, the gap provided by the sub-station access and the hall's stepped elevation on the south west side, will allow sunlight and daylight to the main part of the garden.

Noise - Environmental Protection has some concerns about the proposed plant noise meeting NR25 in the nearest residential property. The plant and specification of the insulation of the building have not yet been designed. A suspensive condition is recommended to approve the plant details prior to the development commencing.

Subject to the above, the proposals comply with Policy Des 5 and Hou 7 of the LDP.

d) Parking and traffic

The roads authority has no objection in principle to the proposals, but states the cycle parking stands are not considered to be in a secure or convenient location and that no justification has been given for the 1 parking space on site.

A condition is recommended to ensure that the cycle parking is implemented within the body of the site and not at the front, on or near the pavement.

A community bus is proposed for Kirkliston. A parking space big enough for a mini-bus has been allocated on site to cater for this eventuality. One on-street space may be dedicated to wheel chair users if this can be negotiated with the Council. Part of the management of the new hall will involve discouraging car use for short journeys and encouraging walking and cycling. Other than yellow lines/parking restrictions in the surrounding streets, there is no control over random parking in the area and any blocking of driveways. This is a police matter.

On these grounds, the level of parking and highway safety is acceptable and accords with Policies Tra 2 and Tra 3 of the LDP.

e) Flooding

A Surface Water Management Plan has been submitted which indicates that the site is not liable to flooding and that the local sewer system has the capacity to service the site satisfactorily. The proposals comply with Policy RS 6 of the LDP.

f) Open space

As stated early in this report, the likelihood of the site remaining an open play park are slim. Whilst the site is open space, it is not identified as a formal open space in the local plan. Its loss will not have a significant impact on the quality or character of the local environment as the space is underused at present; its playground use having been abandoned. Its loss will have no impact on biodiversity. Policy Env 18 of the LDP is therefore satisfactorily addressed.

g) Representations

Material objections:

- Location - More suitable sites and return site to play area? - Addressed at 3.3f).
- Design - Height over 6 metres and oversized for site. - Addressed at 3.3b).
- Amenity - Overshadowing of adjacent garden; Noise, music and amenity - Addressed at 3.3c).
- Parking, traffic and blocked driveways. -Addressed at 3.3d).
- Flooding/drainage.- Addressed at 3.3e).

Material support:

- Good for uniformed/youth groups and clubs/toddlers groups; much needed/valuable new community facility for growing town; perfect location for new hall in centre of village; Social infrastructure boost; Use of wasteland/eyesore; Long overdue. Cycle racks will promote cycling; need to paint clearway markings to allow access by emergency services; Design looks good.

Non-Material comments:

- Anti-social behaviour/licensed premises: this matter would be for Police Scotland and the appropriate licence regime.

Conclusion

The proposed development complies with the policies in the Edinburgh Local Development Plan and the non-statutory Design Guidance and will not adversely impact on general amenity, residential amenity or road safety. 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. Prior to the development commencing, details of the location and specification of any plant or mechanical ventilation required, shall be submitted to the local planning authority and approved in writing together with an NIA. The plant will be assessed against NR25 inside the nearest/worst affected residential property through an open window. If any mitigation measures are required, a full specification should be provided and those measures marked on a numbered drawing.
2. Prior to the commencement of development details of the cycle parking racks shall be provided within the site and shall be implemented prior to the occupation of the premises.

Reasons:-

1. In order to safeguard the amenity of neighbouring residents and other occupiers.
2. In the interests of achieving the correct parking standards whilst avoiding obstruction to pedestrians.

Informatives

It should be noted that:

1. Informatives:

1. The applicant will be required to cover the cost of relocating a lighting column, location to be agreed;
 2. The applicant should be required to provide cycle parking in a secure and convenient location;
 3. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
 4. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
 5. Any gate or doors must open inwards onto the property;
 6. Any hard-standing outside should be porous;
 7. The works to form a footway crossing 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 Council's current parking standards permit up to 1 car parking space per 50m² for community halls in this area, i.e. up to 10 spaces for the approx. 515m² GFA.
2. 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.
 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. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

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

Not advertised, but 104 letters of support, including Kirkliston After School Club, and 10 letters of objection 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 allocated as Urban Area in the Edinburgh
Local Development Plan.

Date registered

5 October 2018

Drawing numbers/Scheme

01 - 04,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Duncan Robertson, Senior Planning Officer

E-mail:d.n.robertson@edinburgh.gov.uk Tel:0131 529 3560

Links - Policies

Relevant Policies:

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

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

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

LDP Policy Env 18 (Open Space Protection) sets criteria for assessing the loss of open space.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

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

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 Planning Permission 18/07491/FUL At Land North Of 10, Manse Road, Kirkliston Erect new Village Hall

Consultations

Roads Authority

No objections subject to conditions or informatives:

1. The applicant will be required to cover the cost of relocating a lighting column, location to be agreed;
2. The applicant should be required to provide cycle parking in a secure and convenient location;
3. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
4. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
5. Any gate or doors must open inwards onto the property;
6. Any hard-standing outside should be porous;
7. The works to form a footway crossing 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:

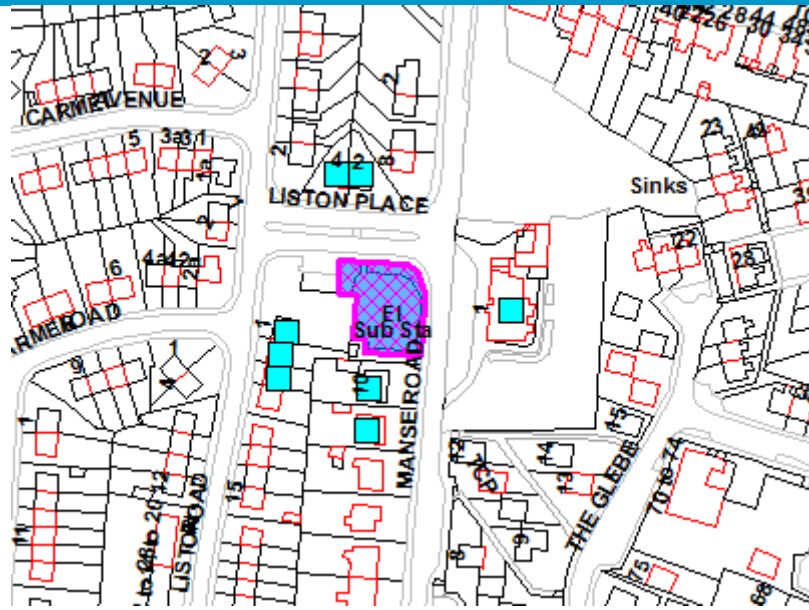
The Council's current parking standards permit up to 1 car parking space per 50m² for community halls in this area, i.e. up to 10 spaces for the approx. 515m² GFA.

Environmental Protection

Revised comments: The NIA hasn't been revised as requested. In terms of the plant noise section, it doesn't assess noise levels, but states that selected plant "must not exceed a level of NR25 inside the nearest and/or worst-affected residential property with the window of the residential property open."

Please ask the agent to amend the NIA to assess the proposed mechanical plant (mechanical ventilation and a/c unit) against NR25, inside the nearest / worst affected residential property through an open window. The assessment should be based on the plant to be installed. If that is still to be determined, the assessment should be based on a worst case scenario in terms of noise levels from similar spec of plant. If mitigation measures are required, a full spec should be provided and the measures marked on a numbered drawing.

Location Plan



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END

Development Management Sub Committee

Wednesday 8 May 2019

Application for Advert Consent 19/00898/ADV At Land West Of Norton Farm Junction Of A8, Glasgow Road, Edinburgh Back to Back LED Displays

Item number	4.7
Report number	
Wards	B01 - Almond

Summary

The proposal does not comply with regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. The display of the proposed advertisements is unacceptable in terms of amenity, public and road safety. It is recommended that consent for the proposal is refused. There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#) NSG, NSADSP,

Report

Application for Advert Consent 19/00898/ADV At Land West Of Norton Farm Junction Of A8, Glasgow Road, Edinburgh Back to Back LED Displays

Recommendations

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

Background

2.1 Site description

The application site is part of the road verge of the A8, and located to the west of Ingliston Park and Ride and south of Edinburgh Airport.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The proposal seeks advertisement consent for the erection of two back to back LED displays on the north side of the A8. The proposed structures will measure 6m wide by 17.49m high and 4.03m deep. The advert display area would measure 7.00m high and almost 6m wide. The road safety report submitted by the agent proposes that the sign illumination output will not exceed 300cd/m between dusk and dawn and will show only static images.

Supporting Statement

Road Safety Report

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

3.2 Determining Issues

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

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

3.3 Assessment

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

- a) The proposal would have an adverse impact on amenity;
- b) The proposal raises any issues in respect of public safety, and
- c) The proposal raises any issues in respect of equalities and human rights.

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

The proposal will introduce a bright and intrusive means of advertisement onto the site which will be extremely prominent, especially during night time hours. It is to be situated along a main road, which although not directly overlooked by residential properties, they are still in close proximity. The sign will be highly visible from the street to the detriment of nearby residential properties. This will be exacerbated by the sign's portrait orientation and structure's total height of 17.49m in an area with low rise residential properties.

It is noted that there is a BP/ Marks and Spencer's totem sign near to the site, however this measures approximately 7m high, significantly below the proposed structure. In addition this structure is not digital.

The location is not an area characterised by adverts and signs. The proposed signage will dominate views in and out of the area. The proposed site is not suitable for the display of advertisements of such scale and will have a detrimental effect on visual amenity.

Overall, the lack of a sufficient backdrop to reduce the sign's visual prominence, in conjunction with its scale will have an incongruous effect on the streetscape to the detriment of amenity. The proposal will have an unacceptable impact on the amenity of the location, contrary to Regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

b) The Roads Authority were consulted on the proposal and recommended refusal due to the safety and convenience of road users. The proposed location is considered to be high risk in view of:

- a. the level and speed of traffic;
- b. the proximity of a side road junction;
- c. the proximity of a diverge junction;

- d. the proximity of a merge junction;
- e. the proximity of a petrol station; and
- f. direction signs.

Therefore the proposal raises issues in terms of road safety and does not comply with The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. It should also be noted that there are proposals to introduce a fully signalised junction on the A8 at its junction with Ingliston Road. The presence of a digital display in close proximity to the signals is likely to be to the further detriment of road safety.

Transport Scotland were consulted on the proposal. They did not advise against granting planning permission.

Edinburgh Airport were consulted on the proposal and do not object as it does not conflict with the safeguarding criteria from an aerodrome safeguarding perspective.

c) The proposal has been assessed and raises no issues in respect of equalities and human rights.

Conclusion

Overall, the proposal's scale is unacceptable for its location and therefore, the proposal does not comply with Regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and it is recommended that consent for the proposal is refused. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Reason for Refusal:-

1. The proposal does not comply with Regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 as it will have an adverse impact on the amenity of the area and is detrimental to road safety.

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

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**

The area has been identified in Edinburgh's Local Development Plan as being within a Special Economic Area and Urban Area.

Date registered

22 February 2019

Drawing numbers/Scheme

01-02,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Rachel Timlin, Trainee Planner

E-mail:rachel.timlin@edinburgh.gov.uk Tel:0131 529 6797

Links - Policies

Relevant Policies:

Relevant Non-Statutory Guidelines

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

Appendix 1

Application for Advert Consent 19/00898/ADV At Land West Of Norton Farm Junction Of A8, Glasgow Road, Edinburgh Back to Back LED Displays

Consultations

Airports

Edinburgh Airport do not object to the proposals.

The Roads Authority

The Roads Authority have recommended refusal for the safety and convenience of road users. The proposed location is considered to be high risk in view of:

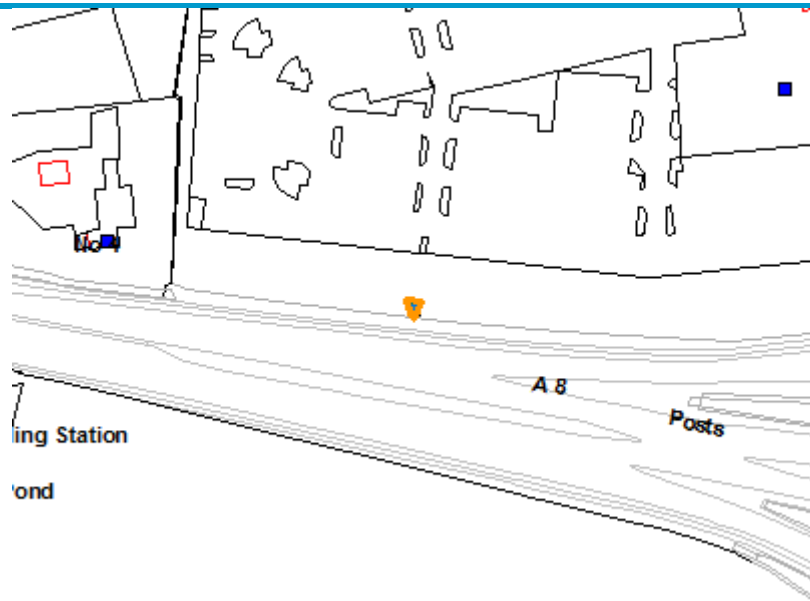
- a. the level and speed of traffic;*
- b. the proximity of a side road junction;*
- c. the proximity of a diverge junction;*
- d. the proximity of a merge junction;*
- e. the proximity of a petrol station; and*
- f. direction signs.*

In addition, it should be noted that there are proposals to introduce a fully signalised junction on the A8 at its junction with Ingliston Road. The presence of a digital display in close proximity to the signals is likely to be to the further detriment of road safety.

Transport Scotland

Transport Scotland do not propose to advise against the granting of permission.

Location Plan



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END

Development Management Sub-Committee

10.00am, Wednesday 8 May 2019

Protocol Note for Pre-Determination Hearing

Planning Application No 15/05580/PPP

Land 160 Metres North Of 2 Eastfield Road, Edinburgh

Item number 6.1(a)

Report number

Ward

Laurence Rockey

Head of Strategy and Communications

Contacts: Jamie Macrae

Email: jamie.macrae@edinburgh.gov.uk

Tel: 0131 553 8242

Summary

Protocol Note for Pre-Determination Hearing

Summary

The Council is committed to extending public involvement in the planning process. Hearings allow members of the public to put their views on planning applications direct to the Councillors on the Development Management Sub-Committee.

The Sub-Committee members have a report on the planning application which contains a summary of the comments received from the public. Copies of the letters are available for Councillors to view in the group rooms.

As agreed by the Council on 17 December 2009, ward councillors who are not members of the Development Management Sub-Committee may not participate in the pre-determination hearing.

Committee Protocol for Hearings

The Planning Committee on 25 February 2016 agreed a revised general protocol within which to conduct hearings of planning applications as follows:

- Presentation by the Chief Planning Officer	20 minutes
- Questions by Members of the Sub-Committee	
- Presentation by Community Council	5 minutes
- Presentations by Other Parties	5 minutes, each party
- Questions by Members of the Sub-Committee	
- Presentation by Applicant	15 minutes
- Questions by Members of the Sub-Committee	
- Debate and decision by members of the Sub-Committee	

Order of Speakers for this Hearing

1	Chief Planning Officer - presentation of report	10.15 – 10.35
2	Representors or Consultees Edinburgh Airport – Alastair McKie (planning lawyer from Anderson Strathern) and Kevin Martin (transport consultant from Mott Macdonald)	10.45 –10.50
3	Applicant and Applicant’s Agent Peter Carus (Avison Young) Martin Dalziel (New Inghliston Ltd) Ewan Anderson, 7N Architects Douglas Bisset, WSP Group Rorie Henderson and Barry Kitcherside – FSH Airport (Edinburgh) Services Ltd Jestyn Davies – Murray Estates Lothian Ltd	11.00 –11.15
4	Debate and Decision on Application by Sub-Committee	11.30

Scheduled times are approximate but within this the time limits for speakers will have to be enforced – speakers will be reminded when they have 1 minute remaining. Speakers should keep to “material planning matters” that the Sub-Committee can take into account. Any visual material must be submitted to Committee Services at least 24 hours before the meeting. At the conclusion, the Sub-Committee will take a decision and which will form a recommendation to the City of Edinburgh Council at their meeting on 30 May 2019, where the final decision on the application will be taken.

If the application is continued for further information, the Hearing will not be re-opened at a later stage and contributors will not be invited to speak again. In such cases, the public can attend the meeting to observe the discussion from the gallery.

Development Management Sub Committee

Wednesday 8 May 2019

Application for Planning Permission in Principle 15/05580/PPP

**At Land 160 Metres North Of 2, Eastfield Road, Edinburgh
Mixed use development inc. business + employment uses
(class 4); hotels (class 7) + ancillary uses including retail
(Class 1), financial + professional services (Class 2), food +
drink (Class 3), residential (Class 9), non-residential
institutions (Class 10), assembly + leisure (Class 11), sui
generis flatted development; associated works inc. car
parking, servicing, access + public realm. (As Amended)**

Item number	6.1(b)
Report number	
Wards	A01 - Almond (Pre May 2017)

Summary

The application represents a National Development proposal in West Edinburgh, situated within close proximity to the A8 Corridor and Edinburgh Airport.

The development of an International Business Gateway (IBG) to the west of Edinburgh is supported by the National Planning Policy NPF3, the SDP and the Development Plan with site design principles articulated through the Local Development Plan (LDP) and the West Edinburgh Strategic Design Framework (WESDF).

The proposed mix of land uses are considered appropriate to the development of an International Business Gateway - subject to a range of planning controls to ensure the primacy of business uses are maintained as the site is developed whilst also delivering a suitable mix of complementary uses as identified through LDP Policy Emp 6.

The proposed masterplan framework and parameters plans are considered to provide a suitable basis for planning conditions to guide the long term development of the IBG Phase 1 site, promoting high quality development, placemaking and site infrastructure befitting of the aspirations for the international business development.

Subject to the conclusion of a suitable legal agreement requiring contributions in relation to tram, the delivery of transport infrastructure to support the development of the site and other contributions in relation to affordable housing, education and healthcare the principle of the proposed development is considered acceptable.

Links

<u>Policies and guidance for this application</u>	LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES09, LDES11, LEN08, LEN09, LEN12, LEN16, LEN20, LEN21, LEN22, LEMP01, LEMP06, LEMP10, LHOU01, LHOU02, LHOU03, LHOU06, LHOU10, LRET06, LRET08, LTRA01, LTRA02, LTRA03, LTRA04, LTRA06, LTRA07, LTRA08, LTRA09, LTRA10, NSGD02, NSGSTR, NP01,
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Report

Application for Planning Permission in Principle 15/05580/PPP

**At Land 160 Metres North Of 2, Eastfield Road, Edinburgh
Mixed use development inc. business + employment uses
(class 4); hotels (class 7) + ancillary uses including retail
(Class 1), financial + professional services (Class 2), food +
drink (Class 3), residential (Class 9), non-residential
institutions (Class 10), assembly + leisure (Class 11), sui
generis flatted development; associated works inc. car
parking, servicing, access + public realm. (As Amended)**

Recommendations

- 1.1 It is recommended that this application be Minded to grant - Scottish Ministers subject to the details below.

Background

2.1 Site description

The application site (36.7 hectares) is situated in West Edinburgh, approximately 12.4km to the west of Edinburgh City Centre.

This site is defined by Eastfield Road to the west, which connects with the A8 Glasgow Road that forms the southern edge of the site. A residential property with outbuildings lies to the southern site boundary, this being accessed from the A8 eastbound carriageway. Arable land and woodland occupies the area to the south of the A8 this designated as Green Belt with areas also safeguarded for the potential relocation of the Royal Highland Centre.

The northern edges of the site are bounded by a hotel and the Gogar Burn, with Edinburgh Airport occupying much of the area to the north. The Airport Terminal building lies approximately 1.2 km to the north.

The land lying immediately to the east of the site comprises open, uncultivated grassland. This extends eastwards towards the Gogar Burn and the Edinburgh Tram Depot.

The Ingliston Park and Ride site, managed by the Council, occupies the central and south western parts of the application site, this being accessed from Eastfield Road and the dumbbells junction to the south east. Originally opening in 2005, this now includes surface car parking for 1085 vehicles, a bus layby and hub building containing passenger facilities. The site edges are enclosed by maturing soft landscaping. A further area for the future expansion of the site lies to its eastern edge. Since 2014, the Park and Ride site has also been served by a tram stop, with the tram route (LDP Proposal T1) entering the application site from the north and east, to provide a high frequency public transport link between the Airport and Edinburgh City Centre. The tram stop also includes an electrical sub-station and dedicated parking area.

The remainder of the site to the north comprises open, uncultivated grassland, with land to the south and south west currently remaining in arable use. A number of hedgerows partially define the site edges and former field boundaries running across the site. A small pocket of mature trees are situated to the south western corner of the site, adjacent to the A8 dumbbells junction.

The prevailing land levels fall from 50 metres AOD to the southern edge of the site, reducing to approximately 32 metres AOD at the northern edges at the Gogar Burn. This results in an 18 metre level difference across the site.

The LDP identifies the north eastern part of the application site, adjacent to the Gogar Burn, as an Area of Importance for Flood Management. The application site is crossed by two drainage channels, these both entering the Gogar Burn. These include a drainage ditch to the eastern edge of site (referred to as the Ratho Channel) with a second watercourse (referred to as the Eastfield Road Tributary) flowing from the west, and crossing the northern part of the site. A SUDS detention basin is situated to the north of the Park & Ride Site, immediately to the west of the tram route.

A gas main crosses the western part of the site from north to south, this lying immediately to the west of the tram line before crossing the park and ride site. Building should not be located above this.

In terms of adjacent uses surrounding the application site, the nature of Eastfield Road is mixed in character. This includes the Royal Highland Showground and airport car parking to the west, these being interspersed by a small number of dwellings and former farmsteadings, some also operating as business premises. A number of hotels lie to the north and north east, including two recently developed sites at the Eastfield Road/Fairview Road roundabout.

The entirety of the application site is designated in the LDP as Special Economic Area. This designation embraces a number of the key strategic sites in West Edinburgh, including the International Business Gateway, Edinburgh Airport and the Royal Highland Centre. These sites are covered by specific planning policies, designed to help deliver the Council's Economic Strategy through promoting economic development in sustainable locations, with a particular focus on opportunities for office development and Edinburgh's special economic areas.

The area of land to the north west of the application site, situated to the east of the tram line is designated in the LDP as an Area of Importance for Flood Management. The WESDF also identifies the same area, to the south of the Gogar Burn, for potential future expansion of the Airport.

LDP Proposal GS6 identifies three areas of open space to be delivered within the extents of the application site. This includes two areas of open space - one crossing the northern part of the site and the second defining the eastern edge (these being referred to as the IBG Central Parkland). A further area of open space would define the southern edge of the site along the A8 corridor.

The alignment of a future tram route from Ingliston P&R tram stop to Newbridge is safeguarded (LDP Proposal T1) this forming a spur across the western part of the site from the tram stop towards Eastfield Road.

LDP Transport Proposal and Safeguard T8 - Eastfield Road and dumbbells junction, passes to the western edge of the site. Proposal and Safeguard T9 - Gogar Link Road crosses the northern part of the site to link Eastfield Road with land to the east and the Gogar roundabout.

2.2 Site History

21 August 2000 - Planning permission refused to erect hotel with conference facilities. Appeal subsequently dismissed. (Application reference:- 00/01588/FUL).

02 June 2004 - Planning permission granted for Park and Ride facility comprising car park, terminus building and dedicated bus access (Application reference:- 04/00362/CEC).

05 October 2007 - Application withdrawn for hotel incorporating conference and leisure facilities, car parking and associated landscaping (Application reference:- 01/01769/OUT).

08 August 2008 - Prior Approval granted for the Ingliston Park and Ride Tram Stop (Application reference:- 08/02250/PA).

08 December 2010 - Prior Approval granted for NIL Tram Crossing No.2 - a future proofed road crossing over tram alignment (Application reference:- 10/03024/PA).

IBG Applications

08 August 2013 - Proposal of Application Notice (PAN) submitted for IBG Phase 1 (34 hectares) this including land immediately to the east of Eastfield Road and the Ingliston Park + Ride site (Reference:- 13/03146/PAN).

21 January 2015 - Proposal of Application Notice (PAN) submitted by NIL Limited for IBG Phase East (75 hectares) this including land extending from the east of the Ingliston Park + Ride site to the Gogar Burn (Reference:- 15/00225/PAN).

29 February 2016 - Proposal of Application Notice (PAN) submitted by West Craigs Limited for land extending eastwards from the Gogar Burn towards the Tram Depot and Edinburgh Gateway (Reference:- 16/00927/PAN).

Main report

3.1 Description Of The Proposal

Scheme 2

Planning Permission in Principle (PPP) is sought for proposed business led, mixed use development as an initial phase of the Edinburgh International Gateway (IBG). A quantum of development for the site as whole comprising 211,511 metres square floorspace is identified, with permission sought for the following mix of uses:-

- Class 4 Business - 122,158 metres square (58%).
- Class 7 Hotel - 40,338 metres square (19%).
- Class 9 Residential and Sui Generis Flatted development - 43,574 metres square (21%). This would represent approximately 396 units including 25% affordable.
- Class 1, 2, 3, 10 and 11 - Ancillary Uses:- Retail, Financial + Professional Services, Food and Drink, Assembly and Leisure (2%).

A Concept Masterplan, series of Plot Parameters Plans and Development Guidance have been prepared in support of the application, these establish a masterplan framework, a range of design parameters and detailed design guidance to be observed throughout the development of the site. The overarching masterplan principles and design approach have been outlined in a supporting Design and Access Statement.

The Concept Masterplan approach establishes a site structure, based around a rectilinear grid to form 18 development blocks or plots (16 plots if the Council owned Park & Ride site is excluded). The proposed masterplan framework also identifies access routes, estate infrastructure including strategic public realm, open space and landscape with specific details presented through a suite of masterplan documents:-

- Masterplan Overview
- Estate Infrastructure and Landscape
- Landscape Framework
- Plot Framework
- Movement and Access
- Mix of Uses
- SUDS Strategy
- District Heating
- Implementation Strategy

The Concept Masterplan has presented an illustrative approach for the possible future redevelopment of the Council owned Ingliston Park and Ride site, although this does not form part of the application.

A suite of Plot Parameters Plans define the following on a site wide basis:-

- Development Parameters (Build Zone, primary frontage, green edge and landscape buffers).
- Height parameters (Maximum building heights on a sub plot basis).
- Use parameters (Extents and location of business/hotel led development, residential led development, active ground floor zone for leisure and retail development).

Detailed Development Guidance has also been prepared for:-

- Public realm on a site wide basis, this including landscape and open space.
- Plot Principles will provide a flexible framework for development through the use of plot parameters.
- Park and Ride Site - illustrative approach for future development.

The proposed development would be served by two points of vehicular access. A signalised junction would be formed from Eastfield Road, at the location of the existing roundabout. This would form the western section of the proposed Gogar Link Road. To the south, the existing access serving the Park and Ride Site from the dumbells junction would also be utilised. The existing northern access to the Park and Ride from Eastfield Road would be maintained and it is not envisaged would provide direct vehicular access into the IBG site at the current time.

It is anticipated that the following matters would be approved to support a Planning Permission in Principle:-

- Proposed mix of uses and development quantum. Restrictions would apply in terms of maximum floorspace relating to Business, Hotels, Food & Leisure and Residential uses (where a maximum number of units would also apply).
- Concept Masterplan, as depicted through the Estate Infrastructure and Landscape Plan, this outlining strategic site infrastructure requirements. Masterplan framework suite of supporting plans including landscape and plot framework, access routes, strategic public realm and SUDS.
- Points of access, street hierarchy, strategic cycle and pedestrian network.
- Development Parameters relating to Plot Parameters, Height Parameters, Use Parameters. Controls relating to the form and layout of buildings would be controlled through development Plot Parameters plans.
- Development Guidance - Public Realm, Plot Principles, Park & Ride Principles.

Scheme 1

Main scheme details as above, noting the following amendments:-

- Adjustment to the proposed level of development to the north eastern corner of the site to take account of flooding and drainage issues including SEPA objection.
- Change to maximum height of development blocks in two locations to take account of Airport height restrictions.

- Implementation Strategy submitted February 2019 following discussion with applicants.

Further public notification was undertaken in relation to the following:-

- Addendum to Transport Addendum (February 2018). The applicants subsequently prepared a Transport Technical Note (October 2018) to address a number of issues raised by the Council.
- Addendum to the EIA - Noise and Air Quality (March 2018), Ecology/Ecological Baseline Review (November 2018).

Supporting information

EIA Screening ascertained that an Environmental Statement would be required in relation to the development of the site. An Environmental Statement has been lodged in support of the application and this has considered the following areas:-

- Outline description of the proposed development
- Approach to the EIA
- Ecology and Nature Conservation
- Historic Environment
- Ground conditions, hydrogeology & contamination
- Transport & Access
- Noise & Vibration
- Air Quality
- Cumulative Impacts
- Conclusions, Schedule of Mitigation and Residual Effects

EIA Addendum were prepared in relation to Ecology and Nature Conservation, Noise & Vibration and Air Quality.

Other documents:-

- Design and Access Statement
- Planning Statement
- Implementation Strategy
- West Edinburgh Transport Study (WETS)
- Transport Appraisal Addendum
- Transport Technical Note
- Newbridge Air Quality Study
- Pre-Application Consultation (PAC) Report
- Flood Risk Assessment
- Drainage Strategy
- Sustainability Appraisal

The supporting information is 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 principle of development is acceptable;
- b) The proposed masterplan concept and design parameters are acceptable and in accordance with the International Business Gateway LDP Development Principles and the West Edinburgh Strategic Design Framework;
- c) The proposals raise issues relating to transport and accessibility;
- d) There are requirements for other developer contributions;
- e) Other matters:- Strategic Landscape impact, Flooding, Air Quality, Contamination, Amenity, Archaeology; are addressed;
- f) Equalities and human rights; and
- g) Issues raised in representations have been addressed.

a) Principle of Development

Policy Context

The general principle of the development of the site for an International Business Gateway is underpinned by National Planning Framework 3 (NPF3), the Strategic Development Plan (SDP) and Local Development Plan Policy Emp 6.

NPF3 identifies the requirement for an international business gateway development, related to the Airport in West Edinburgh. NPF3 acknowledges that 'given Scotland's location in Europe and the importance of wider global markets, maintaining and enhancing air connectivity is essential. Scotland's major airports provide a gateway to Scotland and particularly to the cities network. The enhancement of Scotland's five main Airports is supported as national development. These gateways are important for inward investment'. The national development includes reconfiguration of land uses around Edinburgh Airport to accommodate future expansion, relocation of the Royal Highland Showground and support for the creation of an International Business Gateway (IBG) to the west of Edinburgh. Annex A, sets out the criteria for national development. This identifies Strategic Airport Enhancements including Edinburgh Airport and adjoining land identified for mixed, industrial and business use. Criterion c) refers to the construction of buildings for business, general industrial or storage and distribution requiring a near airport location where gross floorspace exceeds 10,000 metres or 2ha in area are identified for associated business development.

The Spatial Strategy contained within SESPlan, the Strategic Development Plan, identifies 13 Strategic Development Areas (SDA's) including West Edinburgh, these form the main focus for future growth. These are intended to maintain and develop the areas established role as the Regional Core and the Capital City.

The West Edinburgh SDA is an internationally recognised area of economic importance incorporating Edinburgh Airport. The SDP identifies the area as an attractive location for inward investment and as well as airport expansion proposals includes the development of a new multi-modal station at Gogar (Edinburgh Gateway), the relocation of the Royal Highland Centre and the creation of an International Business Gateway. Strategic infrastructure relating to the development of the site includes Edinburgh Tram Line 1A, the development of Gogar Intermodal Station and upgrades at the Newbridge interchange.

LDP Policy Emp 6 outlines specific planning policy requirements in respect on the International Business Gateway. The purpose of this policy is to support the development of this internationally important economic development opportunity and ensure that proposals accord with NPF3.

The policy states that proposals for the development of an IBG within the boundary defined on the Proposals Map will be supported. The following uses are supported in principle:

- International business development
- Hotel and conference facilities
- Uses ancillary to international business development, such as child nursery facilities, restaurants and health and sports clubs

All IBG proposals must accord with the IBG development principles and other relevant local development plan policies, with further planning guidance set out in the West Edinburgh Strategic Design Framework (WESDF).

The WESDF establishes the vision for West Edinburgh to become the most successful employment led city extension in Europe. Its success will be measured in terms of international investment, new jobs and quality of place. In relation to the IBG, the Framework identifies "a unique opportunity for international businesses to locate alongside a vibrant mix of ancillary uses in a high quality environment, close to the airport and excellent public transport links".

Compliance with the WESDF, the IBG Development Principles and other relevant local plan policies will ensure IBG proposals are acceptable in terms of scale and location, accessibility by public transport, pedestrians and cyclists, traffic generation and car parking, landscaping, sustainable buildings, drainage and flood management, habitat protection and enhancement, place-making and design and impact on setting and views including wider townscape impacts.

The proposed masterplan proposals have identified the following mix of uses which are assessed as follows:-

Business + employment uses (Class 4)

The application proposals identify the development of new buildings as part of mixed use development to accommodate Class 4 business and employment uses of up to 122,158 square metres. This would represent 58% of development quantum or floorspace and has been tested through a concept masterplan to inform a series of parameters plans and accompanying design principles.

Class 4 business and employment uses would enable:- a) use as an office; b) research and development of products and processes; c) for any industrial process which can be carried out in a residential area without detriment to amenity by reason of noise, vibration, smell and fumes.

The main purpose of the Edinburgh International Business Gateway is to attract inward investment and create new jobs for Scotland. International business development may take various forms, including the development of global/European/UK headquarters and accommodation supporting high-value corporate functions for international organisations.

LDP Policy Emp 6 supports proposals for the development of an International Business Gateway and international business development. The nature of the Class 4 business and employment use class would facilitate these objectives. The nature of the proposal would be further supported by part b) of LDP Policy Emp1 relating to Office Development. This states that high quality office developments, will be supported in other strategic business centres identified in the LDP including the International Business Gateway, preferably as part of business led mixed use proposals.

The proposed level of Class 4 business floorspace (58%) would represent the predominant use within the development and is considered to provide a suitable level of emphasis to the primary role of the site as an International Business Gateway.

The location of business led development across the site is defined through the Development Plots - Use Parameters Plan. All Approval of Matters Specified in Conditions (AMC) applications for these plots will be required to indicate how Class 4 business uses, and other uses, will be delivered to demonstrate that a minimum threshold of business floorspace will be achieved across the wider IBG development.

Hotels (Class 7)

The application proposals identify hotel development of up to 40,388 square metres (or approximately 1150 rooms). This would represent 19% of the development quantum or floorspace which has been tested as part of the masterplan proposals.

LDP Policy Emp 6, International Business Gateway, states that the development of hotel and conference facilities will be supported in principle. This is further reinforced through LDP Policy Emp 10 b) which permits hotel development within the boundaries of Edinburgh Airport, the Royal Highland Centre and the International Business Gateway.

The proposed level of Class 7 hotel floorspace (19%) is considered to place an appropriate emphasis on hotel uses to support the development of the IBG, helping to create a mixed use place without undermining its primary business role and function. However, it is important that the overall level of hotel development is subject to planning controls to ensure that the primary business uses do not become diluted.

The location of hotel led development across the site is defined through the Development Plots - Use Parameters Plan. All AMC applications for these plots will be required to indicate how Class 7 hotel uses, and other uses, will be delivered to demonstrate that a maximum threshold of hotel floorspace will not be exceeded across the wider IBG development.

Housing - Residential (Class 9), Sui Generis flatted development

The application proposals identify 43,576 square metres of residential development. This would represent 21% of the development quantum and equate to approximately 396 homes.

The principle of housing as a component of a business-led mixed use proposal is supported through LDP Policy Emp 6, this being subject to further consideration through the masterplan process, appropriate infrastructure provision and where consistent with the objectives of NPF3.

LDP Policy Hou 1, Housing Development, further states that priority will be given to the delivery of housing land supply through sites allocated in the LDP. The IBG site is identified within LDP Table 4 whereby housing development is supported in principle subject to further consideration through the masterplan process in terms of extent that this would contribute to placemaking and sustainable development objectives and the primary role of the site in supporting strategic airport enhancement and international business development. The masterplan process will demonstrate the relative balance of uses that will be appropriate. This also cross references the requirement for proposals to accord with the provisions of LDP Policy Emp 6.

The masterplanning process undertaken in relation to this application has demonstrated that up to 396 residential units could be accommodated as part of IBG Phase 1. Given the masterplan approach has advocated an overall mix of uses and development quantum for the site, and modelled this in three-dimensional form, the proposed level of residential development (396 units or 21% floorspace) is considered appropriate and address relevant LDP requirements. However, maximum levels of residential development should be restricted by condition to ensure that the residential component does not dilute the business led development of the site.

LDP Policy Hou 2, Housing Mix, outlines that the Council will seek a mix of house types and sizes where practical to meet a range of housing needs, including those of families, older people and people with special needs and having regard. Given the nature of the PPP application, the proposed mix of housing has not yet been confirmed, although the assumption is this would be predominantly of a flatted typology (Sui Generis) and have the ability to meet a range of housing needs.

The applicants have also confirmed that residential components of development would also include 25% on-site affordable provision as per the requirements of LDP Policy Hou 6, Affordable Housing. In relation to this, the Council's Affordable Housing team have commented that the specific type, location and distribution would still need to be determined through further discussions with the department at detailed application stage. They have also remarked that these should be delivered across at least two separate plots of land to ensure there is no concentration of housing in any one part of the site. The affordable homes should be well integrated and offer a representative mix of the style and size presented across the wider site.

Particular requirements relating to affordable housing would be secured through legal agreement.

In summary, Class 9 Housing and Sui Generis flatted development would be supported subject to addressing relevant design requirements at AMC stage. The location of proposed residential development within the site is defined through the Development Plots - Use Parameters Plan. The floorspace and number of units identified would represent a maximum threshold.

Ancillary uses - Class 1 - Retail, Class 2 - Financial + professional services, Class 3 - Food +drink, Class 10 – Non-residential institutions, Class 11 - Assembly and Leisure

The application proposals identify 5,439 square metres of ancillary uses, which would represent 2% of the overall development quantum.

LDP Policy Emp 6, International Business Gateway, states that uses ancillary to international business development including child nursery facilities, restaurants, health and sports clubs will be supported in principle. The development of such uses is also highlighted through WESDF Principle IBG8, stating that in order to create an attractive place in which to invest, work and visit, proposals should incorporate a mix of uses, with consideration given to creating active frontages at ground floor level and avoiding areas of mono-use.

The development of ancillary uses could help support both business and residential uses within the site, reinforcing a mixed use character to the development. They could also establish the site as a destination, particularly in the early years of development, and contribute to activity and vitality outside normal working hours.

In relation to Class 1 uses, LDP Policy Ret 6, Out of Centre Development, would support small scale convenience stores up to 250 square metres floorspace, to complement the role of the identified centres and it is not therefore necessary to demonstrate the sequential policy test. A representation has been received in relation to proposed retail impact and potential competition with established retail centres in both City of Edinburgh and adjacent local authority areas including West Lothian. However, the proposed retail uses are intended to be ancillary to the primary business, hotel and residential based uses and would not compete with existing retail centres. Any retail proposal exceeding 250 metres square would be required to demonstrate the sequential policy test through a separate planning consent process.

Similarly, it is suggested that floorspace of individual premises for Class 2, Financial + Professional Services and Class 3, Food + Drink do not exceed 250 square metres. This requirement would be stipulated through condition.

In relation to Class 10 uses, the applicants have identified the possibility of a Creche or Nursery. This type of facility would be supported through LDP Policy Emp 6 which makes explicit reference to uses ancillary to international business development, such as child nursery facilities. Class 10 would also allow for the development of other forms of non-residential institution, including the provision of education, galleries, museums, libraries, exhibition halls and religious institutions. Although no details have been provided as part of the application, the limited development of such uses may be appropriate in terms of creating a successful mixed use place.

Class 11, Assembly and Leisure uses have been proposed by the applicants to allow for the development of stand-alone gym facilities. The development of such a facility, including health and sports clubs, as ancillary uses to international business development, would be supported by LDP Policy Emp 6. In order to control such a use, it is suggested that the maximum size of such a facility should be restricted to a maximum 1500 metres square floorspace.

Class 11 uses could also comprise other entertainment, conference or community facilities. Such uses could further help reinforce a mixed use character and establish the IBG development as a destination. The IBG has been discussed as a potential location for an indoor performance arena, and this was considered with the applicants during the development of the masterplan proposals. Whilst no specific proposals have been included for such a facility as part of this application, the masterplan framework could allow for the development of this type of facility, possibly through combining some of the development plots.

The limited development of Class 10 and Class 11 uses as ancillary uses would be acceptable in principle, subject to gross floorspace not exceeding 1500 metres square. Should a larger facility be proposed, e.g. an indoor performance arena or conference centre, the impact would need to be subject to a separate planning consent process and assessed against relevant policy requirements.

It is recommended that the various ancillary uses including retail and leisure development (Classes 1, 2, 3, 10 and 11) do not exceed 5,439 metres square floorspace or 2% of the overall development quantum.

Each AMC submission relating to individual plots would need to demonstrate the breakdown of proposed ancillary uses by individual use class.

Associated works including car parking, servicing, access and public realm

The concept masterplan proposals establish a framework and thereby the principle for the future development of the site. Development Guidance relating to landscape, open space, public realm and plot principles has also been lodged as part of the application.

Given the nature of the PPP application, detailed proposals for associated works including car parking, servicing and public realm would be considered at AMC stage, these being informed by the approved Development Guidance.

It is anticipated that proposals for strategic open space, landscaping, public realm and road access would be considered as part of an initial AMC application, this being agreed prior to the submission of further AMC's relating to the development of individual plots.

Ingliston Park and Ride site

The Ingliston Park and Ride site does not form part of the application and the Council is not a named applicant. However, its potential redevelopment has been considered as part of the masterplanning undertaken with this application to ensure a coordinated approach to development. If the redevelopment of this facility were to be progressed, the principle of any proposed change of use would need to be considered as part of a separate planning application process.

The future status of the Park and Ride site is further discussed as part of sections relating to Masterplanning and Transport.

Summary

The proposed mix of land uses are considered appropriate to the development of an International Business Gateway. Subject to suitable planning controls to ensure that the primacy of business uses are maintained, the proposed mix of uses including the level of residential and ancillary uses are considered appropriate. The proposals would address the particular requirements of NPF3, LDP Policy Emp6 and LDP Development Principles.

All AMC applications relating to individual plots will be required to indicate how the approved mix of uses will be delivered.

Applications for Class 4 business uses, will require to demonstrate that a minimum threshold of such uses will be achieved across the site. All other uses will be subject to a maximum floorspace threshold.

b) Masterplan Concept and Proposed Design Parameters - including landscape and open space, phasing and proposed design controls

Introduction

In recognition, of its national significance and in order to realise its potential, the LDP Development Principles and the West Edinburgh Strategic Design Framework (WESDF) 2010 identify that the IBG should be master planned and developed in a phased manner. The WESDF establishes a detailed vision for the area.

The West Edinburgh Landscape Framework (WELF) was subsequently commissioned by the Council in 2011 to augment the WESDF, this focussing on the various development areas along the A8 Corridor. This has provided a series of key landscape design objectives for the study area, including the IBG site.

The LDP Development Principles set out key design principles to be followed in development of the site, including the need for masterplans to incorporate an appropriate mix of uses to support the main purpose as IBG as a location for international business development.

Early design proposals were presented to the Edinburgh Urban Design Panel in June 2011. A number of comments made regarding the principle of development and development of the tram line are now outdated. However, the Panel were supportive of comprehensive masterplanning and the proposed concept based around a grid street pattern. They also saw an opportunity to create a destination rather than a transient zone between the airport and city's urban edge and felt that buildings should aspire to the highest international quality. But concern was noted that the form and location of the Park & Ride site could negatively impact on the overall design.

A series of Design Forum workshops to discuss the emerging masterplan proposals took place with Architecture and Design Scotland (A+DS) during 2015, prior to the application being lodged. A+DS advice concluded that the proposals could be supported by them if specific matters were addressed including:-

- The proposed delivery model, including the need to consider expansion of the Park and Ride Site;
- Public realm and street design;
- Building massing related to Landscape and Visual impact;
- Design controls and phasing;
- Sustainable infrastructure; and
- Distinction between IBG Phases 1 and IBG East.

The design team subsequently considered a number of these issues prior to the submission of the application.

Site and Contextual Analysis

LDP Policy Des 3 states that planning permission will be granted for development where it is demonstrated that existing site characteristics and features worthy of retention on the site, have been identified and incorporated through its design. WESDF Principle IBG6 also outlines that existing features of historic interest should be preserved or enhanced.

Comprehensive site analysis has been undertaken as part of the Design and Access Statement.

The site mostly comprises former agricultural land and surface parking for the Park & Ride, with little in the way of features within the site. A WW2 pill box to the north east corner of the site has been identified by the City Archaeological Officer as a feature of historic interest. A conservation plan for its preservation and enhancement would be secured through condition.

The site is surrounded by distinctive landscapes and landmarks, from expansive views to the Ochils and Pentland Hills, punctuated by views of the Forth Bridges to the north, Arthurs Seat and Corstorphine Hill to the east and the post-industrial Shale Bings to the west. Preserving and enhancing views from within and through the site were key drivers for the West Edinburgh Landscape Framework (WELF). Views out of the development have been considered as part of the masterplan development, with the position of the proposed distributor roads and avenues generally being aligned towards key views and features. The view along the tram corridor towards Corstorphine Hill and Arthur's Seat have also been safeguarded.

Masterplan Design Concept

The West Edinburgh Strategic Design Framework (WESDF) sets out an indicative layout for IBG Phase 1, identifying that development should accord with a range of design principles, this supplemented by the LDP Development Principles. These have provided a basis for detailed masterplanning to be undertaken.

The masterplan concept for IBG Phase 1 has evolved over a several years following engagement with the Edinburgh Urban Design Panel and Architecture and Design Scotland (A+DS).

The masterplan approach has adopted the following key principles:-

- Create a mixed use, business led, environment with an urban character, using the buildings to define streets and public spaces.
- Establish a flexible framework for development within a coherent network of high quality public realm.
- Implement a range of public parks, landscape spaces and green edges that integrate with and enhance the urban business environment.
- Integrate pedestrian and cycle movement patterns within the site with connections to existing public transport connections, future developments and the surrounding area.
- Limit parking numbers and encourage public transport use through regulated parking ratios for both commercial and residential developments.

WESDF Principle IBG1 requires that road and other infrastructure should be designed in the form of a hierarchical grid which allows development to intensify over time. The masterplan concept has been developed around the use of such a grid, this establishing an overall structure for the IBG Phase 1 site. It will also enable the formation of active street spaces, these designed to prioritise pedestrians and cyclists with efficient vehicular movement.

The masterplan has been organised around a landscape framework intended to both structure development and embed within its setting. The proposed grid has enabled streets to be aligned with distant views to connect the place with its wider context and refine the relationship between topography and landscape.

WESDF Principle IBG7 identifies that a network of civic spaces should be provided at key nodes such as tram stops. IBG Phase 1, would incorporate a civic square at the location of the existing tram stop, this creating a focal point for the wider site. Particularly, the masterplan concept has sought to grow a new place around the tram infrastructure that will become the principal arrival point for business visitors. In terms of proposed densities, WESDF Principle IBG4 states that the density of development should be highest on sites located close to tram stops in order to maximise accessibility by public transport. Although precise densities would be subject to further design development, the masterplan framework has adhered to the principle, envisaging a greater height and density of development along the tram corridor, Eastfield Road and the Gogar Link Road. The majority of the site area will lie within a 5 minute walk (400 metres) of the tram stop.

The hierarchy of design information prepared in support of the application, has been structured to provide a mix of fixed and flexible development principles.

The plot parameters and development guidance, will define the location and extents of the development plots and common estate infrastructure, with specific parameters for each plot that govern the extent of development, use classes, building heights and frontage treatments. The development guidance provides specifications for the design of common estate areas, landscape and infrastructure. It is considered that the hierarchy of supporting information will set a quality benchmark for the scale, character and quality envisaged for the built development over the longer term and within the framework of parameters and development guidance.

The planning status of the various design information and documents for approval are further discussed in the proposed design controls section below.

The masterplan proposals are considered to address the requirements of LDP Policy Des 1, Design Quality and Context, in that they have been based upon an overall concept that draws upon positive characteristics of the surrounding area. The proposed masterplan framework and design parameters will provide the necessary ingredients to achieve a strong sense of place.

The proposals pay cognisance to the requirements of LDP Policy Des 7, Layout Design, and the Edinburgh Design Guidance, in so far as they are relevant to the current stage of design development. These will need to be closely adhered to at the all subsequent stages of detailed design.

Building Heights and Massing

The LDP Development Principles state that the prevailing building height should be four storeys with some high landmark buildings and lower building heights adjacent to structural green spaces. Further guidance is set out within WESDF Principle IBG 11 which identifies that building heights should be designed to ensure a good quality townscape is created, and that reasonable levels of sunlight and daylight are achieved.

These requirements have informed the basis of the approach to massing of the masterplan. The height parameters plan has established a general development height across the site of 22 metres above adjacent ground level, this being equivalent to four storeys of commercial development. Frontages to primary spaces and routes, such as the Tram Corridor, Eastfield Road and the Gogar Link Road have then been structured to accommodate a maximum development height of 26-30 metres, which would equate to five or six storeys of commercial development. Key 'gateway' nodes at access points along Eastfield Road, to the south west corner of the site and plots adjacent to the Tram Square have been identified as possible site for buildings of up to a maximum of eight storeys or 38 metre height. Development addressing the peripheral parklands to the south and east may provide an opportunity to form a four to five storey zone, stepping the building height of the 'gateway' zones to blend into the parkland landscape adjacent.

This maximum building height scenario has been modelled as part of the Landscape Visual Impact Assessment (LVIA). Particular issues arising from the LVIA are discussed as part of Strategic Landscape Impacts.

In order to assess the acceptability of the proposed building heights in this context, it is necessary to consider LDP Policy Des 11, Tall Buildings. This states that permission will only be granted for development which rises above the building height prevailing generally in the surrounding area where; a) a landmark is created that enhances the skyline and surrounding townscape and is justified by the proposed use; b) the scale of building is appropriate in its context or c) there would be no adverse impact on important views of landmark buildings, the historic skyline, landscape features in the urban area and landscape setting of the city including the Firth of Forth.

Whilst the proposed building heights would be greater than the prevailing scale of built form in the immediate locality, these would be broadly comparable in scale and mass to the recently completed hotel developments on Eastfield Road to the north and larger buildings at the Airport. Given the proposed nature of the IBG and the desire to create a new urban place with a distinct identity, it is considered that the site could offer some potential for higher, landmark buildings. The positioning of taller buildings has been structured to reflect infrastructure nodes, highlight key access points and take advantage of site topography to create diverse townscape and a flexible framework for development.

Subject to further LVIA being undertaken at AMC stage to assess strategic visual impacts and detailed design implications relating to heights and massing, the proposed strategy in relation to building heights and massing is considered acceptable and address relevant requirements of LDP Policy Des 11 and WESDF.

The heights parameters plan would seek to establish and control maximum building heights across the site. However, in order to promote a degree of flexibility and address scenarios of potential under-build or over development, it is recommended that a height range be specified through condition. This would require that buildings are designed to achieve a range of heights from 4 storeys (12-22 metres AGL) to 8 storeys (24-38 metres AGL). Due to typical floor to floor heights employed in many residential and hotel developments, it is assumed these will generally be lower than the equivalent commercial building. The proposed wording of the condition would take in account the difference between domestic floor to floor heights and those found in many commercial buildings.

Conditions relating to building heights, will require that full regard be paid to LDP and WESDF requirements to ensure a good quality townscape is created, and that reasonable levels of sunlight and daylight are achieved, particularly to adjacent areas of public realm and open space. Building heights and the articulation of roofscape must also be carefully considered at detailed design stages.

Landscape, Open Space and Public Realm

The West Edinburgh Landscape Framework (WELF) identified a range of strategic principles relating to landscape design and open space requirements for development areas along the A8 corridor. These included strengthening the identity of A8 road experience, Initiating green infrastructure elements to structure the evolving development, creating and supporting habitat connections and developing new pedestrian/cycle connections from Gogar to the airport within the IBG designed landscape. Proposals should also seek to build upon the existing Policy Landscape character in the surrounding area and where possible, improve the Gogar Burn landscape.

IBG Principle 5 identifies that early provision should be made for a landscape framework and open space network for recreation, active travel and biodiversity purposes and to create an attractive setting for development. A Landscape Framework has been prepared as an integral part of the conceptual masterplan approach. This has sought to develop the strategic landscape proposals included in the WELF, to establish an appropriate setting and character for the development.

The Landscape Framework comprises the following components:-

- A parkland frontage to the A8 corridor and to the east of the development, with fingers of parkland extending into the development pattern.
- A pattern of north-south and east-west green infrastructure features extending through the site.
- A sequence of public hard and green spaces of varying scale spread throughout the development.
- Public realm spaces related to the tram corridor and stop.
- A vehicular and pedestrian/cycle hierarchy defined by variations in floorspace treatments and plant selections.

The Development Guidance prepared in support of the Landscape Framework has provided specifications for the design of common estate areas, landscape and public realm.

Open Space 2021; Edinburgh's Open Space Strategy outlines planned large greenspace extensions to the Edinburgh's green network to improve connections across the city. This includes LDP Proposal GS6, IBG Open Space, which requires that three areas of parkland be implemented as key landscape elements across the International Business Gateway, including 1) the A8 corridor; 2) central parkland and 3) the archaeology park. These areas would form a setting for development, provide amenity and recreational benefits and facilitating the delivery of active travel routes.

LDP Policy Env 20, Open Space in New Development, requires that the Council will negotiate the provision of new publicly accessible and useable open space in new development when appropriate and justified by the scale of development proposed and the needs it gives rise to, in particular, the Council will seek the provision of extensions and/or improvements to the green network.

The masterplan proposals and landscape framework identify the A8 Corridor and Central Parkland as principal areas of open space. The Council's Open Space Strategy would require these areas to be designed as '2ha large greenspace standard'. These would be partially delivered through the application, the areas being sub-divided with IBG Phase 2 or East. In relation to the site, the central parkland comprises two distinct areas; that running north-south to the eastern edge of the site and an area of parkland running east-west which will form part of the alignment for the Gogar Link Road or IBG Main Street. LDP Development Principles state that the central parkland area of open space will be of particular importance in meeting the Council's large greenspace standard and should be designed and maintained accordingly.

Although the delivery of and arrangements for ongoing maintenance of open space and public realm have yet to be confirmed, the Council will be unable to adopt these areas. Maintenance will therefore need to be undertaken through a private factored arrangement with legal clauses to ensure public access. Given the importance that these areas will play in establishing the IBG, these should be laid out at an early stage of development to provide usable and accessible space. These aspects will be addressed through conditions and legal agreement as required.

The Council's 'large greenspace standard' would normally incorporate play provision of 'very good' play value to cater for local residents. However, given the limited residential element within IBG, a specific requirement to deliver play equipment as part of the open space will not be sought and it is recommended that this be delivered more integral to any residential development should this be required.

In summary, the proposed provision of strategic landscaping and open space would meet the requirements of the LDP Development Principles, relevant parts of LDP Policy Env 20, Open Space in New Development and LDP Policy Des 9, Urban Edge Development. However, further design development will need to be undertaken to satisfy the various requirements of LDP Policy Des 7, Layout Design and Des 8, Public Realm and Landscape Design and the Edinburgh Design Guidance. It is recommended that the Landscape Framework and Development Guidance, prepared by the applicants in relation to public realm and landscape be approved as part of this application, this forms the basis for the preparation of detailed design proposals at AMC stages. These requirements will be stipulated through condition both in relation to the design of strategic landscape infrastructure and individual development phases.

Phasing of Development

The LDP Development Principles state that the IBG must be masterplanned and developed in a phased manner. The preferred location for initial phases of development is within 250 metres of tram stops, with a higher density of development and uses which attract high volumes of visitors being located close to a tram stop.

No phasing plan with timescales has been prepared as part of the PPP application, partly due to the existing pattern of site ownership, differing priorities amongst landowners and uncertainty to the eventual developers of the site. However, an Implementation Strategy has been prepared by the applicants. This identifies priorities for initial development which would include those plots fronting Eastfield Road, the Ingliston Park and Ride site and the proposed 'Tram Square'. Those plots situated to the north east and south east part of the application site would then form areas of secondary focus for development. This approach could help secure a critical mass and coherent sense of place to the site in the early years of development.

The Implementation Strategy has set out the following principles, which would be adhered to ensuring a level of certainty in terms of placemaking, quality, access and connectivity:-

1. Each development plot should have an operational vehicular connection to Eastfield Road prior to occupation.
2. Each development plot should have a useable pedestrian/cycle connection to the tram stop prior to occupation.
3. The surface water drainage for each development plot must be constructed in accordance with the SUDS strategy prior to occupation.
4. All landscape and public realm must be delivered in accordance with the design principles.
5. Common landscape and public realm immediately adjacent to each development plot must be completed prior to occupation.

The Implementation Strategy has made a distinction between strategic site infrastructure and plot infrastructure. Strategic site infrastructure would include areas for common SUDS and flood management, the central parkland, the Tram Square and the public realm link to Eastfield Road. Further infrastructure, including related plot access, primary access roads, other areas of public realm and landscape would then be delivered in association with individual plots.

It is recommended that the Implementation Strategy should form the basis for a detailed phasing plan, this being provided as part of an initial, site-wide AMC submission. This would include detail design proposals of strategic site infrastructure and supporting information. This application and masterplanning have been approached to ensure coordination with a further proposed masterplan for IBG Phase 2 (or East), although details for this development are still to be confirmed, with no application yet lodged. It is not considered that the IBG Phase 1 masterplan would not compromise the development of adjacent land, and would therefore address relevant requirements of LDP Policy Des 2, Co-ordinated Development.

Ingliston Park and Ride Site - Masterplanning

WESDF Principle IBG10 refers to the potential relocation of the P&R facility in the longer term or re-provision of the spaces on the site in a different format may provide the opportunity for a high quality gateway development at the entrance of Eastfield Road.

In view of this position, the future role of the Park and Ride site has been discussed extensively as part of the masterplanning process, particularly the negative impact that large expanses of surface parking could have upon placemaking, the setting of adjacent development and establishing a high quality destination.

The Ingliston Park and Ride Site has therefore been included in the scope of the masterplan proposals, to provide a potential framework for future development. Discussions as part of the A+DS Design Forum series affirmed the importance of considering those plots situated adjacent to the Tram Square for potential development/redevelopment.

Illustrative guidance for the redevelopment has been prepared by the applicant, this presented as part of the Plot Parameters guidance.

Proposed Design Controls

PAN 83 Master Planning outlines approaches that can be taken to embedding a masterplan in the planning system. This can be achieved through the adoption of the masterplan as supplementary planning guidance (SPG); endorsement as a material consideration or achieving planning consent and road construction consent (RCC).

In this instance, it is recommended that the concept masterplan (as depicted through the Estate Infrastructure and Landscape Plan), other relevant supporting masterplan documentation (e.g. Landscape Framework, Movement and Access and SUDS Strategy), plot parameters and development guidance be endorsed as material considerations and approved as part of the Planning Permission in Principle. This would allow the masterplan approach to be afforded the necessary planning status at this stage, thus informing future detailed proposals.

It is considered that the masterplan proposition would establish an appropriate structure and layout for the development including points of access, strategic access routes, public realm, open space and landscape infrastructure. The plot parameters and development guidance would provide a robust design framework, ensuring a continuity of approach through the long term development of the site.

However, the concept masterplan only presents built form on an indicative basis. Whilst the masterplan framework will establish the position of development plots, their layout and design of buildings will be subject to further detailed design development at AMC stages. Such proposals would be guided by the plot parameter plans, relating to land use, building heights and development parameters, and the development guidance. Conditions would require that detailed proposals are developed to be substantially in accordance with these approved plans and documentation.

An initial AMC package would require to be determined on a site-wide basis, prior to further AMC's being determined for component parts of the site. This would obtain the necessary approval for phasing and detailed design proposals for strategic site infrastructure - i.e. strategic access routes, public realm, open space and landscape infrastructure. This will establish a detailed framework for the long term development wider site and ensure that a high quality setting is provided at the early stages of development.

For subsequent AMC's relating to phased sub sections or individual plots, these must be submitted to demonstrate; a) the relationship with the approved masterplan context and planning permission in principle; b) where the development of a plot is proposed to be phased, design proposals should demonstrate the relationship with the context of the wider plot; and c) proposed disposition of uses within the plot, as relevant to the particular submission.

Conclusion - Masterplanning

It is considered that the masterplan proposition, plot parameters and development guidance would provide a suitable design framework, to guide the long term development of the IBG Phase 1 site, ensuring a continuity of approach to the delivery of a major urban extension to Edinburgh.

The proposals address requirements of the LDP Development Principles and WESDF, contributing to the creation of a sustainable extension of the city based on a grid pattern with a focus on place-making, good public transport, active travel connections, parkland and a strong landscape structure.

c) Transport and Accessibility

Strategic Transport Issues

The applicants originally submitted the West Edinburgh Transport Study (WETS) in support of their application in December 2015. The Roads Authority expressed concerns that this study did not adequately consider traffic impacts arising from airport growth, with a significant disparity in cost associated with transport mitigation. In view of this, the Roads Authority recommended that the application be continued in order to further examine the assumptions of the WETS study and the original WETA (West Edinburgh Transport Appraisal) Study prepared in 2010.

In response to this issue, the Council commissioned a refresh to the original WETA study, this being prepared by Jacobs during 2016. The technical working group steering group established by the Council saw the participation of Transport Scotland and a number of transport consultancy teams acting on behalf of respective developer interests in West Edinburgh, including those representing the applicants for IBG. Updated strategic traffic modelling was prepared as part of the study, this assessing two travel demand scenarios including:- a) demand model trip generation; b) Transport Assessment trip generation and mode share.

The WETA Refresh Study was approved by the Council in December 2016. The various transport mitigation measures identified as part of the study subsequently informed the interventions outlined in the LDP Action Programme and Supplementary Guidance. The total amount that developers will contribute towards transport infrastructure is based upon the AM/PM traffic peak generation and linked to the LDP Action Programme.

Further to the approval of the WETA Refresh Study, a Transportation Assessment Addendum was submitted by the applicant in February 2018. Whilst this Addendum acknowledged the general findings of the WETA Refresh Study, there were concerns that this did not adequately explain the transport mitigation to be delivered in conjunction with the development of the site. Following discussions with the Council, a Transport Technical Note, was submitted 30 October 2018. This has provided confirmation of the strategic transport package to be delivered as part of the development and a clear strategy relating to active travel.

The proposed transport infrastructure package is considered further in the section below.

Movement and Access Principles

The LDP Development Principles for IBG outline the creation of a sustainable extension of the city based on a grid pattern with a focus on placemaking, good public transport, footpath and cycle connections.

The masterplan proposals identify a grid structure with a hierarchy of routes, streets and spaces and a dense cycle/footpath network throughout the site this serving all the proposed development plots.

The masterplan has been designed to be primarily pedestrian and cycle priority environment to facilitate active streets and public spaces, building on the existing transport infrastructure of the tram stop at Ingliston Park & Ride. The proposals have been developed to ensure all buildings are within 400 metres of public transport in accordance with Scottish Planning Policy.

The vehicle priority routes generally run east-west along distributor roads from the junctions on Eastfield Road, whilst avenues will form the primary north-south access routes. These will have a range of characters based around vehicle priority (on street parking, segregated cycle lanes and pedestrian pavements integrated with landscape), and pedestrian and cycle priority comprising a more informal variety of shared spaces with limited on street parking.

Detailed Development Guidance has been prepared in relation to public realm and streets, this addressing key spaces within the site.

The proposals have been developed in full cognisance with the principles defined in the Scottish Government's 'Designing Streets' guidance - recognising that street design must consider place before movement, with streets having important public realm functions beyond those relating to motor traffic. Edinburgh Street Design Guidance sets out more detailed guidance and this should be adhered to at detailed AMC stage.

The masterplan and supporting transport assessment identify that the site would be served by two vehicular access points. Firstly, a northern access would be formed at the location of the existing roundabout on Eastfield Road. The eastern arm would also form the initial phase of the proposed Gogar Link Road. To the south, the existing access serving the Park and Ride site would be utilised as the second point of access. The existing northern access to the Park and Ride from Eastfield Road would be maintained and it is not envisaged would provide direct vehicular access into the IBG site at the current time.

LDP Proposal T9 and WESDF Principle IBG2 refer to the Gogar Link Road proposal, which seeks to provide enhanced connectivity between Eastfield Road and the airport via IBG to the Gogar roundabout. The initial phase of the Gogar Link Road (also referred to as the IBG main street) has been identified as part of the masterplan proposals would also be delivered as part of the development of the site. A vehicular crossing point over the northern section of the tram line was implemented as part of the tram construction in anticipation of the adjacent land being developed. This crossing would be utilised to facilitate the delivery of the Gogar Link Road.

The masterplan proposal would also address the requirements of WESDF Principle IBG3, in that it would allow for the development of an east - west bus corridor through the IBG, extending from Eastfield Road along the tram route and then the eastern section of the Gogar Link Road to the Gogar roundabout.

LDP Policy Tra 7 requires that the proposed alignment of the tram route linking Ingliston Park and Ride with Newbridge (as per LDP Proposal T1) which passes through the western part of the site be safeguarded from development. The masterplan proposal identifies that the alignment would be maintained within the proposed tram corridor - a linear area of public realm and active travel route linking Eastfield Road with the proposed Tram Square. This would be capable of being utilised for the purpose of a tram route in the future, should this be required.

The proposed arrangements in respect of site access and route safeguarding, would align with the WESDF principles and relevant requirements of the LDP, including Policy Tra 10 - New and Existing Roads, in that they would not prejudice the proposed new roads and network improvements. i.e. widening to Eastfield Road and an initial phase of the Gogar Link Road. These routes could include dedicated cycle provision and public transport priority where necessary.

Public Transport - Tram and Bus

The Edinburgh Tram network runs through the site, with the Ingliston Park and Ride stop located within the site boundary. The presence of a fixed, high capacity transport link complemented by existing bus services will greatly promote connectivity and accessibility of the site from the outset of the development. A developer contribution will therefore be sought in relation to Tram Line 1A, as per the requirements of Supplementary Guidance - Developer Contributions and Infrastructure Delivery.

The masterplan concept acknowledges the importance of growing a new place around the tram infrastructure that will become a principal arrival point for business visitors.

The LDP Development Principles state that the preferred location for initial phases of development is within 250 metres of tram stops. The masterplan identifies that majority of the application site would lie within 400 metres or 5 minute walk from the tram stop.

WESDF Principle IBG 7 identifies that a network of civic spaces at key nodes such as tram stops should be provided. The existing Ingliston Park and Ride Tram Stop would form the location for the 'Tram Square' - a civic square and a focal point for the development as a whole. In order to deliver the Square it is anticipated that the nature of the area around the existing tram stop would be subject to change, including re-grading of adjacent land levels to create an accessible and usable space.

It is anticipated that the tram alignment within the eastern part of the site would remain largely unchanged by the development, this being defined by existing boundaries to the north and south.

It is recommended that an informative be applied as a note to advise the applicants of technical and operational requirements relating to the Tram. These criteria will need to be considered in conjunction with the tram operator as part of the development of detailed design proposals at AMC stages.

In terms of bus access, existing services currently serve the site via Eastfield Road and the Park & Ride site. It is anticipated that the proposed development will facilitate the development of bus services through the site, particularly via the Gogar Link Road. The Park & Ride site will also provide a focus for the future development of bus services in West Edinburgh and this is further discussed in the Park & Ride section below.

Cycle and Pedestrian Network

The masterplan has sought to integrate pedestrian and cycle movement patterns within the site with connections to existing public transport, future developments and the surrounding area.

The proposed Implementation Strategy outlines that each plot would include infrastructure to connect with the pedestrian/cycle network. Outwith the network of dedicated cycle routes, other streets including access roads within plots and residential shared streets would feature pedestrian/cycle priority.

Although no specific cycle/footpath safeguards (as per LDP Policy Tra9, Cycle and Footpath Network) relate to the application site, the A8 'missing link' cycle route between Eastfield Road and the RBS Bridge, as outlined in the LDP Action Programme, would be delivered in conjunction with the IBG Phase 1 development. Other strategic routes would comprise dedicated pedestrian/cycle access to Eastfield Road, with an off-road route via the proposed central parkland to the eastern side of the site.

Full details of cycle and pedestrian access routes would be submitted at AMC stages, these being developed to be substantially in accordance with the concept masterplan proposals. Details of the strategic cycle network would need to form a fully integral part of the design approach for strategic landscape, public realm and infrastructure including the Eastfield Road upgrading.

Proposed Transport Infrastructure

LDP Policy Tra 8, Provision of Transport Infrastructure, requires that development proposals relating to major development sites, and which would generate a significant amount of traffic, shall demonstrate through an appropriate transport assessment and proposed mitigation that:

- a) Identified local and city wide individual and cumulative transport impacts can be timeously addressed in so far as this is relevant and necessary for the proposal.
- b) Any required transport infrastructure in Table 9 and in general and site specific principles have been addressed as relevant to the proposals.
- c) In order to minimise private car use, support air quality objectives and promote active travel, it is critical that supporting transport infrastructure is implemented.

Whilst the applicant has not undertaken further traffic modelling as part of the Transport Assessment Addendum, in this instance strategic traffic modelling had already been prepared as part of the WETA Refresh Study. Given the proposed long term build-out of the IBG site, it is not possible to fully predict the transport impacts associated with the development.

However, to address the requirements of this policy the applicant has identified the following mitigation measures as part of their Transport Technical Note:-

- 1) Walking/cycling infrastructure - completing the missing link from IBG to the RBS junction.
- 2) Public transport infrastructure - dedicated bus lanes around the Eastfield Road dumbbells.
- 3) Road infrastructure - dualling of Eastfield Road to the IBG Northern Access, improvements to the dumbbells and westbound off-slip.
- 4) Intelligent transport systems - MOVA is a strategy for the control of traffic light systems, proposed to be implemented at Newbridge, Eastfield Road dumbbells, Gogar + Maybury in addition to Eastfield Road dualling works.

LDP Development Principles for IBG state that any necessary road infrastructure should be identified, taking into account the general development principles for West Edinburgh and the relevant transport proposals listed in LDP Table 9. In relation to the application site, specific measures include:- T1 - Edinburgh Tram, T8, Eastfield Road and dumbbells junction, T9 - Gogar Link Road and T11 - Improvements to the Newbridge Roundabout.

Following discussions, it has been agreed that a package of specific targeted infrastructure improvements as described in the LDP Supplementary Guidance - Developer Contributions and Infrastructure Delivery, would be delivered in conjunction with the development of IBG Phase 1, these being funded through developer contributions, and implemented by the applicant.

These would include the upgrading of Eastfield Road and dumbbells roundabout as it relates to the application site. Works would comprise an additional carriageway to be provided on land to the east of the existing road, bus priority measures and segregated cycle/pedestrian provision. The existing dumbbells and approaches are to be upgraded and signalised giving bus priority.

It is also expected that the A8 North side cycle route would be delivered between the Eastfield Road dumbbells junction and RBS Gogarburn, this promoting active travel from the outset of development. This will represent a strategic cycle route linking IBG and destinations to the western edge of the city with the Gyle, Edinburgh Park and the City Centre. In order to ensure this route effectively serves the IBG site, it is recommended that an off-road cycle route be secured through the Central Parkland to the eastern edge of the site in the early stages of development, this providing more direct access between the proposed, the A8 cycle route and destinations to the east. This should be addressed through the legal agreement.

It is considered that the proposed elements of transport infrastructure would provide benefits to the operation of the local road network and also contribute to the sustainable transport options for the IBG development. It would be expected that full costs of site specific access measures and other internal transport networks that do not have wider traffic or public transport functions, would be funded through the specific developer(s).

The various measures identified in LDP Table 9, including the Gogar Link Road, would be delivered in conjunction with the development, these helping to mitigate the adverse traffic impacts. The various proposed infrastructure measures are considered to satisfactorily address the requirements of LDP Policy Tra 8, Provision of Transport Infrastructure, in so far as they are relevant and necessary to the proposal.

In terms of transport contributions, the total capital value of West Edinburgh LDP Action Programme items is £86.16 million - this figure being derived from the WETA Refresh Study. IBG Phase 1 will contribute 9.77% of the total AM and PM peak period trip generation of the developments in West Edinburgh. The IBG Phase 1 development would make a proportionate contribution.

The proposed package of transport interventions are considered appropriate to the scale of the IBG Phase 1 development and are welcomed by the Council. A level of highway work will be required to open up the IBG site for development and coordination of these works with the upgrading of Eastfield Road will achieve a coordinated approach. It is considered that the enhancement of Eastfield Road would create an appropriate setting for that of an international business gateway. The works will also secure access improvements to the principal route leading to Edinburgh Airport, to complement the proposed development of the Gogar Link Road.

The delivery of transport infrastructure would be secured through legal agreement, with conditions to secure delivery prior to occupation of the first building on the site.

Parking

The site is identified in the Council's current 2017 parking standards as Zone 2.

The LDP Development Principles state that car parking provision for all uses should be set at levels which helps achieve sustainable transport objectives in the context of LDP Policy Tra 2.

For the purposes of determining the maximum permissible level of parking for the development, the Council have calculated maximum aggregate figures based upon the proposed use classes and floorspace. For car parking, this would equate to 3299 spaces across the site. Cycle and motorcycle parking provision would require a minimum of 2387 spaces and 460 spaces respectively.

Given the phased approach to the construction of development over an extended timeframe, it is recommended that all parking provision (for car, cycle and motorcycle and any related Car Club spaces) is a reserved matter. Parking levels would be assessed and agreed for each individual AMC application as submitted, taking cognisance of the relevant Council standards applicable at the time or an agreed alternative developed specifically for West Edinburgh or the IBG development, whichever is lower. For AMC applications submitted where the Edinburgh Design Guidance (October 2017) parking standards apply, and in the absence of an agreed alternative, justification for the quantity of car, cycle and motorcycle parking being sought by the applicant will be required for each individual application irrespective of the agreed maximum provision for the land use or combinations thereof, in accordance with the Edinburgh Design Guidance. This approach will give overall control to the Council as individual AMC's are submitted.

It is considered that the use of Car Club spaces could play a significant role in reducing reliance upon private cars and overall parking provision within the development. Provision of Car Club spaces should be considered at AMC stage, as part of the overall assessment of parking levels. Contributions would be required for the promotion and introduction of the necessary orders for Car Club spaces and these would be secured by way of legal agreement.

Ingliston Park & Ride Site - Transport

WESDF, Principle IBG10 states that the potential relocation of the Ingliston Park & Ride facility in the longer term or re-provision of the spaces on the site in a different format may provide the opportunity for a high quality gateway development at the entrance of Eastfield Road.

The importance of the Ingliston site as a Park & Ride facility is recognised by the Council, particularly by virtue of its location on the tram route. Its current function would therefore be maintained for the foreseeable future, but it is anticipated the role as a Park & Ride facility would evolve. The WETA Study identifies the potential for an upgraded Park & Ride facility for bus and tram at Ingliston - this being a medium term intervention incorporating improvements to facilitate bus to bus interchange as well as the quality of bus and tram waiting facilities (including improved shelter) by 2027. The development of the IBG would complement this objective - serving both as an interchange and destination in its own right. Commercial development opportunities could also allow new parking facilities to be created, e.g. deck or multi-storey car parking thereby allowing existing surface parking to be reconfigured and/or redeveloped to provide a high quality setting for the development proposed as part of this application.

The management of parking on the Park & Ride site would also need to be further considered by the Council, to ensure objectives to both minimise and control parking levels through the IBG development are not undermined. Appropriate parking controls would therefore need to be introduced on the Park & Ride facility in response to build-out rates.

Conclusion - Transport

In relation to transport matters, the applicants have demonstrated, in accordance with the requirements of LDP Policy Tra 1, Location of Major Travel Generating Development that the proposed location is suitable with regards to access by walking, cycling and public transport and that measures will be taken to mitigate any adverse effects on networks and bring accessibility by and use of non-car modes up to acceptable measures of necessary.

The IBG Phase 1 site enjoys excellent connectivity, being well served by public transport by virtue of the Edinburgh Tram which passes through the site, and establishes a fixed link to the Airport and City Centre. Effective active travel links would be implemented from the outset of development, including the A8 missing link, providing access towards the city.

Conditions will require that the street network should be developed in accordance with the Concept Masterplan - Movement and Access and the principles contained in the Public Realm guidance.

It will be expected that further supporting transport information will be prepared at AMC stage, this acknowledging the context of the Planning Permission in Principle and the requirements arising including on-site transport issues including infrastructure delivery and proposed parking levels. Informatives would highlight and range of matters to be addressed at AMC including a quality audit for street design, street naming and numbering, traffic regulation orders, maintenance schedule for SUDS, etc.

d) Other Developer Contributions

The LDP Action Programme, 23 January 2019 and Supplementary Guidance, 'Developer Contributions and Infrastructure Delivery' coordinates development proposals with the infrastructure and services needed to support them.

The SPG explains that where multiple developments need to fund the delivery of strategic infrastructure actions, contribution zones have been established within which legal agreements will be used to secure developer contributions.

The following developer contributions are applicable to the IBG Phase 1 site and will need to be included as part of any future S.75 legal agreement:-

Affordable Housing

The applicant is seeking planning permission in principle for mixed use business led development, which would include an element of residential use to a maximum of 396 units. The masterplan proposals envisage that a majority would be flatted accommodation. Given the nature of the PPP application, discussions have not commenced regarding the delivery mechanism for affordable housing. However, in accordance with the AHP guidelines, the Council will seek homes of approved affordable housing tenures that meet an identified need.

Should consent be granted a minimum 25% of the total units (99 homes) should be secured on-site as approved affordable housing tenures through legal agreement. The applicant is in agreement to this requirement. This aspect of the proposal would address the requirements of LDP Policy Hou 6, Affordable Housing.

Education

The Council has assessed the impact of the proposed development (396 residential units) against the identified education infrastructure actions and current delivery programme. The site boundary includes part of the catchment area of Hillwood Primary School and Corstorphine Primary School, although the 'development zones' fall within the Hillwood catchment. The catchment high school is Craigmount High School. The site falls within Sub-Area W1 of the 'West Edinburgh Contribution Zone'.

The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if the proposal progressed. The proposed development is therefore required to make a contribution towards the delivery of these actions. The required contribution should be based on established 'per house' and 'per flat' contribution figures set out below and secured through legal agreement:-

Flats	£3,216 (infrastructure)	£476 (land)
Houses	£16,186 (infrastructure)	£2,042 (land)

The infrastructure contribution element will be index linked and the land contribution will not.

Transport

The application is located within the West Edinburgh Transport Contribution Zone.

A developer contribution is to be secured by way of suitable legal agreement for specific targeted infrastructure contributions associated with, or as part of, the development proposals for wider strategic infrastructure improvements in West Edinburgh as described in the LDP Supplementary Guidance - Developer Contributions & Infrastructure Delivery.

Edinburgh Tram

Tram line 1 passes through the site and is served by the existing Ingliston Park and Ride Stop.

Transport have requested that a contribution to the Edinburgh Tram be sought in line with the LDP Supplementary Guidance. The calculated sum based on the current development proposals is **£13,172,090**.

The sum is to be indexed as appropriate and the use period to be 10 years from the date of final payment.

Health Care

The site lies within the West Edinburgh Health Care Contribution Zone. LDP Policy Hou 10 - Community Facilities states that permission for housing development will only be granted where there are associated proposals to provide any necessary health and other community facilities relative to the impact and scale of development proposed.

The Supplementary Guidance identifies new practice accommodation as part of a Health Centre to mitigate impact of new residential development in West Edinburgh (this includes Maybury, South Gyle, Edinburgh Park and IBG).

A sum of £1,050 per dwelling (£4m/8,000 = £500 per patient) will be payable in relation to the residential development.

Conclusion

This application will deliver the initial phase of Edinburgh's International Business Gateway, this representing a major strategic development project for both West Edinburgh and the City.

The proposed package of infrastructure and developer contributions, including those relating to transport, Edinburgh Tram, affordable housing, education and healthcare are considered commensurate with the proposed scale of development and address requirements of LDP Policy Del 1, Developer Contributions and Infrastructure Delivery, Supplementary Guidance and the LDP Action Programme.

e) Other matters:- Strategic Landscape Impact, Drainage and Flood Risk, Air Quality Management, Noise, Archaeology, Airport Safeguarding, Ecology and Protected Species, Trees, Amenity of Neighbours and future occupiers

Strategic Landscape Impact

The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) as part of the Environmental Statement. This outlines the visual impact of the proposed development from seven strategic viewpoints looking towards the site. Modelling has been based upon maximum building heights in block form, this excluding landscape mitigation.

The LVIA methodology is considered to be sound and comprehensive in terms of viewpoint location and visualisations, with the LVIA findings informing the development of the proposed masterplan and landscape framework.

The West Edinburgh Landscape Framework (WELF), WESDF and LDP establish guiding principles for the development of the site, laying foundations for a strong landscape structure to support development in this part of Edinburgh. In relation to IBG, WESDF Principle 5 refers to early provision being made for a Landscape Framework, to create an attractive setting for development, this being further supported by LDP Policy GS6, IBG Open Space.

The proposed masterplan and landscape framework have sought to build upon policy landscape character in surrounding areas, and establish the identity of the A8 road experience to provide a coherent and positive image of arrival to Edinburgh.

The landscape framework stresses the importance of landscape edges in helping to assimilate the development into the landscape setting of the city and the Edinburgh Green Belt to the south. Specifically, that a structural landscape corridor should be provided to the north of the A8 (approximately 85 metres depth), to achieve a robust and attractive landscape setting for the development. These principles have been tested through the LVIA from both key approach routes to the site and within the site to the existing landscape beyond.

In relation to the setting of development, Scottish Natural Heritage (SNH) have remarked on the proposed building heights, these raising issues in respect of landscape impact and mitigation of large scale buildings within the context and the height parameters outlined in the LDP and guidance. Specific issues arising from the proposed height of development are further considered in section 3.3 b) masterplanning. However, the landscape framework has sought to punctuate and penetrate the scale of the development through a series of openings/spaces between buildings, which reduces the extent and appearance of the development within the wider landscape context. The built profile to the development is also varied in height, comprising a diverse roofline profile which assists in breaking the overall scale of development.

Following detailed assessment, it is recognised that the proposed scale of some of the larger blocks may result in limited impacts to strategic views, particularly towards the Pentlands from the north and Forth Bridge UNESCO World Heritage Site from the south and east (the date of this designation pre-dated the original EIA scoping exercise undertaken in 2015). The nature of the LVIA modelling has also suggested that some of the higher blocks could appear blocky and unarticulated. The design and appearance of subsequent AMC applications may also give rise to new visual impacts that were not assessed through the principle consent by virtue of materials, colour, modulation, glare etc.

To address these matters, conditions would require that further LVIA be undertaken in relation to individual AMC's. This would allow for modelling of individual blocks to be influenced at a detailed design stage.

In summary, whilst the development of the site will result in a significant change of character, creating a major urban extension and new district of the city, it is considered that the development will nestle into the overall landscape pattern, to provide a coherent and positive image of arrival to Edinburgh. The landscape framework proposals would address requirements of LDP Policy Des 4, Development Design - Impact on Setting, in that they have sought to demonstrate a positive impact on their surroundings, including the character of the wider townscape and landscape, and impact on existing views. This would be achieved through the provision of suitable landscape buffers and high quality open spaces, to mitigate the impact of development on the surrounding context, through diverse massing and the preservation of significant sightlines.

The proposals would also address LDP Policy Des 9, Urban Edge Development, part a) in that they would conserve and enhance the landscape setting and special character of the city and part c) would include landscape improvements that will strengthen the green belt boundary and contribute to multi-functional green networks by improving amenity.

Drainage and Flood Risk

The LDP Development Principles for IBG state that a flood risk assessment shall be carried out in order to inform the capacity, design and layout of development proposals.

A Flood Risk Assessment, which includes hydraulic modelling of the Gogar Burn and Drainage Strategy been submitted as part of the application. A Sustainable Urban Drainage Strategy (SUDS) has been considered as part of the masterplan, developing on the recommendations of the West Edinburgh Landscape Framework (WELF).

The north eastern part of the application site, lying adjacent to the Gogar Burn is identified in the LDP as an Area of Importance for Flood Management, with the SEPA Flood Map indicating a risk of flooding from the burn along the northern edge of the site. The application site is crossed by two drainage channels - the Ratho Channel and Eastfield Road Tributary these both discharging into the Gogar Burn to the north. The application outlines that the existing watercourses on the site are to be maintained as part of the development and incorporated as landscape features.

A SUDS Strategy has been presented as part of the conceptual masterplan information. This outlines site control features to manage runoff including the proposed use of porous or permeable surface drainage to hard surfaced areas with bio-retention measures including landscape swales, linear swales and detention beds. Treated and attenuated runoff from these features will be discharged into existing watercourses. Airport safeguarding restrictions relating to bird strike have informed SUDS approach.

In relation to flood risk, SEPA initially placed an objection to the application and further information was requested regarding predicted flood levels on the Gogar Burn and proposed mitigation measures to address flood risk. In response to these issues, the applicants have confirmed that restrictions would be placed on the forms of development within Plots 2 and 4 to the north east corner of the site. SEPA have now confirmed that they are satisfied with the design flows to estimate flood levels within the extents of the application site with no likely negative flood risk impacts elsewhere. There are no proposals to develop within the 1:200 functional floodplain on the east side of the tramline and it is recommended that this area should be landscaped to provide additional storage for floodwater to reduce the volume of water passing under the tramline to west. This area would also be retained for common SUDS and water management.

CEC Flood Prevention have remarked that details of surface water flow paths, both existing and proposed, would be required to understand if there is any significant re-direction of surface water flows to surrounding land and secondly identify if surface water will flow towards property entrances. However, it is not possible to confirm surface water flow paths at this stage as the layout of built form relating to individual plots has yet to be developed. Similarly, finalised site levels would also need to be confirmed as part of detailed design development.

The information provided by the applicant is considered sufficient information to establish flood risk for the purposes of a PPP application. The proposed development would not result in increased flood risk for the site or elsewhere, and would satisfactorily address the requirements of LDP policy Env 21 part a) in that the development will not be at risk of flooding itself, and part b) would not impede the flow of flood water or deprive a river system of flood water storage with areas identified as areas of importance for flood management.

However, several conditions have been requested by SEPA and CEC Flood Prevention, these relate to detailed design matters and where necessary would remain in perpetuity throughout the development of the site.

Detailed SUDS arrangements will still be subject to further design development. A condition will require that details of drainage, surface water management and site levels be prepared as part of an initial AMC submission for the entire site. This should demonstrate compliance with the Edinburgh Design Guidance 2018, be designed to accommodate 1:30 and 1:200 year flooding events and be easily maintained by a private factor.

During the course of assessing the application, the presence of a SUDS detention basin to the north of the Park and Ride Site has been confirmed, this lying immediately to the west of the tram route. This provides SUDS attenuation for the Council owned Park and Ride site and is due to be relocated to land within the control of the Council.

This matter would need to be satisfactorily addressed prior to the development of Plot 08. It is recommended that this matter be highlighted through informative.

The potential re-meandering of existing watercourses on the site has been identified as part of the assessment of the landscape proposals. Such a move, could seek to develop these as landscape features and maximise their potential as linear wetland. Whilst the presence of badger setts in certain parts of the site, may pose a constraint, it is still suggested that the potential re-meandering of watercourse is further explored as part of the detailed landscape design.

Air Quality Management

LDP Policy Env22, Pollution, Air, Water and Soil Quality identifies that planning permission will only be granted for development where there will be no significant adverse effects for health, the environment and amenity; and that there should be no significant adverse effect on air. The application site lies approximately 1.8km east of the closest Air Quality Management Area (AQMA) at Glasgow Road to the east of the Newbridge junction. A further AQMA is situated at St John's Road, Corstorphine approximately 4.0 km from the site.

The Council's Air Quality Action Plan contains measures to reduce vehicle emissions in these areas. Notwithstanding the proximity of the development to the tram route, Environmental Protection are concerned with regards to the cumulative impact of the large developments committed in this area, many of which include a considerable number of car parking spaces.

The applicant submitted an Air Quality Assessment as part of the EIA. Initial comments received from Environmental Protection in 2016 raised the following matters:-

- Air quality assessment work that adopts information from the Transportation Assessment (TA) is updated to reflect revised flow data adopted from the model prepared as part of the West Edinburgh Transport Appraisal (WETA) refresh (December 2016) and modelling should utilise the latest emission factors, tools and guidance.
- Air quality assessment work and modelling should utilise the latest emission factors, tools and guidance.

This request resulted in an addendum to the Environmental Statement being prepared in March 2018. The revised assessment included consideration to potential impacts during both site preparation/construction and operational phases of development. The work included appraisal of the following potentially significant effects:

- Potential increase in dust and particulate matter generated by on-site activities during the construction phase;
- Increase in pollutant concentrations as a result of exhaust emissions arising from construction traffic and plant; and
- Increase in pollutant concentrations as a result of exhaust emissions arising from traffic generated by the Proposed Development once operational.

The updated assessment concludes that the application will result in annual NO₂, PM₁₀ and PM_{2.5} objectives likely to be exceeded at 5 sensitive receptors. The report advises that the predicted changes of annual mean concentrations are all either 1% or less relative to the relevant AQAL level and the predicted concentrations are all below 90% of the AQAL. It concludes that as such impacts at all receptors are considered to be negligible.

SEPA also provided comment in respect of air quality in May 2018. Whilst they have no objection to the proposal, they have provided advice in relation to air quality, noting there is likely to be a direct, permanent, long-term effect on local air quality at the location of sensitive human receptors of moderate negative to minor negative significance.

At this stage the development proposals include a range of measures designed to encourage sustainable travel such as the proposed active travel routes and the dispersal of electric car parking charge points. However, as this is a PPP application the applicant will be required to submit further details in subsequent applications. Environmental Protection has advised that the submitted air quality impact is a strategic air quality assessment. Further consideration will be required to consider the potential adverse impact on local air quality as a consequence 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 development site and future residents.

Environmental Protection advise that the following measures are included in future applications to help mitigate traffic related air quality impacts:

1. Keep car parking levels to a minimum;
2. Car Club facilities (electric and/or low emission vehicles);
3. Provision of electric vehicles charging facilities;
4. Public transport incentives for residents;
5. Improved cycle/pedestrian facilities and links; and
6. Taxi specific rapid electric vehicle charging points.

The proposals are considered to address LDP Policy Env22, Pollution, Air, Water and Soil Quality, part c) in that appropriate mitigation can be achieved to minimise adverse effects arising from the development. A series of conditions are recommended to address air quality matters in future AMC applications.

Noise

LDP Policy Des 5, Development Design - Amenity identifies that planning permission will only be granted for development where there will be no significant adverse effects on the amenity of neighbouring developments and that future occupiers have acceptable levels of amenity in relation to noise.

The application site is in close proximity to both Edinburgh Airport and the A8 Glasgow Road which imposes challenging environmental constraints on the site in terms of noise.

A Noise Assessment was prepared by the applicant as part of the EIA, with a further addendum prepared in March 2018. Environmental Protection advise that whilst the airport is in close proximity to the site, the application proposed is not located inside the airport noise contours due to the current orientation of the runway. Nevertheless, it was requested that the noise assessment still considered aircraft noise. This was done by the applicant and considered in the applicant's noise contour map and shows the aircraft impacts are limited. The Noise and Vibration assessment is included in the original Environmental Assessment and considered potential impacts during both site preparation, construction and operational phases of development.

Since the original noise assessment was carried out Edinburgh Airport updated its Masterplan for the period 2016-2040. The future baseline for noise was therefore explored given the possibility of a second runway at the airport during the period 2020-2040. A potential second runway would require land to the north of the existing runway; whilst this is currently safeguarded, the airport currently consider that the future growth of the airport can be sustained by the current main runway only.

With regards to aircraft noise the report concludes that internal noise level criteria specified by BS8233 and the WHO guidelines could be achieved during daytime and night time periods with commonly used building fabric mitigation measures such as double glazing and trickle ventilation acoustic rated where required.

The noise assessment concludes that no significant impact has been identified to the proposed development from industrial/commercial or fixed plant noise.

An assessment of noise from development generated road traffic was also undertaken. The results of these predictions have been compared to determine noise level changes associated with the Proposed Development in isolation and the proposed development and committed developments combined. It was identified that the noise level increases as a result of the proposed development range from 0 to +0.8dB at worst, corresponding to a significance of effect between None and Negligible at worst. Such effects would be Long Term, Direct and Local.

The layout of the proposed commercial aspects of the development within the masterplan takes cognisance of acoustic mitigation at a strategic level and is designed to be sufficiently flexible to allow for acoustic considerations to be incorporated into the layout design during the detailed design stages. However, it is recommended that further noise assessment be undertaken for any proposed residential development within the site.

Environmental Protection advise that once the detailed nature of future uses is confirmed, if considered necessary noise from any related operations can be reconsidered and an appropriate noise mitigation scheme devised and incorporated into the proposed development design.

Due to the site size and the potential for a long construction phase Environmental Protection have recommended that a Construction Environmental Plan be submitted at the detailed application stage to protect neighbouring receptors from construction noise level on the site.

Suitable conditions are recommended to address the various issues relating to noise.

Archaeology

The City Archaeological Officer has commented in relation to the application proposals and the EIA which has considered matters relating to the historic environment. There are no objections to the proposals subject to conditions requiring a programme of investigation to be undertaken prior to detailed (AMC/FUL) applications. A programme of archaeological work is required to secure the preservation and conservation of the former RAF Turnhouse WWII era pill box to the north east boundary of the site.

Subject to conditions, the proposals address the requirements of LDP Policy Env 8, Protection of Important Remains and LDP Policy Env 9, Development of Sites of Archaeological Significance.

Airport Safeguarding

Edinburgh Airport has been consulted in relation to the application given the sites proximity to the airport and flight paths. Following initial comments from the Airport, maximum building heights to the western side of the site (Plots 05 and 07) have been reduced by the applicant to address their concerns. The Airport have confirmed these amendments to be acceptable, subject to no building on the application site exceeding a maximum height of 75.2 metres AOD.

Public realm and landscape guidance prepared by the applicant identifies plant species which are compliant with Airport Safeguarding requirements. This must be adhered to in the development of detailed landscape design proposals and this can be stipulated through condition.

Edinburgh Airport has no further safeguarding objection to the proposals, subject to conditions being applied in relation to building heights, the submission of a Bird Hazard Management Plan, finalised details of landscaping and SUDS and informatives relating to cranes and lighting.

Ecology and Protected Species

WESDF IBG Principle 5 states that early provision should be made for a landscape framework and open space network for recreation, active travel and biodiversity purposes and to create an attractive setting for development.

The applicants have submitted ecological and habitat surveys as part of the Environmental Statement. An EIA addendum was subsequently prepared for Ecology and Nature Conservation in November 2018, this as a consequence of original survey information becoming outdated since the submission of the application.

Scottish Natural Heritage (SNH) have commented on the presence of protected species in and around the site including Badger, Otter, Bats and Birds.

The EIA suggests a Badger Protection Plan (BPP) be prepared and SNH have confirmed that licences will be required prior to development proceeding. SNH advise that Otter are active in the area, including the Gogar Burn to the northern edge of the site, however, no direct disturbance is identified as a consequence of development. In relation to Bats, on the basis of the survey information supplied, no bat licences will be required to allow development to proceed. The requirement for detailed bird surveys were ruled out at EIA scoping stage, with habitats supporting widespread species typical of open agricultural habitat.

SNH have advised that impacts on protected species are generally focused on the various watercourses and ditches which run through and beside the development area. In view of this, habitats should be maintained as landscaped corridors within the proposed development, enhanced with planting where appropriate. Such measures will help mitigate against impacts on species in the longer term, helping ensure that foraging and commuting routes, as well as suitable habitat will remain.

It is noted that maintenance of enhancement of watercourses and drains as part of green infrastructure should retain their function as quiet routes. Other standard mitigation for protecting mammals on construction site is proposed.

It is considered that the various matters relating to protected species, including a Badger Protection Plan, can be adequately dealt with through a Construction and Environmental Management Plan (CEMP). Given the proposed long term timescales for development, it is considered that a CEMP will provide the necessary level of control. All work will require periodic updating to ensure industry good practice and legislative compliance. This information can be secured through condition.

The CEMP should include mitigation as detailed in the Environmental Statement, Chapter 4 and updates as appropriate. It should also clearly link into relevant elements of the proposed landscaping plans, which forms part of the proposed landscape mitigation.

Each subsequent individual phase of development will need to refer to the whole site CEMP and ecological survey updates as appropriate to ensure compliance in relation to protected species and habitats legislation.

In summary, the ecological survey information submitted as part of the EIA provides a comprehensive assessment of ecology and protected species within the site. Subject to conditions and necessary mitigation, the proposals would address requirements of LDP Policy Env16, Species Protection, and would not have an adverse impact on species protected under European or UK law. The landscape framework and open space network would provide a suitable network for biodiversity purposes as identified through WESDF Principle 5.

Trees

The application site contains minimal trees, these mainly associated with hedgerows related to former field boundaries with landscaping in the vicinity of the Park and Ride Site and tram route. A small number of mature trees also occupy the area of elevated ground to the south west corner of the site.

It is not considered that the proposed development would impact upon trees or woodland of value and worthy retention. A new site landscape structure is proposed as part of development and levels of planting envisaged to offset the loss of any trees. However, a tree survey should be prepared on a site wide basis prior to the commencement of development. This information should be used to inform the development of detailed landscaping proposals, with any trees of value being retained where possible. These various requirements would be stipulated through condition.

The proposed development would therefore address the requirements of LDP Policy, Env 12, Trees, in that, the development would not have a damaging impact on trees or woodland worthy of retention. It should be noted that trees and landscaping within the confines of the Park and Ride site and along the tram route should be considered for retention as far as possible, however, these fall within land controlled by the Council rather than applicants and matters such as tree removal would therefore need to be addressed as part of a separate planning consent process.

The proposed establishment of a new landscape structure for the application site, as identified as part of the Landscape Framework and landscaping guidance, would provide an appropriate level of tree replacement and mitigation.

Amenity of Neighbours and Future Occupiers

A small number of residential properties are situated in the vicinity of the site, these fronting Eastfield Road with a single dwelling situated at the southern edge of the site on Glasgow Road.

Representations have expressed concern regarding potential overshadowing and loss of privacy arising from the proposed scale of development with the building heights being unsympathetic to the surroundings. It has also been remarked that proposed landscape measures to southern boundary should comprise mature tree planting rather than wild flower meadow, with concern that the proposed development may have a bearing on the future redevelopment of a neighbouring residential property.

In response to these issues, the conceptual masterplan layout is not considered to present any particular issues in respect of neighbour amenity. The existing character of the locality is not predominantly residential in nature, with residential uses on Eastfield Road interspersed with various business uses associated with the airport, including car parking and hotels. Whilst the development of the site will result in a significant change to the character of the area, it is considered that the overall scale of development and strategic landscape design proposals will achieve effective integration with the site context. The proposed nature of open space (Proposal GS6) to the southern edge of the site will form a substantial landscape buffer and acceptable level of separation with the adjacent residential property. It is not considered that the proposal would be prejudicial to the future redevelopment of any neighbouring residential property.

The masterplan proposals have identified three separate locations within the site for residential led development - these situated within the northern and eastern parts of the site. Individual AMC submissions, including those with a residential component, will be required to demonstrate effective mitigation in terms of noise attenuation and air quality.

To ensure that the high levels of residential amenity are achieved for future occupiers, detailed design development would need to address requirements of LDP Policy Des 5, Development Design - Amenity, and relevant requirements of the Edinburgh Design Guidance. WESDF Principle IBG11 also requires proposals to demonstrate that siting, height and mass of buildings will not result in adverse impact to daylighting and sunlighting levels, particularly amenity space and areas of public realm. The layout of any residential elements would need to demonstrate compliance with LDP Policy Hou 3 - Private Green Space in Housing Development to ensure adequate levels of greenspace are provided to meet the needs of future residents, including communal provision. A minimum 20% of total site area should comprise usable greenspace.

These various matters can be adequately addressed through conditions and dealt with at AMC stage.

Given the longstanding agricultural nature of the site, there are no known sources of significant land contamination. However, Environmental Protection has advised that ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s.

Issues relating to land contamination are considered to satisfy relevant LDP Policy requirements, including Env22, Pollution, Air, Water and Soil Quality, in so far as they are relevant to a Planning Permission in Principle and the current stage of design development. A suitable condition is therefore recommended with initial site-wide assessment followed by detailed investigation on a per plot basis. The applicant will be required to submit a site investigation and evaluation in line with current technical guidelines suitable for its intended new use/s.

f) Equalities and Human Rights

A full impact assessment of the proposal in relation to equalities and human rights would be considered at subsequent detailed application stage.

g) Issues raised in representations

The application was advertised on 18 December 2015, with a 28 day period for comments to take account of the accompanying Environmental Statement. A total of four letters of representation were received including two letters of objections and two general representations - one of these being a detailed response from Edinburgh Airport.

The application was re-advertised on 30 March 2018 following submission of EIA Addendum relating to Air Quality and Noise and Transport Assessment Addendum. This prompted two further letters of representation from Edinburgh Airport Limited.

The application was further re-advertised 28 November 2018 following submission of an EIA Addendum relating to Ecology and Nature Conservation.

Scheme 2

Following the submission of EIA Addendum relating to Air Quality and Noise and Transport Assessment Addendum, further comments were received from Edinburgh Airport Limited, 27 April and 24 September 2018. Comments were also made regarding design amendments relating to flooding and drainage.

In summary, Edinburgh Airport offers support to the concept of IBG development and have expressed a desire to work in partnership with the developers of the West Edinburgh area. Through all their correspondence since the application was lodged with the Council, Edinburgh Airport has expressed concern that the proposal has fundamentally ignored the principles agreed by the West Edinburgh Partnership with respect to delivering infrastructure in advance of further development in the area. They are concerned that the proposal is at risk of undermining work of the West Edinburgh Partnership.

Edinburgh Airport call for a detailed Transport Assessment on IBG Phase 1, as required by WETA and the LDP. If not carried out, Edinburgh Airport will object to the application.

The key areas of concern set out Edinburgh Airport's response received 27 April 2018 relate to the following:

Transport Assessment Addendum dated February 2018

- The application only focuses on phase 1 of the IBG masterplan leaving ambiguity regarding future land uses for phase 2, and is thus contrary to LDP policy Emp 6 - assessed in section 3.3 b) - the extents of the application for IBG have largely been determined by land ownerships with the extents of IBG phase 1 is also considered a distinct entity in its own right.
- The Transport Assessment fails to assess the impact of development on the Eastfield Road corridor or the A8 Glasgow Road interchange. The application is not supported by information that models traffic impacts on the local road network (i.e. Eastfield Road) and is therefore contrary to the LDP - assessed in section 3.3 c).
- Edinburgh Airport are concerned regarding the impact of the development upon the Eastfield Road corridor which represents the one and only existing major traffic artery for the airport. The proposed development could place a material level of additional traffic onto the corridor which risks the operational efficiency and performance of nationally important infrastructure asset - assessed in section 3.3 c) - Eastfield Road and the dumbbells junction would be subject to upgrading in conjunction with the development of IBG Phase 1.
- The WETA Refresh Study identifies the need for significant infrastructure to be in-situ to support further development in West Edinburgh, it includes a package of infrastructure targeted at all modes of transport, a Transport Assessment is required to inform site specific measures for the development - assessed in section 3.3 c) - these matters have been addressed through the Transport Technical Note prepared by the applicant, dated October 2018.

- The City Deal funding for West Edinburgh is limited, therefore Edinburgh Airport are concerned regarding the funding mechanism in WETA - assessed in section 3.3 c) and d) - costs for required transport infrastructure will be secured through legal agreement, this being separate to projects which may eventually be funded through City Deal.
- No road infrastructure mitigation is proposed associated with the planning application - assessed in section 3.3 c) - Not correct, road infrastructure mitigation will be delivered as part of the application.
- No public transport infrastructure or service improvement are being provided - assessed in section 3.3 c) - It should be noted that tram infrastructure is already in place. The WETA study also recommends that bus infrastructure is further upgraded at Ingliston P&R.

Noise and supporting information

- The ES fails to input noise measurement data collected by Edinburgh Airport in relation to the baseline measurements - assessed in section 3.3 e).
- The ES excludes the existing transportation and commercial noise on proposed residential development, therefore the suitability of the site for residential development is not properly tested - assessed in section 3.3 e).
- The introduction of a sensitive receptor of up to 396 residential units into phase 1 next to the airport should require a more robust Noise and Vibration Assessment - assessed in section 3.3 e) - the Noise Assessment Addendum is considered to be adequate. Further assessment will be undertaken in relation noise impacts at AMC application stage, particularly to demonstrate adequate noise mitigation.
- The Noise and Vibration Assessment fails to include consultation with CEC Environmental Health - assessed in section 3.3 c) - CEC Environmental Protection subsequently provided consultee response.
- Ecology and nature conservation information.
- This requires a consolidated assessment of both phase 1 and phase 2 of IBG - assessed in section 3.3 c).
- Lack of consideration of appropriate species within the Environmental Statement including Great Crested Newts, poor timings of surveys - assessed in section 3.3 e) - updated surveys undertaken as part of EIA Addendum.
- The habitat survey ES identifies four species currently classified on red listed species under Birds of Conservation concern 4 criteria but ES fails to assess this, a programme of breeding bird surveys is required - assessed in section 3.3 e).
- The ES does not include a Bat Survey - assessed in section 3.3 e).
- The ES does not include reference to otter holt protection - assessed in section 3.3 e).

Flood Risk and Drainage

This includes the ES chapter on Ground conditions, Hydrology and contamination, Flood Risk Assessment and Drainage Strategy

- The assessment should include cumulative effect of phase 1 and 2 and developments within the airport boundary, given the proximity to the Gogar Burn and flood areas to the east of the site - assessed in section 3.3 e) - the Flood Risk Assessment undertaken in relation to IBG phase 1 has been assessed by relevant consultees and is considered adequate.
- The modelling in the Flood Risk Assessment should follow the advice of SEPA and include modelling of the 3 additional bridges - assessed in section 3.3 e) - SEPA advice reflected and issue will need to be taken into consideration at AMC stage.

Scheme 1

The application was advertised on 18 December 2015. Four letters of representation have been received these including two letters of objection and two general representations - one these being a detailed response from Edinburgh Airport. These raise the following material issues:-

- Implications of proposed development for infrastructure provision in West Edinburgh - assessed in sections 3.3 c) and d).
- Lack of consideration of development of the wider site as a material consideration and concerns over reviewing Phase 1 and 2 in isolation - assessed in section 3.3 b) - Phasing of Development.
- Concerns in respect of the information provided and content of the Environmental Statement in relation to traffic, ecology and nature conservation, flood risk and noise information - assessed in sections 3.3 c) and e).
- Concern re. dates of notification to residents over the holiday period - consultation undertaken in accordance with statutory requirements.
- Impact of development on the surrounding roads network, particularly at peak times and air quality pollution - assessed in sections 3.3 c) and e).
- Insufficient parking provided as part of development, issues relating to commuter use of the Park & Ride by RBS staff - assessed in section 3.3 c).
- Concern re. proposed building heights and scale of development unsympathetic to the surroundings and would contrast poorly with the sensitive approach taken at RBS - assessed in section 3.3 b).
- Concern re. overshadowing and loss of privacy arising from the proposed scale of development - assessed in section 3.3 e).
- Concern re. noise disturbance from proposed development - assessed in section 3.3 e).
- Landscape measures to southern boundary should comprise mature tree planting rather than wild flower meadow - assessed in section 3.3 b).
- Future bearing that the proposed development may have on a neighbouring residential property, e.g. redevelopment - assessed in section 3.3 e).
- Impact to protected species, possible disturbance to habitats and whether impacts could be mitigated through design changes to the proposed masterplan - assessed in section 3.3 e).
- Concern re. the proposed retail element of the application, limited information provided on what is being proposed and that large stand-alone retail development will be allowed as part of the proposals - assessed in section 3.3 a).

- Supportive of small ancillary retail development within the masterplan site, but this should be restricted to a limited amount of retail floorspace that does not impact upon existing town centres – assessed in section 3.3 a).

Non-material

- Noise and disturbance during the construction stage.
- Access and sewer connection issues relating to a neighbouring residential property.

Duration of Consent- Formal Direction

Under Section 59 of the Town and Country Planning (Scotland) Act 1997 the following direction is promoted in relation to the duration of the planning permission. This direction is made in the recognition of the scale of the site and the phased approach to the development.

- A (i) Application for the approval of matters specified in conditions relating to strategic site infrastructure and plots for initial development fronting Eastfield Road and the Ingliston Park and Ride Site (Plots 01, 03, 05, 07, 08, 09, 11, 12, and 16 as defined through the Concept Masterplan and Implementation Strategy) shall be made before the expiration of 5 years from the date of the grant of planning permission in principle, unless an earlier application for such approval has been refused or an appeal against such refusal has been dismissed, in which case application for the approval of all outstanding matters specified in conditions must be made within 6 months of the date of such refusal or dismissal.
- A (ii) The approved development shall be commenced not later than the expiration of 5 years from the date of grant of planning permission in principle or 2 years from the final approval of matters specified in conditions, whichever is later.
- B (i) Application for the approval of matters specified in conditions relating to plots for later development (Plots 02, 04, 06, 10, 13, 14 and 15 as defined through the Concept Masterplan and Implementation Strategy) shall be made before the expiration of 10 years from the date of the grant of planning permission in principle, unless an earlier application for such approval has been refused or an appeal against such refusal has been dismissed, in which case application for the approval of all outstanding matters specified in conditions must be made within 6 months of the date of such refusal or dismissal.
- B (ii) The approved development shall be commenced not later than the expiration of 5 years from the date of grant of planning permission in principle or 2 years from the final approval of matters specified in conditions, whichever is later.

The site falls within a wider area that is subject to a Direction issued by the Scottish Ministers in March 2016. This Direction requires the notification of applications for major housing developments to the Scottish Ministers where the Council is minded to grant planning permission and prohibits the grant of planning permission for a period of 28 days.

The Direction is given in view of the national importance of West Edinburgh, which is identified in the National Planning Framework 3 as a significant location for investment, with Edinburgh Airport, the National Showground and the International Business Gateway.

The site falls within a wider area that is subject to a Direction issued by the Scottish Ministers in March 2016. This Direction requires the notification of applications for major housing developments to the Scottish Ministers where the Council is minded to grant planning permission and prohibits the grant of planning permission for a period of 28 days.

Conclusion

The application represents a National Development proposal in West Edinburgh, situated within close proximity to the A8 Corridor and Edinburgh Airport. Due to the status of the proposals as a National Development the proposals will require to be referred to Full Council for consideration and then referred to Scottish Ministers.

The development of an International Business Gateway (IBG) to the west of Edinburgh is supported by the National Planning Policy NPF3, the SDP and the Local Development Plan (LDP) with site design principles articulated through the LDP and the West Edinburgh Strategic Design Framework (WESDF).

The proposed mix of land uses are considered appropriate to the development of an International Business Gateway - subject to a range of planning controls to ensure the primacy of business uses are maintained as the site is developed whilst also delivering a suitable mix of complementary uses as identified through LDP Policy Emp 6.

The proposed masterplan framework and parameters plans are considered to provide a suitable basis for planning conditions to guide the long term development of the IBG Phase 1 site, promoting high quality development, placemaking and site infrastructure befitting of the aspirations for the international business development.

It is recommended that this application be Minded to grant - Scottish Ministers subject to the details below.

3.4 Conditions/reasons/informatives

Conditions:-

1. Following this grant of planning permission in principle the first application for the approval of matters specified in conditions submitted to the Council, shall obtain approval for all strategic site infrastructure including:
 - Open Space and Landscaping outwith the Development Plots;
 - Public Realm (Tram Square and Link to Eastfield Road);
 - Site Access (Details of all access points, the upgrading of Eastfield Road and the A8 dumbbells junction);
 - Primary Access Roads (including the Gogar Link Road);
 - Strategic Cycle Routes (to north of A8, to the eastern edge of the site within the Central Parkland and Eastfield Road); and
 - Common SUDS and Flood Management Infrastructure.

These details shall include all matters relating to the setting out, formation, layout and implementation and shall be substantially in accordance with the principles established through the following plans and documents, as approved as part of the planning permission in principle:-

- Plan 02 - Estate Infrastructure;
- Plan 08 - Conceptual Masterplan - Landscape Framework;
- Plan 10 - Conceptual Masterplan - Movement and Access;
- Plan 12 - Conceptual Masterplan - SUDS Strategy;
- Plan 14 - Conceptual Masterplan - Estate Infrastructure and Landscape;
- IBG Phase 1 Masterplan, Development Guidance February 2019;
- IBG Phase 1 Masterplan, Plot Principles, March 2019; and
- IBG Phase 1 Masterplan, Implementation Strategy, February 2019.

The submission of details for the Strategic Site Infrastructure as outlined in condition 1 above shall be accompanied by a detailed Phasing and Implementation Plan, this shall be substantially based upon the principles established through the Implementation Strategy. This information shall include:

- Finalised Site Levels;
 - Site Wide Tree Survey and Tree Constraints Plan;
 - Flooding and Drainage Information; and
 - Land Contamination.
2. No development shall be undertaken on sites, and no applications for the approval of matters specified in conditions (as required by condition 8 below) shall be submitted, until the matters outlined in condition one have been submitted. Any subsequent applications for the approval of matters specified in condition shall be submitted in accordance with the detailed strategic matters and phasing approved under condition one.
3. Any application for approval of matters specified in conditions (AMC application) made to the Council for any subsequent plot, or plots, within the planning permission in principle application (PPP application) site shall include a suitably updated version of the masterplan [implementation strategy] that identifies all previous AMC application consents and maintains the primacy of the class 4 business uses across the entirety of the application site.

All AMC applications shall be substantially in accordance with the requirements of the following approved documents:-

- Plan 02 - Estate Infrastructure;
- Plan 03B - Plot Parameters - Development Parameters;
- Plan 04B - Plot Parameters - Maximum Building Heights;
- Plan 05A - Plot Parameters – Uses;
- Plan 08 - Conceptual Masterplan - Landscape Framework;
- Plan 10 - Concept Masterplan - Movement and Access;
- Plan 12 - Conceptual Masterplan - SUDS Strategy;
- Plan 14 - Conceptual Masterplan - Estate Infrastructure and Landscape;
- IBG Phase 1 Masterplan, Development Guidance, February 2019;

- IBG Phase 1 Masterplan, Plot Principles, March 2019; and
 - IBG Phase 1 Masterplan, Implementation Strategy, February 2019.
4. All further applications for approval of matters specified in conditions (AMC application) shall ensure that the overall development of the site shall be comprised of:
- a minimum overall floorspace of class 4, 'business' uses of 58% of that development;
 - a maximum floorspace of class 7, 'hotel' uses of 40,388 square metres;
 - a maximum of 396 residential units comprised of either, townhouses (class 9 residential) or flatted residential units (*sui-generis* use); and
 - other ancillary uses comprised of: class 1, 'retail'; class 2, 'financial and professional services'; class 3, 'food and drink'; class 10, 'non-residential institution'; and class 11, 'assembly and leisure'; of a maximum of 5,439 square metres or 2% of the overall development of the site.
5. Any proposed development of classes 1, 2 or 3 shall be limited to a maximum individual unit size of 250 square metres. Any proposals in excess of this size shall be required to demonstrate compliance with the retail policies of the relevant Local Development Plan, through the submission of supporting information.
6. Any proposed individual unit for use within classes 10 or 11 shall be limited in size to 1,500 square metres.
7. Each AMC relating to phased sub sections or individual plots, must be submitted to demonstrate; a) the relationship with the approved masterplan context and planning permission in principle; b) where the development plot is proposed to be phased, design proposals should demonstrate the relationship with the context of the wider plot; and c) proposed disposition of uses within the plot, as relevant to the particular submission.
8. Prior to the commencement of works on each site for each phases of development, the details of under-noted matters shall be submitted to and approved in writing by the Planning Authority, in the form of a detailed layout of that phase of the site and include detailed plans, sections and elevations of the buildings and all other structures, including finished site levels. Each application for the development for phased sub sections or individual plots shall be supported by an updated Landscape and Visual Impact Assessment (LVIA) and shall demonstrate a range of building heights as per the principles outlined in the LDP and WESDF.

No building or structure shall exceed the maximum heights as depicted in Plan 04B - Plot Parameters - Maximum Building Heights. Buildings should be designed to achieve a range of heights from 4 storeys (12-22 metres AGL) to 8 storeys (24-38 metres AGL) to ensure a good quality townscape is created and that reasonable levels of sunlight and daylight are achieved, particularly to adjacent areas of public realm and open space. Visual impacts arising from building heights and the articulation of roofscape must also be considered.

Approval of Matters:

- (a) details of the siting, design and height of development, including design of all external features and glazing specifications (including acoustic capabilities);
 - (b) design and configuration of public and open spaces, all external materials and finishes, and details of the play equipment associated with residential;
 - (c) car, motorcycle and cycle parking, access, road layouts and alignment, including a Stage 2 Quality Audit, classification of streets, servicing areas, street lighting and electric charging points, further transport information;
 - (d) footpaths and cycle routes, including proposed multi-use paths and the signage of pedestrian and cycle access links, including lighting details;
 - (e) waste management and recycling facilities;
 - (f) surface water management plan and Sustainable Drainage Scheme (SuDS);
 - (g) site investigation/decontamination arrangements;
 - (h) full details of sustainability measures in accordance with Edinburgh Standards for Sustainable Building;
 - (i) hard and soft landscaping details, including:
 - (i) boundary treatments (overall site and individual plots);
 - (ii) walls, fences, gates and any other boundary treatments;
 - (iii) the location of new trees, shrubs and hedges;
 - (iv) a schedule of plants to comprise species, plant size and proposed number/density;
 - (v) programme of completion and subsequent maintenance;
 - (vi) existing and proposed services such as cables, pipelines, substations;
 - (vii) other artefacts and structures such as street furniture, including lighting columns and fittings, and play equipment;
 - (viii) details of phasing of these works; and
 - (ix) existing and finished ground levels in relation to Ordnance Datum.
9. No demolition or any other form of development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (including excavation, reporting and analysis, publication, interpretation, public engagement) in accordance with a written scheme of investigation which has first been submitted to and approved by the Planning Authority.
10. No development shall take place on the site until the applicant has secured the preservation and/or conservation of the former RAF Turnhouse, World War II era pill box in accordance with a conservation design which has first been submitted to and approved by the Planning Authority.
11. No development shall take place until:
 - (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.

Any required remedial and/or protective measures, identified by the site survey, 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, before the commencement of any construction works on the site.

12. No development shall commence on any residential plot until an acoustic scheme for the protection of the proposed residential development from transport and commercial noise (proposed and existing) has been submitted to and approved in writing by the Planning Authority. That acoustic scheme shall include full details of any proposed acoustic glazing or barrier(s) and, thereafter, all works, which form part of the approved acoustic scheme, shall be completed on site to the satisfaction of the Planning Authority before any part of the residential development is first occupied.
13. The applicant must prepare and identify all existing and proposed Surface Water Flow Paths on drawings, based upon the findings of the Flood Risk Assessment, including updated proposed site levels. By taking the post-development arrangement include runoff from outwith the site, from unpaved areas within the site, and from paved areas in events which would exceed the capacity of the drainage system.

The drainage strategy shall be designed in accordance with the following standards:-

- The construction industry research and information association (CIRIA), 'Sustainable Drainage System Manual', C753;
 - Scottish Water's, Sewers for Scotland, version 4; in terms of specification for the design, construction and vesting of new sewerage infrastructure assets; and
 - Micro drainage calculations to support the site showing no flooding during the 1:200 year, plus a 30% climate change event, when calculating attenuation storage on the site.
14. No development shall take place on the site until a Construction Environmental Management Plan: Biodiversity & Landscape (CEMP), has been submitted to and approved by the Planning Authority. The CEMP should include mitigation as detailed in the Environmental Statement, Chapter 4. (Table 4-7 Summary of Effects Table Ecology and Nature Conservation) and including updates as appropriate, from the report: "Edinburgh International Business Gateway, Ecological Baseline Review, WSP, v2.0 November 2018". It should also clearly link to the relevant elements of the proposed landscaping plans, which forms part of the proposed ecological mitigation. Thereafter, the CEMP shall be adhered to in full throughout the duration the construction phase of the proposed development.
 15. All further applications for approval of matters specified in conditions (AMC application) shall comply with the provisions as set out associated in the Air Quality Assessment report (as amended) (March 2018) and to provide further plot specific details in order to suitably reduce air quality assessment levels changes to a minimum in accordance with the Council's Air Quality Action Plan.

16. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by Edinburgh Airport and the Planning Authority. The submitted plan shall include details of:
- Monitoring of any standing water within the site temporary or permanent; Sustainable Drainage Schemes (SuDS) - Such schemes shall comply with Advice Note 3 'Wildlife Hazards' (available at: <http://.aoa.org.uk/policy-campaigns/operations-safety/>);
 - Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice note 3 'Wildlife Hazards'.
 - Reinstatement of grass areas;
 - Maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow;
 - Which waste material can be brought onto the site/what if any exceptions, e.g. green waste;
 - Monitoring of waste imports (although this may be covered by the site licence);
 - Physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste; and
 - Signs deterring people from feeding the birds.

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

17. No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Planning Authority, details must comply with Advice Note 3 'Potential Bird Hazards from Amenity Landscaping & Building Design' (available at: <http://www.aoa.org.uk/operations-safety/>). These details shall include:

- (i) any earthworks;
- (ii) grassed areas;
- (iii) the species, number and spacing of trees and shrubs;
- (iv) details of any water features;
- (v) drainage details including Sustainable Drainage Schemes (SuDS) - Such schemes must comply with Advice Note 6 'Potential Bird Hazards from SuDS' (available at: <http://www.aoa.org.uk/policy-safeguarding.htm>); and
- (vi) others that the applicant or the Planning Authority may specify and having regard to Advice Note 3: Potential Bird Hazards from Amenity Landscaping and Building Design and Note 6 on SuDS].

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

18. Development shall not commence until details of the Sustainable Drainage Schemes (SuDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 6 'Potential Bird Hazards from SuDS'. The submitted Plan shall include details of:
 - (i) attenuation times;
 - (ii) profiles & dimensions of water bodies; and
 - (iii) details of marginal planting.

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

19. No development shall take place on the site until a Construction Environmental Management Plan (CEMP): relating to Noise, has been submitted to and approved by the Planning Authority. Thereafter, the CEMP shall be adhered to in full throughout the duration the construction phase of the proposed development.

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 enable the planning authority to consider this/these matter/s in detail.
4. In order to allow the planning authority to suitably control the future development of the site ensuring a primacy of class 4, 'business' uses.
5. In order to allow the planning authority to suitably control the future development of the site ensuring a primacy of class 4, 'business' uses.
6. In order to enable the Head of Planning to consider this/these matter/s in detail.
7. In order to enable the planning authority to consider this/these matter/s in detail.
8. In order to enable the Head of Planning to consider this/these matter/s in detail.
9. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Act 1997 and to enable the Planning Authority to consider these matters in detail.
10. In order to safeguard the interests of archaeological heritage.
11. In order to safeguard the interests of archaeological heritage.
12. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
13. In order to safeguard the amenity of neighbouring residents and other occupiers.

14. To ensure sustainable flood risk management is adopted in the long term development of the site, so as to identify and prevent any significant re-direction of surface flows to surrounding land and surface water flow towards neighbouring property entrances.
15. In order to ensure that the construction and development phases of the site works are undertaken in so as to mitigate its impact on and to protect the existing biodiversity and landscape of the site and its immediate surroundings.
16. In order to suitably address air quality matters resulting from the proposed development, specifically on sensitive receptors and to reduce emissions generated by traffic generated by the development of the site.
17. It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport.
18. To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of birds and an increase in the bird hazard risk of the site.
19. In order to safeguard the amenity of neighbouring residents and other occupiers.

Informatives

It should be noted that:

1. 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.
2. As soon as practicable upon the completion of each phase 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.
3. A legal agreement is required to cover the following matters:

A minimum 25% of the total units (99 homes) should be secured on-site as approved affordable housing tenures through legal agreement. The applicant is in agreement to this requirement. This aspect of the proposal would address the requirements of LDP Policy Hou 6, Affordable Housing.

Education

The required contribution should be based on established 'per house' and 'per flat' contribution figures set out below and secured through legal agreement:-

Flats	£3,216 (infrastructure)	£476 (land)
Houses	£16,186 (infrastructure)	£2,042 (land)

The infrastructure contribution element will be index linked and the land contribution will not.

Transport

The application is located within the West Edinburgh Transport Contribution Zone- the following mitigation measures to be delivered by the applicant:

- 1) Walking/cycling infrastructure - completing the missing link from IBG to the RBS junction;
- 2) Public transport infrastructure - dedicated bus lanes around the Eastfield Road dumbbells;
- 3) Road infrastructure - dualling of Eastfield Road to the IBG Northern Access, improvements to the dumbbells and westbound off-slip; and
- 4) Intelligent transport systems - MOVA is a strategy for the control of traffic light systems, proposed to be implemented at Newbridge, Eastfield Road dumbbells, Gogar + Maybury in addition to Eastfield Road dualling works.

Edinburgh Tram

Transport have requested that a contribution to the Edinburgh Tram be sought in line with the LDP Supplementary Guidance. The calculated sum based on the current development proposals is £13,172,090.

The sum is to be indexed as appropriate and the use period to be 10 years from the date of final payment.

Health Care

The Supplementary Guidance identifies new practice accommodation as part of a Health Centre to mitigate impact of new residential development in West Edinburgh (this includes Maybury, South Gyle, Edinburgh Park and IBG).

A sum of £1,050 per dwelling ($\text{£}4\text{m}/8,000 = \text{£}500$ per patient) will be payable in relation to the residential development.

4. Should the applicant wish to construct greater than 1,000 car parking spaces then a 'Controlled Activities Regulation (CAR) Authorisation' will be required from the Scottish Environmental Protection Authority (SEPA). The applicant should seek the necessary authorisation at an appropriate time in the design process in order to accommodate SEPA's comments and potential requirements.
5. All car parking, where not controlled private off-street parking, will be subject to control as part of the West Edinburgh Controlled Parking Zone (CPZ). Suitable Traffic Order(s) will require to be promoted and implemented at no cost to the Council.

6. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be 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. The Council will expect to adopt any road constructed under a road construction consent.
7. The applicant must be informed that any proposed on-street parking spaces cannot be allocated to individual properties, nor can they be subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents.
8. All disabled persons parking bays should comply with the 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 legislation. A contribution of £2,000 will be required to progress each 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 of British Standards 8300:2009 as approved.
9. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities to be readily accommodated in the future. For residential land uses, passive provision to be provided as a minimum, including ducting and infrastructure such that charging points can be readily accommodated in the future.
10. The proposed site is on or adjacent to the operational Edinburgh Tram. Therefore, the applicant shall consult with Edinburgh Trams regarding construction timing. This is due to the potential access implications of construction/delivery vehicles and likely traffic implications as a result of diversions in the area which could impact delivery to, and works at, the site. Tram power lines are over 5 metres above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with Edinburgh Trams and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:
 - Any work where part of the site such as tools, materials, machines, suspended loads of where people could enter the Edinburgh Tram

Hazard Zone. For example, window cleaning or other work involving the use of ladders;

- Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;
- Piling, using a crane, excavating more than 2 metres or erecting and dismantling scaffolding within 4 metres of the Edinburgh Tram Hazard Zone (depending upon the extent of the proposed works, a separate Asset Protection Agreement may be required to be agreed);
- Any excavation within 3 metres of any pole supporting overhead lines;
- Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when equipment is in use;
- The Council and Edinburgh Trams has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line. See the full guidance on how to get permission to work near a tram way:
<http://edinburghtrams.com/information/working-around-trams>

11. Cranes: Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at: <http://www.aoa.org.uk/operations-safety/>)
12. Lighting: The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in Advice Note 2, 'Lighting near Aerodromes' (available at: <http://www.aoa.org.uk/operations-safety/>). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.
13. The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs, ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Edinburgh Airport Airside Operations staff. In some instances it may be necessary to contact Edinburgh Airport Airside Operations staff before the bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.
14. (a) All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.

- (b) The developer shall ensure that the risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of the documented site management procedures.
 - (c) Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.
 - (d) Surfaced roads and public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedure.
 - (e) All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.
 - (f) Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.
 - (g) The dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.
 - (h) No bonfires shall be permitted.
15. Applicant's attention is drawn to the EIA Noise Assessment report (sections 3.7.12 and 3.7.13) - regard shall be had to noise in the development of the residential layout - to ensure that noise issues are satisfactorily addressed. Noise assessment should be prepared on a per plot basis, this being prepared to take cognisance of the EIA findings. Regard shall be ad to noise issues in the development of layouts for residential development. The applicants attention is drawn to - Refer to EIA Addendum - Supplementary Environmental Information - Noise, March 2018 - 3.7.12 and 3.7.13) - Where such screening measures are incorporated, they will need to be imperforate, continuous, sealed at the base and selected to be compliant with B2 specification (or better) as defined within BS EN1793-2:2012: Road traffic noise reducing devices. Test Method for determining the acoustic performance. Intrinsic characteristics of airborne sound insulation under diffuse under sound field conditions.
16. No development shall take place in relation to Plot 8 until the Sustainable urban Drainage Scheme (SuDS) pond, situated to the north of the Park and Ride Site (also serving the Park and Ride Site), has been relocated at a position to be agreed with the Council. This is to ensure that the capacity of the existing SuDS scheme is maintained in a suitable location.

Financial impact

4.1 The financial impact has been assessed as follows:

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

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

A Proposal of Application Notice (13/03146/PAN) was submitted to City of Edinburgh Council on 08 August 2013. The development anticipates a city extension that is urban in character and in two distinct parts including Phase 1 to the west and Phase 2 to the east. Phase 1 is planned as a business led mixed-use development, with a business district focus, comprising:

- Business and employment uses (Classes 4 & 6);
- Hotels; and
- Ancillary uses including retail (Class 1), financial and professional services (Class 2), food and drink (Class 3), residential institutions (Class 8), non-residential institutions (Class 10), assembly and leisure (Class 11), sui-generis development and other related works including car parking, servicing, access arrangements and public realm.

The PAN was considered by the Council's Development Management Sub-Committee on 06 November 2013, and subsequently as part of the reporting for the PAN for IBG Phase 2 on 23 September 2015. The Committee noted the key issues at this stage in the process.

The PAN set out a proposed programme of pre-application consultation. A copy was sent to the Community Councils, Neighbourhood Partnership and Local Ward Members.

Public consultation events for IBG Phase 1 took place on 04 and 27 September 2013 at the Hilton Hotel, near Edinburgh Airport. The project team also met and presented proposals to the Ratho & District Community Council on 09 October 2013. The results of the community consultation have been submitted as part of the Pre-application Consultation Report.

Early design proposals were considered at pre-application stage by the Edinburgh Urban Design Panel (EUDP) on 29 June 2011. These were further considered through an Architecture + Design Scotland (A+DS) Design Forum series, with workshops taking place on 27 March, 19 June and 19 October 2015. Summary responses from the EUDP and A+DS Design Forum series are contained in the report appendices.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 18 December 2015, with a 28 day period for comments to take account of the accompanying Environmental Statement. A total of four letters of representation were received including two letters of objection and two general representations - one these being a detailed response from Edinburgh Airport.

The application was re-advertised on 30 March 2016 following submission of EIA Addendum relating to Air Quality and Noise and Transport Assessment Addendum. This prompted two further letters of representation from Edinburgh Airport Limited.

The application was further re-advertised 28 November 2018 following submission of an EIA Addendum relating to Ecology and Nature Conservation.

Following on from initial comment in early 2016, Edinburgh Airport reviewed the supplementary information received dated February 2018, including the Transport Assessment Addendum. Their response to these matters was dated 27 April 2018 and 24 September 2018.

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 predominantly allocated as Special Economic Area (Emp 6 - International Business Gateway) in the adopted Edinburgh Local Development Plan 2016. Other proposals and safeguards affecting the site include:- Green Space Proposal (GS 6) - corridors extending from Eastfield Road to the eastern edge of the application site, the eastern and southern peripheries. An Area of Importance for Flood Management (Env 21) is situated to the north east corner of the site.

Transport Proposals and Safeguards relating to the site include:- (T1) - Edinburgh Tram, (T8) - Eastfield Road and dumbbells junction, (T9) - Gogar Link Road.

National and Strategic Policy:-

National Planning Framework 3 (NPF3)
SESPlan 2013

Other relevant guidance:-

West Edinburgh Strategic Design Framework, May 2010

Finalised Supplementary Guidance: Developer Contributions and infrastructure Delivery, August 2018
Edinburgh Local Development Plan Action Programme, January 2019

Open Space 2021, Edinburgh's Open Space Strategy 2016

Other documents for approval:-

IBG Phase 1 Masterplan - Development Guidance, February 2019

Plot Principles, March 2019

Implementation Strategy, February 2019

Date registered	7 December 2015
Drawing numbers/Scheme	01, 02, 03B, 04A, 05A, 08, 10, 12, 14, Scheme 2

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

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Links - Policies

Relevant Policies:

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

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

LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

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

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

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

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

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

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

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

LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

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

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

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

LDP Policy Emp 6 (International Business Gateway) sets out uses that will be supported in principle for the development of an International Business Gateway within the boundary defined on the Proposals Map.

LDP Policy Emp 10 (Hotel Development) sets criteria for assessing sites for hotel development.

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

LDP Policy Hou 10 (Community Facilities) requires housing developments to provide the necessary provision of health and other community facilities and protects against valuable health or community facilities.

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

LDP Policy Ret 8 (Entertainment and Leisure Developments - Other Locations) sets out the circumstances in which entertainment and leisure developments will be permitted outwith the identified preferred locations.

LDP Policy Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

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

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

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

LDP Policy Tra 6 (Park and Ride) sets out the circumstances park and ride facilities will be permitted.

LDP Policy Tra 7 (Public Transport Proposals and Safeguards) prevents development which would prejudice the implementation of the public transport proposals and safeguards listed.

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

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

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

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

Non-statutory guidelines - EDINBURGH STREET DESIGN GUIDANCE - Edinburgh Street Design Guidance supports proposals that create better places through the delivery of vibrant, safe, attractive, effective and enjoyable streets in Edinburgh. It sets out the Council's expectations for the design of streets and public realm.

National Policy Designing Streets: This document sets out government aspirations for street design and the role of the planning system in delivering this as part of a wider agenda to improve urban design and placemaking generally.

Appendix 1

Application for Planning Permission in Principle 15/05580/PPP

**At Land 160 Metres North Of 2, Eastfield Road, Edinburgh
Mixed use development inc. business + employment uses
(class 4); hotels (class 7) + ancillary uses including retail
(Class 1), financial + professional services (Class 2), food +
drink (Class 3), residential (Class 9), non-residential
institutions (Class 10), assembly + leisure (Class 11), sui
generis flatted development; associated works inc. car
parking, servicing, access + public realm. (As Amended)**

Consultations

Edinburgh Urban Design Panel

Introduction

This report relates to the phase 1 masterplan for the EIBG. This is the first time that the proposals have been reviewed.

It was noted that the Panel had not reviewed the draft West Edinburgh Strategic Design Framework (WESDF) as the consultation on this document was carried out prior to the Panel's inception, but that this has been reviewed by A+DS.

Charles Strang advised he had been involved with the West Edinburgh Planning Framework SEA. This was not considered problematic with regard to Charles Strang's involvement on the review. No declarations of interest were made by any panel members in relation to this scheme.

This report should be read in conjunction with the pre meeting papers which provide an overview, context, concept, plans, sections and 3D visualisations of the scheme and a Planning Issues Paper.

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

The Panel's views on the principle of development.

In part, the Panel is concerned about the development of the area designated in planning policy (including the local plan of the Rural West Edinburgh Local Plan and its Alteration adopted June 2011) and guidance for the International Business Gateway and the proposed associated ancillary uses and the consequent development of green belt and loss of agricultural land.

The use of the term 'gateway' is of concern in trying to interpret the sense of place to be created either as a destination or as a transient zone between the airport and the city's urban edge.

A strong case will require to be demonstrated that the location proposed in the masterplan is the best location within the city area for the proposed arena.

The design proposal for the masterplan is based on the tram line being delivered. If the tram is not delivered, this will result in the main transport access to the site being by road. This would therefore require a re-evaluation of the appropriateness of developing this site and following this, if it remains as a development site, then a strategic redesign of the proposals along with a comprehensive re-evaluation of the transport infrastructure would be required.

The Panel's views on the masterplan approach

The Panel are supportive of the development of a masterplan for this strategic area as this will encourage a comprehensive and not piecemeal approach to development. Disparate development of hotels and other uses is occurring within the area and therefore the masterplan will be an important mechanism to help mitigate the adverse effects of this.

For the site to be an International Business Gateway it is important that international businesses and HQs are sought and that the buildings delivered of the highest international design quality. There should be no question of this being "just another business park".

The Panel recognises the importance of ensuring that the masterplan for this site is not developed in isolation but considered and developed to take account of the wider context within the WESDF area. The Panel finds it particularly disappointing that the masterplan does not extend to the airport as this could provide a physical link, benefiting airport users. The Panel therefore encourages the team to engage in further discussion with Edinburgh Airport and other land owners about the potential for this.

A landscape framework is currently being developed. The Panel welcomes this and considers this document to be critical in the design development of this and adjacent sites.

The Panel's views on the design

While there is some degree of reservation about the proposed use of an arena on this site (as expressed in 2.3 above) the Panel sees an opportunity to create a 'destination' towards the end of the tram line from the city and encourages the design team to consider this within their design. In addition to buildings there will be an opportunity to allow people easy access to the areas beyond.

Care will be required to ensure that the spaces within the development contribute to the sense of place. Consideration should be given to the microclimate (particularly around the west and south-west of the arena and the linking area to the park and ride facility), the numbers of people using the spaces, the scale of streets and the interfaces between surrounding uses such as the showground. The logic of spaces around the arena needs to be carefully thought through as they will require to accommodate large volumes of people as well as dealing with the design issue of maintaining a reserve area for the tram corridor. The spaces around the arena and transport hub will be pivotal in the creation of place.

There is a danger that the flexibility of the grid may be used to facilitate development of an inappropriate standard. If this is the case, the use of a grid layout is questioned as an appropriate design approach. If the grid concept is taken forward, in refining the proposal as it is developed, continued considerations will be the relationship the grid will form with the site landscape, topography and other features.

There is a significant likelihood that the retention of the park and ride facility in its current location will have a negative impact on the design. This is because of the adverse visual effects resulting from the expanse of hard surfacing that the facility has. The masterplan should demonstrate how such effects can be mitigated. Its long term and short term impacts should be fully considered.

The layout of the development should allow views to key city features to be protected and incorporated into the design of this area as far as possible to help link the development into the city and its surroundings as a place. Such features include Arthur's Seat, the Pentlands, the Forth bridges, the bings etc. Historic features such as Gogar Fort and the listed buildings should be protected. Protecting these features and buildings may be of greater significance in later phases of development which will come closer to them.

The Panel encourages the enhancement of Eastfield Road.

The Panel's views of movement and infrastructure

If the park and ride is retained, for it to function effectively in reducing modal share of private vehicular transport in to the city then a robust control mechanism will be required to ensure that it does not become a car park for the EIBG.

The Panel suggests that a fully integrated transport strategy is key to the successful development of the area. This should include the integration and improvement of the existing cycle network.

Pedestrian and cycle links to neighbouring areas need to be integrated into the proposals.

The design team is encouraged to progress with the development of their sustainable urban drainage strategy.

Summary

The Panel recognises the significant challenges facing the team in delivering a design which will provide a strong sense of place with quality spaces - for example the resolution of the space in and around the tram, park and ride and arena. However it should be a fundamental aim to create a special place - a destination which people would want to visit in itself - and not just a high quality business park with an arena.

Building Standards (Contaminated) comment

The only recorded possible contaminated land is on the boundary of this site with the Airport. As there is the possibility of made ground on the site in connection with the tramway park ride site, Building Standards would request a Geo-environmental assessment for the site.

Archaeology comment

The site lies on the south-western limits of the former RAF Turnhouse which forms the eastern half of the present day airport. The RAF base was open in 1915 and continued in service through the Cold War Period until 1966. Evidence for the base survives today on site in the form of a WW II pillbox recorded by GUARD as part of the Edinburgh Tram project.

Archaeological excavations by GUARD (see plan site 1 & 1A) along the route of the Edinburgh Tram have demonstrated that area has been extensively occupied since early prehistory. These excavations by GUARD immediately to the east of the site produced evidence for a complex sequence of occupation dating back to the start of the Neolithic Period (4000 BC) and which included two phases of Bronze Age settlement, an Iron Age Palisade enclosure and significantly Dark Age (British/Anglian) corn drying kilns dating to the 6th-8th centuries AD. In addition to the sites prehistoric and early medieval archaeology this site also occurs within an area associated with the 17th century Civil War battle known as the Field of Flashes.

This application must be considered under terms of the Scottish Government's Scottish Planning Policy (SPP), PAN2/2011 and Scottish Historic Environment Policy (SHEP) and also CEC's Edinburgh City Local Plan policies ENV8 & 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; RAF Turnhouse Pillbox

The site contains the upstanding remains of a WW II era pillbox associated with the former RAF Turnhouse Airfield on its NE boundary. This structure is one of the last remaining elements of this important RAF base and is considered to be of local archaeological significance. Accordingly it is recommended that this structure is not only persevered in situ within the landscaping associated within this development but that an associated interpretation scheme is undertaken describing its function and the role of RAF Turnhouse.

It is recommended that these programme of works be secured using a condition based upon the model condition stated in PAN 42 Planning and Archaeology (para 34), as follows;

'No development shall take place on the site until the applicant has secured the preservation / conservation of the former RAF Turnhouse World War II era pill box in accordance with a conservation design which has been submitted by the applicant and approved by the Planning Authority.'

Buried Archaeology

Given the potential significant archaeological outlined earlier, it is essential that an archaeological mitigation strategy is undertaken prior to submission of any further detailed (FUL/AMC) applications and development. In essence this strategy will require the undertaking of a phased programme of archaeological investigation, the first phase of which will be the undertaking of an archaeological evaluation (min 10%) linked to metal detecting surveys. The results from this initial phase of work will allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, recording of any surviving archaeological remains prior to construction commencing is undertaken.

Interpretation

In addition to the interpretation / preservation of the Pillbox discussed above, the site has the potential for unearthing important archaeological remains. Accordingly it is essential that the archaeological mitigation strategy contain provision for public/community engagement (e.g. site open days, viewing points, temporary interpretation boards), the scope of which will be agreed with CECAS.

It is recommended that these programmes of work be secured using a condition based upon the model condition stated in PAN 42 Planning and Archaeology (para 34), as follows;

'No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (Excavation, reporting and analysis, publication, interpretation, public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

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

Economic Development comment

Edinburgh's economic strategy, 'A Strategy for Jobs 2012-17' aims to achieve sustainable economic growth through supporting the creation and safeguarding of jobs in Edinburgh. A key element of delivering jobs-driven economic growth is the provision of an adequate supply of workplaces.

Commentary on existing uses

The site in question is a 36.7 hectare of land bounded by Glasgow Road to the south; Eastfield Road to the west; the Hilton Edinburgh Hotel and Gogar Burn to the north; and farmland to the east. The Edinburgh tram line bisects the site, as does the route of the safeguarded Gogar Link Road.

Approximately 5 hectares of land to the west of the site is occupied by the Ingliston Park and Ride, which provides 1,085 parking places. The application does not propose any changes to the Park and Ride.

Approximately 9 hectares of land to the south of the site is arable land most recently used for the growing of cereal crops. Per the 'Economic Report on Scottish Agriculture 2015', in 2014, cereal farms in Scotland supported, on average, a farm gate value of £620 per hectare per annum and a standard labour requirement of 0.01 jobs per hectare. This indicates that the arable land could be expected to support a total farm gate value of £5,580 per annum and a negligible level of employment.

The remainder of the site is primarily unused open land.

Commentary on proposed uses

Class 1/3 - Shops/Food and drink

The development as proposed would deliver 3,652m² of class 1/3 space. Based on average employment densities, this could be expected to directly support 192-203 full-time equivalent jobs. Based on average gross value added per worker for workers in the retail and hospitality sectors, this could be expected to directly support annual gross value added of between £2.54 million and £5.37 million (2013 prices).

Class 4 - Business

The development as proposed would deliver 122,158m² of class 4 space. Based on average employment densities, this could be expected to directly support approximately 12,200 full-time equivalent jobs if fully-let. Based on an average gross value added per worker of £80,800 per annum for workers in the financial and business services sector, this could be expected to support annual gross value added of approximately £987.37 million (2013 prices).

Class 7 - Hotels and hostels

The development as proposed would deliver 1,415 hotel bedrooms. Based on average employment densities, this could be expected to directly support 472-1,132 full-time equivalent jobs. Based on average gross value added per worker for workers in the accommodation sector (£26,900), this could be expected to directly support annual gross value added of between £13.95 million and £33.47 million (2013 prices).

Given average occupancy rates in Edinburgh of 80.5% (as of 2014) and average daily spend for overnight visitors of £81.00 (as of 2009/10), this could be expected to represent 415,762 visitor bed-nights in Edinburgh per annum.

Class 9 - Houses

The development as proposed would deliver 396 residential units. The mean household size in Edinburgh as of 2014 was 2.06, indicating that the 396 new residential units could, once fully built and occupied, be expected to support approximately 816 residents.

The residential elements of the scheme can be expected to support jobs in the area via household expenditure. Based on data on the average expenditure of households in Scotland derived from the Office for National Statistics' Living Costs and Food Survey, the combined expenditure of the 396 new households within the development is projected to total approximately £9.25 million per annum. This includes areas of expenditure that could reasonably be expected to largely be made within the local economy, such as food and drink (£1.44 million); recreation and culture (£1.12 million); catering (£0.63 million); household goods and services (£0.55 million); clothing and footwear (£0.47 million); and personal care (£0.22 million). This £4.43 million of expenditure could be expected to directly support approximately 61 jobs as businesses expanded their workforces to enable them to meet increased demand, primarily in the retail and hospitality sectors, representing approximately £1.62 million of gross value added (2013 prices).

Class 11 - Assembly and leisure

The development as proposed would deliver up to 1,787m² of class 11 space. Based on average employment densities, this could be expected to directly support 15-60 full-time equivalent jobs. Based on average gross value added per worker for workers in the accommodation sector (£44,700), this could be expected to directly support annual gross value added of between £0.67 million and £2.68 million (2013 prices).

SUMMARY RESPONSE TO CONSULTATION

It is estimated that the development as proposed could, once fully-built and fully-let, directly support approximately 12,900 to 13,700 full-time equivalent jobs and support gross value added of £1,006 million to £1,031 million per annum.

Police Scotland comment

We recommended that the architect and client meet with a Police Architectural Liaison Officer to discuss Secured by Design principles and crime prevention through environmental design in relation to this development.

Scottish Natural Heritage comment

Summary

This is an important site in the expansion of the city westwards towards the airport. Together with the adjacent phase 2 part of the IBG site, this site will be strategically important in delivering the vision for expansion in this part of Edinburgh. We advise that although the proposal is to be commended on its design principles and good integration of green infrastructure, there will be some significant impacts on landscape and protected species. Further advice is provided below together with recommendations for future phases of development, mitigation and licence requirements. It will be for the planning authority to determine, within the context of its own policies, whether conditions are necessary to secure any recommendations.

Appraisal

Several documents such as the West Edinburgh Landscape Framework, West Edinburgh Strategic Design Framework and Local Development Plan (LDP) 2 provide guiding principles for development of the IBG site, laying the foundations of a strong landscape structure to support and accommodate development in this part of Edinburgh. This application has sought to expand on these principles, set parameters for the site and provide further detailed guidance to ensure that a well designed development is delivered. While we generally welcome these aspects of the proposal, particularly the aspects relating to the integration of green infrastructure, we note the general overall increase in the height of the proposed buildings from that which was set out in the West Edinburgh Strategic Design Framework and LDP2. The current proposal therefore does raise issues relating to landscape impact and the accommodation.

Landscape and Visual Impacts

Policy B3 of the West Edinburgh Strategic Design Framework (WESDF) states: 'Buildings should take advantage of existing features and infrastructure. The building layout should respond to the site context, topography and micro-climate and take advantage of these. The prevailing building height should be 4 storeys. Where buildings are adjacent to structural green spaces, it is expected that the building heights will be lower in order that they can be successfully integrated into the landscape.'

This principle has been further explained in the development principles for the complete IBG site as set out in LDP2:

- o The prevailing building height should be four storeys with some higher landmark buildings and lower building heights adjacent to structural green spaces.*

We note the submitted parameter plans relating to building height are stated in terms of height above ground level rather than number of storeys as required by the WESDF and LDP. It is therefore unclear from the submitted parameter plans how the development will address the requirements for buildings of 3 storeys next to structural green spaces nor whether the overall mix of built development proposed will meet the requirements for a "prevailing building height" of four storeys across the site.

We do however note that the landscape and visual impact assessment, ZTV drawing and the supporting visualisations are based on the height and development plot parameters submitted. From this information it is evident that the likely scale and extent of the proposed development (as set out within these submitted parameters) could result in a wide range of landscape and visual impacts within 2 kilometres, with the overall mass and extent of development prominent in wider views, including those out to and beyond 5km. The scale and extent of these effects are likely to be combined cumulatively with those arising from the proposed IBG phase 2 (recently submitted for EIA scoping) to create an overall combined form of development that is dominant to the local landscape character and of notable prominence from areas surrounding the development, including the A8 corridor approaching the City of Edinburgh.

Of particular note with regards the landscape and visual impacts of the phase 1 proposal is the location of a building, or buildings, up to 36m high on an elevated part of the site near the east bound A8 roundabout (as illustrated by wireline 4 on page 45 of the Design and Access Statement). The submitted information notes this as a "gateway" node' and while there is little definition to this aspect of the proposal we highlight the overall height and footprint of this aspect of the project. Due to its likely prominence, we consider a proposal of this size would have significant impact on the local landscape character and visual amenity of the area, potentially redefining the nature of this important approach to the City of Edinburgh.

While acknowledging that there is a lack of detailed design information and impact assessment for this important aspect of the proposal, at this stage in our understanding of the proposal, we query whether such a prominent building in this specific location would be an appropriate feature to define the gateway and approach to the City.

Green Infrastructure and development layout

Notwithstanding the issues raised above we do strongly welcome the proposals made for the green infrastructure to support this development. We consider the proposals, as outlined in the Design and Access Statement, are well integrated within and around the proposed development thereby positively supporting the overall place-making approach for the site. In particular, we consider that the variety of landscape design typologies proposed, the potential integration of SUDs and active travel measures within the green spaces and streets, and the broad layout of such features in forms which permeate the development and support the proposed street and building layout, has the potential to be a highly successful aspect of the scheme.

We highlight however the constraints that can be imposed on aspects of planting and SUDS development, through the requirements of the Civil Aviation Authority for Aerodrome Safeguarding. We advise that it would be prudent to establish any limitations on the current proposals, or modifications that may be required to current design proposals, prior to any approval of outline consent.

We also advise that, in securing and taking forward the positive intent and content of the proposed public realm and green infrastructure aspects of the application, there is likely to be merit in defining these issues in further detail and in standalone documents and layout plans. Such an approach if properly defined could set clear guidance and parameters, supporting the co-ordination and design quality between phases or for any future detailed applications for the area.

Similarly, we welcome the analysis and statements of importance on page 89 of the Design and Access Statement with regards the necessary role of landscape management to successfully establish planting and to maintain a good appearance for the development in the longer term. We recommend that a clear approach, specifications and funding proposals for these matters are secured.

Ecology

The surveys and assessment of impacts on protected species is thorough and clear, and to be commended. We would agree with assessment findings and recommendations, including licence recommendations, and these are discussed further in the Annex.

In general, impacts on species are focused on the various watercourses and ditches which run through and beside the development area. These habitats are used by various species for foraging and commuting, with some species also residing there. There will be some direct impacts on those species which reside in these areas particularly during the construction process, and this is discussed further in the Annex. However, these habitats will be maintained as landscaped corridors within the proposed development, enhanced with planting where appropriate. Therefore the retention of these corridors, alongside the additional planting, will help mitigate against impacts on species in the longer term, as foraging and commuting routes, as well as suitable habitat, will remain. Directional lighting, as proposed within the ES, will also be effective mitigation in reducing impacts on species in these areas.

Access and recreation

We support the creation of a new pedestrian and cycle link alongside the A8, as part of the green infrastructure proposals along the south of the site, which will form a much needed active travel corridor between Edinburgh and the west.

Annex

Potentially significant impacts on species are summarised in section 4.2.7, with section 4.5 detailing the assessment of effects on habitats and species as well as mitigation measures.

Badger

Survey results show significant badger presence and activity in the area with 24 setts identified and 2 clans, the Gogar Drain clan and the Castle Gogar clan.

Significant impacts are identified on the Gogar Drain setts, and possibly longer term to the clan. These impacts would be through disturbance, exclusion, loss of setts or abandonment, and are summarised below:

- o 4 setts have been identified for exclusion and loss, due to road and footpath construction: GD3, 6, 9 and 15. This will require a licence.*
- o Another sett is to be excluded for footpath construction, GD10, but re-instated after construction. This will require a licence.*
- o There is a recommended exclusion and destruction of another sett, GD8, to prevent badgers using this sett as new main sett. This would also need a licence.*
- o Licences for all work with 30m or piling within 100m*
- o Possibility of licences (for disturbance) for landscaping/planting along the Gogar Drain*

It is noted that there is a possibility of retention of some of the above setts, which will be determined at construction stage, although temporary exclusion would still require a licence.

Mitigation (section 4.5.27-4.5.39) proposed includes:

- o 30m exclusion buffer*
- o maintenance of Gogar Ditch as a foraging and commuting corridor with extra planting*
- o badger fencing and exclusion buffers at road and footpath junctions*
- o access pipes beneath roads and footpaths*
- o directional lighting*

- o *standard good practice methods during construction, such as escape ramps etc*

The EIA recommends that a Badger Protection Plan (BPP) is produced, outlining all the sett exclusions, licence requirements, mitigation and monitoring measures, and we would strongly recommend this as a practical and iterative way of addressing the complex situation at this site which may evolve and change over the development timescale. It would also help support any licence application. Our website has some advice on preparing BPPs: <http://www.snh.gov.uk/protecting-scotlands-nature/species-licensing/mammal-licensing/badgers-and-licensing/dev/>

Potential abandonment of the drain area by the clan is raised, as a result of ongoing disturbance and traffic once the area is fully developed. The EIA states that there is suitable setting habitat along the Gogar Burn and to the east for the badgers to move into but this land to the east forms Phase 2 of the IBG site and therefore may not be available in the long term. This potential constraint to any future badger movement is not acknowledged within the EIA and is perhaps something that future phases might have to consider in more detail. The EIA does recommend monitoring for 5 years to inform future mitigation or enhancements needed for this clan's long term future and we would recommend that this forms part of the BPP.

Our advice is therefore that if you approve this application, and with the mitigation set out in the EIA, a licence from SNH will be required by the applicant before they can proceed with the development. If you are minded to approve this application, you must satisfy yourself that the tests for a species licence under the relevant protected species legislation are likely to be met. If not, you could risk the applicant being unable to make practical use of the planning permission or committing an offence.

Based on the information currently available to us, it is likely that the tests would be met and therefore that a licence would be granted. Please note that this advice is given without prejudice to any later consideration of an application for a licence. Information on licensing tests can be found here (www.snh.gov.uk/docs/B876258.pdf) and how to apply for a licence here (<http://www.snh.gov.uk/protecting-scotlands-nature/species-licensing/>)

Otter

Survey results show that otters are active in the area, in particular on the Gogar Burn. No direct disturbance to holts on the Gogar Burn is identified, although disturbance and potential displacement is raised as an impact in the longer term. The maintenance and enhancement of the watercourses and drains, as part of the scheme's green infrastructure, should retain their function as quiet commuting routes, thereby reducing these impacts. Other standard mitigation working measures are proposed during construction such as escape ramps etc and pollution prevention controls will be in place to avoid spills to the watercourses. Based on the information in the ES, and with the stated mitigation in place, no licence will be required before development can proceed. With the timescales of development proposed over several years, further surveys will be required at future stages to assess any changes in otter distribution or holt locations, and therefore any changes to licence requirements.

Bats

Impacts are likely to be confined to foraging and commuting routes, in particular the linear burns and ditches. However mitigation in the form of maintenance and enhanced landscaping of these routes, together with directional lighting, should minimise these impacts in the longer term. Based on the information in the ES, no licence will be required before development can proceed.

Historic Environment Scotland comment

We do not wish to object to the above proposed development. We attach our comments on the adequacy of the ES and our views on the application as an appendix to this covering letter.

Historic Environment Scotland's advice

If you have not already done so, we recommend that you consult your council's archaeological and conservation advisors, who may also wish to comment on potential historic environment impacts.

Annex

Background

We understand that the proposal is for a mixed use development (known as the International Business Gateway Phase I) consisting of business and employment uses, hotels, retail, financial and professional services, food and drink, residential uses, non-residential institutions, assembly and leisure, sui generis flatted development and associated works including access and public realm at land 160m North of 2 Eastfield Road, Edinburgh. The proposal is at a masterplan stage and the submitted masterplan framework sets out general parameters to be observed in the proposed development. The environmental statement that has been prepared is based on these parameters.

Historic Environment Scotland's Interest

Our key interest in this proposal lies in the potential impact on the site and settings of the following heritage assets covered by our remit:

- o Gogar Mains, fort, palisaded enclosure and field system 850m SSE of (Scheduled Monument, Index No. 4573)*

At scoping stage we highlighted the fact that the scheduled monument: Gogar Mains, fort, palisaded enclosure and field system 850m SSE of (Index no. 4573) was located within the proposed site boundary and that direct impacts should be avoided. We are content that the proposed development at Phase One will not have any direct impacts on this scheduled site. We would also agree with the conclusions of the Environmental Statement that the impact of the proposal on the setting of Gogar Mains is unlikely to be significantly adverse.

However, I would reiterate our previous advice that in addition to the avoidance of direct impacts, it will be important that consideration of the future management of the monument is given at an early stage of planning the next phases of the proposed development.

- o Category A-listed Castle Gogar with cottage, gate house, stables, outbuildings, gate and gatepiers, Glasgow Road (HB No. 27092)*

The category A-listed tower-house at Gogar was built in 1625, with the original Gogar House dating back to c1300. This three-storey baronial mansion was probably designed by William Ayton and it was extended to the west circa 1700, and again in the 19th century. The castle was restored around 2005.

The castle lies in an area of rapid change, between the trunk road to the south and the Edinburgh Airport to the north and north-west. The building's vicinity has been heavily impacted by the existing and new infrastructure, including the new tram line that crosses its tree-lined drive. The enabling development for the restoration of the castle has also been completed in recent years. The large detached houses, which have been erected within the curtilage of this listed building have impacted considerably on its setting. As a result, Castle Gogar no longer dominates its immediate surrounds.

We note that the application site of the current proposal is in close proximity to this A-listed building (approximately 900m to its west). The historic environment assessment contained in the submitted Environmental Statement concludes that while the proposed development will not have an effect on the overall understanding and appreciation of the significance of the asset, there will be a slight change in its setting. In paragraph 5.5.21 the assessment also states that 'there is likely to be a direct, temporary, medium-term effect on the monument of minor negligible negative significance prior to the implementation of mitigation measures' (p.66). This conclusion is not very clear, as it is not explained in the methodology of assessment of chapter 5 what the 'negligible negative significance' means. We also consider that this chapter would benefit from a more thorough assessment of the main characteristics that contribute to the Castle's setting.

We note that the proposed development, due to its scale and close proximity to this A-listed building is likely to be visible in the outward views from the upper floors of the castle. However, the proposal would be located beyond the existing detached houses that form part of the enabling development and that have already impacted on the castle's immediate setting. Therefore, while we consider that the proposed development and its associated infrastructure is likely to have an impact upon the setting of the Castle, we do not consider that this impact would be of such a severity or significance as to raise issues of national importance. Given the above, Historic Environment Scotland does not object to this application.

However, it should be ensured that in planning the next phases of the proposed development, the setting of the castle is taken into account and appropriate mitigation measures are considered.

Summary

We are content that there is enough information in the ES to come to a conclusion on the application, and we do not wish to object to the proposed development.

SEPA comment

We object to this planning application on the grounds of lack of information. We will review this objection when the issues detailed in Sections 1.0, 2.5 and 2.11 below are adequately addressed. Please also see our advice in other sections.

Advice for the planning authority

1. Flood Risk

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

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

1.3 Review of the information provided indicates the site, or parts thereof, lies within the 0.5% annual probability (AP) flood extent of the SEPA Flood Map and is potentially at medium to high risk of flooding. The source of this flood risk is the Gogar Burn and surface water although there are also two small watercourses within the site which have not been included within the modelling for the SEPA Flood Map.

1.4 A Flood Risk Assessment (FRA) has been provided in support of this application. We previously agreed the methodology and design flows within the hydrological assessment. A 1D/2D model has been produced in Infoworks ICM with the Gogar Burn and Ratho Burn channels being modelled in 1D and floodplain in 2D which is an acceptable methodology. We note, however, that the Eastfield Road tributary has not been explicitly included within the model as a 1D channel and as such it is unclear how flood risk has been assessed from this source. Information on how the channel has been captured should be provided as LiDAR information would not be sufficiently accurate to represent the channel. It is noted that a capacity assessment of the culvert under the tram lines on this watercourse have been included but no information on any impact of backing up from the Gogar Burn is provided.

1.5 The FRA includes a sensitivity analysis for blockage of the Eastfield Avenue bridge downstream of the site. During the 0.5% AP, including climate change impacts, event and a 50% blockage of the bridge, the report states that water will overtop the Gogar Burn and flow through the pipework under the tram lines flooding the northwest part of the site. The report states that as this is an unlikely event they do not deem it necessary to consider flood protection works for the site. We do not agree with this assessment of flood risk and whilst the site may not be considered functional floodplain it should be designed to be protected against flood risk in the event of a bridge blockage. Details of the level of risk to the site and proposed mitigation measures should be provided.

1.6 It is noted that the model does not include some of the structures downstream of the site and it is indicated that as they are located some distance downstream of the site and a blockage scenario of the Eastfield Avenue culvert has been considered then these additional structures would not impact on flood risk. Whilst this may be the case, should any of these structures have a capacity less than 50% of the Eastfield Avenue culvert then they may pose a greater restriction to flow. Details of these structures should be provided to show that they will not pose a greater capacity restriction than the Eastfield Avenue culvert and therefore why they should not be included within the model.

1.7 SEPA has previously been consulted on applications in this area for the Edinburgh Airport Rail Link project. The FRA in this instance was carried out by Halcrow in 2004 (now CH2MHill) who used a model constructed by Black and Veatch (2004) to determine the combined risk to the airport from the Gogar Burn and River Almond. This model used slightly lower flows for the Gogar Burn and downstream level for the River Almond: the predicted flood levels on the Gogar Burn at the culvert under the runway (section g545), however, are higher. 0.5% AP flood level in the current FRA at g545 predicted to be 30.29mAOD and in the Halcrow FRA is predicted to be 30.96mAOD, which is a significant difference. The model used within the Halcrow FRA included proposed flood protection works for the airport from the River Almond as this was considered more conservative and representative of the future scenario. We have no information to indicate whether these works were carried out or are still proposed. We recommend, however, that further consideration is given to the predicted levels within the current model as we would advise a conservative approach should be taken in determining the flood risk to the site.

Summary

In summary, the site has been shown to be at flood risk and further clarification is required on aspects of the FRA. The following information is required before we can review our objection to the proposed development.

- o Information should be provided showing how the Eastfield Road tributary has been included within the 1D/2D model.
- o Details of the flood risk and proposed mitigation measures for the flood risk due to a blockage of the Eastfield Avenue culvert.
- o Details of the structures downstream of the Eastfield Avenue culvert to support the position that these have not been included within the model.
- o Further consideration of the predicted flood levels on the Gogar Burn following review of previous FRAs carried out on the Gogar Burn at Edinburgh airport.

Caveats & Additional Information

1.8 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.

1.9 We refer the applicant to the document *Technical Flood Risk Guidance for Stakeholders*. This document provides generic requirements for undertaking Flood Risk Assessments. Please note that this document should be read in conjunction SEPA Planning Authority protocol (Policy 41).

Continued'

1.10 Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process.

1.11 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.

1.12 *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 entitled: Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities outlines the transitional changes to the basis of our advice in line with the phases of this legislation.*

2. Drainage

Proximity to Watercourses

2.1 *The documents supporting this application indicate two surface waters within the development boundary. These are referred to as drainage channels in the Environmental Statement and as watercourses in the Drainage Strategy.*

2.2 *The Environmental Statement (Section 4, Environmental Effects of the Proposed Development) is not clear on the effects of development on the surface waters but states "A corridor along the Gogar Ditch has been identified as not suitable for development due to its relative importance to wildlife." We assume that this refers to the surface water channel running south to north where it joins the Gogar Burn. There appears to be no mention of the smaller surface water within the development boundary. Unlike the Gogar Ditch, there is no commitment to keeping it free from development.*

2.3 *The Illustrative Masterplan appears to show these areas left undeveloped but with crossing points and development close by. The Conceptual Foul and Surface Runoff plan (refer to Drainage Strategy) appears to show that development for drainage lies very close to the watercourses in question.*

2.4 *The applicants' attention should be drawn to SEPA's LUPS Guidance Note 7 "Buffer strip requirements" as well as the general guidance in the CAR Practical Guide.*

2.5 *Clarification is required on the position and the proximity of development including foul and surface drainage to the two surface waters on the development site, taking into account buffer strip requirements.*

2.6 *The Gogar Burn flows along part of the northern boundary and there appears to be no development in the vicinity, which is acceptable.*

Sustainable urban Drainage Systems (SuDS)

2.7 *The Drainage Strategy covers the principles of SuDS and illustrates the positions of some SuDS features.*

2.8 *The Drainage Strategy conclusions include contradictory statements in relation to whether discharges will fall under General Binding Rules or will require an application for a licence. The applicants should identify which is necessary and make the appropriate application. If it is unclear which application is appropriate the applicants should contact SEPA's local team.*

2.9 *It is not possible to assess at this stage and from the information provided if the appropriate scale of SuDS has been planned for in this development. Nor is it clear that SUDs are situated outwith areas prone to flooding. These aspects of the proposal will be assessed by SEPA at a detailed design stage and as part of a licence application if necessary. A commitment to 2 levels of SUDs is acceptable in principle, however, as this meets current SEPA guidance. Early discussion with SEPA's local team, however, is recommended. In addition, attenuation requirements should be assessed by the planning authority.*

Foul Drainage

2.10 *The Drainage Strategy: "The report will also identify capacity constraints and discharge points for the foul drainage and surface water drainage. This element of work is reliant on information being made available by Scottish Water within the reporting timescales."*

2.11 *In principle, connection to Scottish Water network is acceptable and in line with SEPA expectations. There is no indication, however, that this is achievable and Scottish Water comments are necessary. No information (i.e. Scottish Water comments) has been provided that will allow SEPA to assess potential impacts on the water environment from foul drainage from the proposed development.*

3. River Basin Management Plan. The Gogar Burn.

3.1 *We note this planning application does not mention any alterations to the Gogar Burn.*

3.2 *SEPA would like to encourage any opportunity this proposed development provides for restoration of the Gogar Burn. With or without restoration, however, any proposed development should not lead to the deterioration of the neighbouring waterbodies or increase flood risk: please see Sections 1 and 2 above.*

3.3 *The River Basin Management Plan for Scotland published December 2015, classifies the Gogar Burn (Union Canal to River Almond) as being at bad ecological potential due to man-made barriers to fish migration, modifications to physical condition and water quality (urban diffuse pollution). The measures to improve these pressures are to be implemented 2016 - 2021. This information is available on the SEPA website - <http://www.sepa.org.uk/data-visualisation/water-environment-hub/>*

3.4 *Given this commitment in the River Basin Management Plan, any developments which include improvements to these pressures would be strongly encouraged. As there are a number of applications in this area, this restoration would ideally be addressed in a strategic manner along the whole burn. In summary, these developments provide an opportunity to restore the burn towards good ecological potential and as such would be strongly encouraged by SEPA.*

4. Air Quality and Greenhouse Gas Emissions

Air quality

4.1 *The proposed development will be in an area that is currently not affected by poor air quality. An air quality modelling assessment has been undertaken and the findings are reported. We note and welcome the decision to use ADMS Roads to assess the impact of traffic on local air quality. The modelling assessment has shown that the completed development is unlikely to have a significant impact on local air quality.*

Greenhouse gas emissions

4.2 We note that the development is located some distance from local amenities and, therefore, there is likely to be an increase in the number of journeys made by car. While this figure may appear to be insignificant, when considered alongside other developments across Scotland, the cumulative increase in the distance travelled by car, and subsequent emissions of carbon dioxide, could undermine the Scottish Government's commitment to reduce emissions of greenhouse gases.

4.3 Scottish Planning Policy sets out an approach to integrating transport and land use planning by supporting a pattern of development and redevelopment that "reduces the need to travel and as a consequence reduce emissions from transport sources". It also states that "Planning permission should not be granted for significant travel-generating uses at locations which would increase reliance on the car and where the transport assessment does not identify satisfactory ways of meeting sustainable transport requirements."

4.4 Greenhouse gas emissions from road traffic are expressed as grams of carbon dioxide emitted per kilometre travelled (g/km). Every additional km travelled, therefore, will increase the emissions of greenhouse gases. Road transport emissions account for 72.4% of all transport emissions of greenhouse gases and cars account for over half road emissions. "The Climate Change (Scotland) Act 2009 sets a target of reducing greenhouse gas emissions by at least 80% by 2050, with an interim target of reducing emissions by at least 42% by 2020. Annual greenhouse gas emission targets are set in secondary legislation". Section 5 of the Scottish Government's Climate Delivery Plan describes the issue in detail.

Cumulative effects of development

4.5 When considered in isolation, a single development will appear to have a negligible impact on local air quality. When the same development is considered alongside other developments in the area, however, the cumulative impact could be more significant, particularly along main commuter routes. SEStran has warned "the allocation of extensive new land for development underlines the importance of integrating land-use and transport planning in the SEStran area, building these links into the forthcoming City Region plan and other development plans. Failure to do so will lead to further significant increases in car use", and " It has been demonstrated that the SEStran area faces particular challenges in catering for the travel volumes and patterns resulting from the anticipated growth in population and employment in the area. In addition to the forecast increase in the number of jobs, the trend of dispersal of jobs, services and homes will, if it continues, bring further pressure to bear on the transport network." Transport Scotland advise "With several proposals in close proximity, a more detailed Transport Assessment of the cumulative impact of the proposals may be more appropriate than one for each proposal in isolation".

4.6 It is important, therefore, that the City of Edinburgh Council is satisfied that the assessment has considered the cumulative impact of all development that will add traffic to the road network- particularly along main commuter routes. 'Land-Use Planning and Development Control: Planning for Air Quality' (Produced by Environmental Protection UK and Institute of Air Quality Management, 2015) explains how a cumulative impact should be undertaken.

5. Ecology

5.1 No Groundwater Dependent Terrestrial Ecosystems were identified within the Development Site.

5.2 Non-native Invasive Species are mentioned (e.g. Giant Hogweed) but no mitigation measures to avoid their spreading are described. Developers have a legal responsibility to prevent the spread of invasive species. Guidance on measures and techniques for achieving this can be found on the UK government website: <https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>. SEPA encourages the applicants to follow the guidance and include it in their application and Construction and Environmental Management Plan.

SEPA further comment

We previously objected to this application on the grounds of lack of information on flood risk and drainage on 27 January 2016 (our reference PCS/144200).

We are in a position to withdraw our objection on the grounds of lack of information on flood risk should conditions (set out in Section 1) be attached to any planning consent.

We must maintain our objection on the grounds of lack of information on drainage. Please see Section 2.

1. Flood Risk

1.1 We are now in a position to remove our objection to the proposed development on flood risk grounds provided that, should the Planning Authority be minded to approve this application, the following planning conditions are imposed:

- o There should no raising of existing ground levels below the 0.5% AP (1:200) flood level.
- o There should be no built development within the 0.5% AP (1:200) floodplain.
- o Finished floor levels should include an allowance for climate change impacts and 600mm freeboard allowance.

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

1.3 Notwithstanding the removal of our objection subject to the above conditions, we expect the City of Edinburgh Council to undertake its responsibilities as the Flood Prevention Authority.

1.4 WSP has undertaken a flood risk assessment (FRA), which includes hydraulic modelling of the Gogar Burn, for the Phase 1 of the proposed Edinburgh International Business Gateway (IBG) to support the application for planning permission in principle. SEPA previously objected to the application on the basis of insufficient information to assess the potential risk of flooding to the development and elsewhere. SEPA previously responded to consultations in January and March 2016.

1.5 The consultant has assumed that any replacement crossings of watercourses in the 36.7ha site will be of equivalent size or larger to ensure that they do not create flow restrictions within and around the site. The SEPA Flood Map indicates a risk of flooding from the Gogar Burn along the north edge of the Phase 1 site. It should be noted that the SEPA Flood Map does not show any flood risk from the small tributaries of the Gogar Burn as these fall into the category of draining less than 3 km² catchments and are therefore excluded. This does not mean that there is no risk of flooding from these smaller watercourses.

1.6 In addition to the Gogar Burn there is the Ratho Channel which enters the site via a culvert under the A8 to the south of the site and flows north-west across the site before discharging to the Gogar Burn. There is also the Eastfield Road tributary which emerges from two culverts under Eastfield Road before flowing north-west to discharge to the Gogar Burn. The Gogar Burn flows north-west from this point before entering a culvert, approximately 400m long under the Edinburgh Airport runway before discharging to the River Almond.

1.7 The City of Edinburgh Council supplied the consultant with an ISIS 1D hydraulic model of the Gogar Burn. WSP has taken this model and produced a 1D/2D hydraulic model in Infoworks ICM. The Gogar Burn, the Ratho Channel and the small tributary emerging from under Eastfield Road are modelled in 1D while out of bank flows are modelled in 2D. The Gogar Burn gauging station at Turnhouse is set as the upstream boundary and the confluence with the River Almond is set as the downstream boundary. WSP has removed glass walls and added cross-sectional detail to the 1D model to improve it. The 2D ground model is an irregular triangular mesh element constructed using a combination of topographical survey and LiDAR data.

1.8 A stage hydrograph has been used as the downstream boundary to represent the backing up effect of the River Almond on the Gogar Burn at this location. It is noted that the water level rises gradually by 100 mm between the 2% AP (1:50) and 1% AP (1:100) floods and then by 2,450 mm between the 1% AP (1:100) and 0.5% AP (1:200) flood levels. It is assumed that this significant rise above the 1% AP (1:100) water level is not attributed solely to flood flows in the River Almond but also the limited capacity of the culvert under the airport runway.

1.9 Of note there are eight bridge/culvert structures in the model. Two of these bridge structures on the Gogar Burn, downstream of the site, have not had their openings surveyed and have been assumed, however these are large openings. The consultant has undertaken blockage scenario run on the two culverts g790 and g710 and at the Eastfield Bridge at the recommendation of SEPA and City of Edinburgh Council. Additional runs were also undertaken to investigate potential impact of flap valves on circular pipes to simulate the pipework beneath the tramlines.

1.10 The FRA is based on the hydrological assessments undertaken in 2015 and agreed with SEPA in an email dated 3 July 2015. We confirm that we remain satisfied with the design flows used to estimate flood levels and extents at the application site. In terms of design hydrographs for the purpose of the hydraulic model the consultant has applied ReFH hydrographs. Since 2015 when the hydrological assessment was undertaken ReFH has been replaced by ReFH2. We suggested in our July 2015 communication that the design hydrographs be based on observed floods at Turnhouse gauging station. The observed data for the Turnhouse gauging station could have been used to check that the hydrograph shape produced by theoretical methods was appropriate.

1.11 The model output suggests that at the 2% AP (1:50) flood and more extreme events floodwater will be conveyed through the dry culverts under the tramline embankment and into the north-west part of the site. The FRA advises that approximately 4,000 m³ of water will pond in this area up to a depth of 950 mm during a 0.5% AP (1:200) flood, including climate change. High water levels in the Gogar Burn prevent the flap valves on the Ratho Channel and Eastfield tributary from opening which results in waters backing up in the tributaries and spilling out over right and left banks during 2% AP (1:50) floods and greater. The SEPA flood Map extents for the 10% AP (1:10), 0.5% AP (1:200) and 0.1% AP (1:1,000) floods on the application site are similar to size and shape to the 0.5% AP (1:200) plus climate change flood extents presented in the FRA.

1.12 The consultant has undertaken blockage scenarios on a number of culverts as requested. A 10% blockage scenario at the culvert at the end of Eastfield Avenue will not impact on the site but a 25% and 50% blockage will result in raising flood levels by 30 mm and 120 mm respectively for a 0.5% AP (1:200) flood including climate change allowance. A 50% blockage at the Eastfield culvert under the tramline during a 0.5% AP (1:200) flood, including climate change allowance, will not result in water overtopping onto the site according to the FRA.

1.13 Model runs were also carried out to investigate 50% blockage scenarios at bridge structures g710 and g790. These are large structures and the model runs indicated that the blockage scenarios did not result in out of bank flows at the locations or result in increased flood extents at the application site for the 0.5% AP (1:200) flood including climate change.

1.14 A sensitivity analysis has been undertaken on the Manning's 'n' roughness coefficient only. This indicates that for a 20% variation in Manning's 'n' there is up to a 240 mm variance in Gogar Burn estimated flood levels and similar on the Eastfield tributary and 50 mm on the Ratho Channel. We would consider the results for the Gogar Burn and Eastfield tributary to be sensitive to the choice of Manning's 'n' but within the 600 mm freeboard allowance generally applied to new development. No similar sensitivity analysis has been undertaken for the flows or downstream boundary.

1.15 The consultant has considered the incorporation of flap valves on the drains under the tramline so that water could not flow westwards from the Gogar Burn. This scenario has been modelled to determine the potential impact. The model output for a 0.5% AP (1:200) flood, including climate change allowance, indicates that approximately 9,900 m³ would be stored immediately upstream of this location on the floodplain at a depth of up to about 1.2 m.

1.16 There is a drawing entitled "Development Parameters", drawing number L(PA)03 rev01, that indicates the proposed development layout. It indicates no proposal to develop within the 0.5% AP (1:200) floodplain on the east side of the tramline. The FRA recommends that this area should be landscaped to provide additional storage for floodwater and reduce the volume of water passing under the tramline to the west. There are no model results presented to demonstrate if this would be successful. Digging a hole in the floodplain will perhaps only provide a slight delay to the onset of flooding to land on the west side of the tramline. Once it has filled up by medium sized flood events there will be no storage volume left to attenuate the larger events. It is unlikely to provide benefit during a 0.5% AP (1:200) flood but it would require hydraulic modelling to confirm if this might be the case. However we can confirm that we are satisfied that there is no new development proposed on the functional floodplain in this area and no likely negative flood risk impacts elsewhere.

1.17 On the west side of the tramline the area identified as the 0.5% AP (1:200) floodplain is proposed as non-building development. Its uses would be limited to such things as landscaping, vehicle access and parking. We are concerned by the suggestion that avoidance of built development in this area may only be a temporary measure with flood mitigation measures to be proposed in the future. It is unknown if this refers to the proposal to provide additional storage on the east side of the tramline or something else. We would highlight that avoidance is the cornerstone of sustainable flood risk management.

1.18 The FRA refers to the proposed Gogar Burn diversion which would divert the Gogar Burn to the east of the airport runways and away from the application site. The diversion would have significant environmental and water quality benefits. (Please see Section 2.5.) While the diversion of the Gogar Burn would not directly impact on the application site there has to be some consideration of the flows currently discharging to the Gogar Burn via the application site. These include flows conveyed by the Ratho Channel and the Easterfield Road tributary. These flows would either need to discharge to the existing Gogar Burn channel and discharge to the River Almond as occurs at present or they would need to be directed through the site to link with the realigned channel. The upstream extent of the proposed Gogar Burn diversion is close to the 40 mAOD contour so it is unlikely that the flows could be linked to that location and any connection downstream would require culverting below an airport runway.

1.19 In summary the FRA has identified the areas of the application site that are at risk of flooding from a 0.5% AP (1:200) flood. We are satisfied that there is no proposal to locate built development within the functional floodplain and accept that areas currently at risk from a 2% AP (1:50) and greater floods may be suitable for landscaping and temporary car parking. We are therefore now in a position to withdraw our objection to the planning application. Limited sensitivity analysis indicates that the hydraulic model used to determine the flood levels and extent is sensitive to some blockage of the culvert at the end of Eastfield Avenue and to the selection of Manning's 'n' roughness coefficient. As such it is important that appropriate freeboard allowance in addition to a climate change allowance is incorporated in development levels. We recommend a minimum freeboard allowance of 600 mm and advise that there should be no land raising permitted within the defined 0.5%.

Summary

In summary, we are now in a position to remove our objection to the proposed development on flood risk grounds, subject to the following planning conditions being imposed:

- o There should no raising of existing ground levels below the 0.5% AP (1:200) flood level.
- o There should be no built development within the 0.5% AP (1:200) floodplain.
- o Finished floor levels should include an allowance for climate change impacts and 600mm freeboard allowance.

Caveats & Additional Information for Applicant

1.20 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/>.

1.21 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.

1.22 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 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/>

2. Drainage

2.1 In our response of 27 January 2016 we expressed concerns about (section 2.5) proximity to watercourses and (2.11) foul drainage. The additional information that has been submitted in support of this application includes an update note which refers to an updated "Parameters Plan and update of the corresponding D and A sections."

Proximity to watercourses

2.2 We identified the need for clarification on the position and proximity of development (including foul and surface drainage) to surface water, taking into account buffer strip requirements.

2.3 The updated parameters plan indicates that there is an apparently undeveloped area adjacent to stretches of watercourses lying outwith the marked development zones. However, this is at odds with the Design and Access Statement revision 1 Oct 2016 which shows SUDS drainage features of swales and bioretention beds built in the area outwith the development zones shown in the parameters plan adjacent to the watercourses and without evidence of a buffer strip. Further clarification is required.

Foul Drainage

2.4 *It is possible that we have overlooked some document or documents but we cannot find any additional information on proposals for foul drainage, such as confirmation that foul drainage will go to the Scottish Water foul sewer.*

Gogar Burn

2.5 *The Design and Access Statement indicates the proposed diversion of the Gogar Burn. We are uncertain if this indicates the intention that this improvement will be delivered by this development. This point should be clarified.*

SEPA further comment

There is no flood risk assessment (FRA) to review. What we have been sent is an independent review of the FRA and a self-certification of this document. SEPA does not comment on self-certification. We will provide comment on the FRA or a draft of the FRA when it is produced.

SEPA comment - Supplementary Environmental Information + Transport Assessment Addendum

Advice for the planning authority

From SEPA's perspective, the issue of relevance in this additional information is impacts on air quality and our advice on this follows at Section 1.

1. Air Quality

1.1 *The City of Edinburgh Council (CEC) currently has six Air Quality Management Areas (AQMA) due to exceedances of NO₂ and PM₁₀ objectives. Five of these AQMAs are due to transport emissions. The application site lies approximately 1.8km east of the closest AQMA (Glasgow Road 2013), designated due to exceedances of the objectives for NO₂. Annual mean NO₂ concentrations have approached or exceeded the AQ objective of 40 µg/m³ at four monitoring locations in the vicinity of the proposed development during recent years.*

1.2 *In agreement with CEC air quality monitoring, the dispersion model used as part of the air quality impact assessment for the proposed development indicates that the NO₂ and PM concentrations are above the objective levels within the vicinity of this development in the baseline year (2016) and are expected to remain in breach of the objectives by 2027.*

1.3 *This highlights that poor air quality is an issue in the CEC area and in the vicinity of the area of proposed development. Studies have shown that 88% of all NO_x in Edinburgh originates from road vehicles. For this reason SEPA strongly recommends that good practice to reduce emissions and exposure is incorporated into all developments.*

1.4 *It is SEPA's preference that air quality assessments use the same emission factors for the baseline and the future year scenario, which provides a worst-case assessment. In doing this a sufficient level of confidence can be placed within the predicted pollution concentrations, as no assumption has been made regarding future improvement in vehicle emissions.*

1.5 We recommend, therefore, that CEC focuses on the results of the 2027 sensitivity test as this is a worst-case scenario where emissions and background concentrations have been held at the baseline year of 2016, and no assumptions regarding future improvement to air quality have been made.

1.6 The results of the 2027 sensitivity test indicates that the annual NO₂, PM₁₀ and PM_{2.5} objectives are likely to be exceeded at 5 sensitive receptor locations. Considering this, there is likely to be a direct, permanent, long-term effect on local air quality at the location of sensitive human receptors of moderate negative to minor negative significance.

1.7 Mitigation measures, therefore, must be incorporated into the design of the development. EPUK and IAQM guidance; Land Use Planning and Development Control Planning for Air Quality provides a section on 'Principles of Good Practice'. The section outlines examples of good practice for air quality mitigation in the design and operational phases of development.

1.8 The air quality statement comments that "improvements in air quality will be achieved through the promotion of more sustainable modes of transport, for example walking, cycling and public transport which will help reduce the number of private car journeys associated with the Proposed Development". The applicants should be encouraged, therefore, to link the site with active travel routes planned for the West of Edinburgh or provide a contribution towards proposed measures. We would also encourage the applicants to commit to installing electric vehicle 7Kw chargers to support the uptake of low emission vehicle use and ensure there are appropriate facilities for cyclists and pedestrians accessing the site.

Environmental Assessment interim comment

We would advise using the air dispersion model ADMS-Roads for assessment purposes (using the most up to date emission factors), it should be noted that we do not accept DMRB models. The model should consider current year and the year of opening both with and without development to ensure for all scenarios. This may be a little bit more complicated for this proposal due to the extent of this development extended period of development time required.

Use the most up-to-date annual average NO₂ concentration for this location for verification purposes. The airport do also have a number of PSD in the area, you should be able to obtain data from them richard_townsend@edinburghairport.com . We can provide this data if required or click on the following link;
http://www.edinburgh.gov.uk/downloads/download/117/local_air_quality_management_reports

Maps showing the road links must be provided that consider A8 between the Gogar roundabout and the Newbridge junction on the M9 as mentioned and furthermore the following road links:

- o Eastfield Road
- o Fairview Road
- o Ingliston Road

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

- o Background NO₂, PM₁₀ and NO_x concentrations can be obtained from the Scottish Air Quality website for the relevant modelled years;*
- o Meteorological Data from the Edinburgh Gogarbank monitoring station is appropriate; and*
- o Annual Average Daily Traffic data including speeds calculated to the form 'vehicles per hour' for diurnal traffic flows.*
- o Monin Obukhov length can be determined through the verification process.*

The submitted AQIA must clearly show all the data used for each site used for verification purposes.

To assess the potential for impacts on local air quality from traffic emissions and construction phase impacts we advise that you use the criteria defined in Environmental Protection UK's document, Development Control: Planning for Air Quality (2010 Update).

All energy centres must also be taken into account, and must ensure that they comply with the Clean Air Act. We will not support the use of biomass. No other industrial sources are in close proximity as far as I'm aware.

We will also be pushing to ensure that sustainable green transport modes are fully incorporated with car parking numbers are kept to a minimum and Electric Vehicle charging facilities provided throughout.

It's been made clear that one of the main issues Environmental Assessment has about this proposal is the adverse impacts it will have on local air quality along with the introduction on new residential properties into areas of poor air quality. There have been many studies and reports carried out to assess transport impacts in this area. Environmental Assessment would need assurance that all these assessments complement each other and ensure that a worst case scenario is assessed with adequate mitigation measures are fully implemented.

It is my understanding that the Transport Infrastructure Study for West Edinburgh, Phase 1 (TISWEP) identifies the least cost infrastructure interventions needed to service the additional travel demand associated with the revised level of development in 2021, along with the infrastructure requirements for the new interim development levels in 2013 and 2017. This study area has only included the major junctions of Newbridge roundabout, Gogar roundabout and the A8 Dumbbells at Eastfield Road. The impact of the developments on the wider area was not considered. Any proposed development should take into account the Cammo, Maybury and Edinburgh Park/South Gyle proposed developments as well as other smaller committed developments in the area.

The TISWEP concluded that development could be supported if a range of transport mitigation measures were introduced. These interventions are due to the proposed level of development and it is therefore reasonable to expect the proposed developments to fund these interventions. However, it is understood that at the level of development expected beyond 2017, the Newbridge roundabout junction ceases to operate successfully and there is no 'low cost' solution to resolve this. There are plans to upgrade the signals on this roundabout which is discussed later in this email.

The TISWEP makes the following recommendations:

- o That the infrastructure interventions be implemented as detailed in the report (improvements to Gogar Roundabout, Newbridge Roundabout and the dumbbells roundabout underneath the A8 at the south of Eastfield Road);*
- o That sufficient bus service subsidy is applied and a Travel Planning Coordinator appointed to assist in the delivery of the Mode Share Target;*
- o That a performance monitoring tool is established to permit the impact of development traffic to be mapped against predictions, to inform traffic management strategy and assist decision making; and*
- o That the performance of Newbridge roundabout is reviewed when the quantum of development exceeds the levels considered by the report for 2017.*

It would be helpful to have a basic table highlighting the trigger points associated with the above recommendations and how this compares with what is currently being proposed under this phase of the development. It was my understanding that the quantum of development proposed under this phase would trigger all the transport mitigations measures as recommended in TISWEP.

TISWEP also comments on providing funding for local air quality monitoring, it highlights an inappropriate pollutant for monitoring and it should now be noted that the City of Edinburgh Council has already installed a air quality monitoring station so another station would not be required.

Transport Scotland prepared the Forth Replacement Crossing Refreshed Public Transport Strategy (1 August 2012) to assess the combined new and existing Forth crossings on the network. This work was carried out in partnership with SEStran and relevant local authorities, including the City of Edinburgh Council. The strategy seeks to ensure public transport integration and encourage modal shift from cars to public transport. To this end it includes a number of projects, including "Park & Choose" facilities at Halbeath and Rosyth (this has been completed), improvements to Newbridge interchange to prioritise buses and bus priority on the A8/A89. This Public Transport Strategy has stated that it will complement the impact of the IBG, this must be carried forward.

It should be noted that the proposed development site is located in very close proximity to an existing Air Quality Management Area which was declared on 26/04/2013 after TISWEP was concluded. The current area of concern is part length of A8, between Newbridge Roundabout and Ratho Station, to the depth of the building facades for NO₂, see map below.

The City of Edinburgh Councils Air Quality Progress Report 2014 has commented on specific issues regarding the Newbridge roundabout. For example The traffic signalling which controls Newbridge roundabout is a 'non cable linked fixed time' system. It operates a fixed green time for each of the links of the junction. This system is very inflexible and is unable to respond to fluctuations in the volume of traffic on each approach, which results in losing time under low flow conditions and causing congestion under heavy flow conditions.

As mentioned earlier the local authority secured funding from the Scottish Government Air Quality Action Plan Grant Scheme to undertake a feasibility modelling study which considered three options for Newbridge Roundabout to reduce congestion on the A8 approach. The options were as follows:

- o Option 1 - Optimisation of Signal Timings*
- o Option 2 - Implementation of Microprocessor Optimised Vehicle Actuation (MOVA)*
- o Option 3 - Road Widening on A8 approach to 3 lanes.*

All three options were evaluated with respect to reduction in emissions of NOx, PM10, total carbon and traffic queue lengths for the PM period on the A8 approach. The modelling study showed significant emission reductions and reduced vehicle queue lengths for all three options. It is my understanding that the Council has now evaluated all three proposals with respect to cost and benefit, and a decision has been made to progress option 2.

Environmental Assessment would like confirmation that there is synergy between the above mention reports and the proposed development. Clearly a detailed air quality impact assessment will be required this must be linked in to what is agreed by transport and take into account the above mentioned developments in the local plan (Maybury, Cammo etcetera), it will also need to comment on committed developments in West Lothian. Details of the proposed energy plants must also be assessed, including the cumulative impacts of small boilers. It should be noted that Biomass will not be supported by Environmental Assessment. This air quality impact assessment must be submitted along with any PPP application.

Environmental Assessment do stress that parking numbers must be kept to a minimum and bold bespoke plans to integrate electric vehicle charging infrastructure throughout the development must be included. This should also include the provision of electric vehicle charging infrastructure for passenger buses. Agreements should also be made in regards to service vehicles meeting tight emissions standards.

Environmental Assessment would recommend that a basic noise impact assessment is carried out across the site in order to get an understanding of the existing background noise levels. This should be submitted with any PPP application. Further more detailed noise impact assessments can then be submitted when the detailed applications are submitted.

Other issues which can be addressed by condition for any PPP application are contaminated land, floodlighting and odours.

Environmental Assessment comment

The applicant has submitted a basic air quality impact assessment which Environmental Assessment would require a number of areas and assumptions clarified. However one of the most import aspects of the air quality model is the traffic data that is used. It is my understand that a review of the WETA is currently begin carried out.

The air quality impact assessment will need to be updated to take this review into account. It should be noted that a new traffic management system (MOVA) has just been installed on the Newbridge roundabout and has only now began operating optimally. I have attached a copy of the Newbridge Air Quality Improvement Study March 2014. Environmental Assessment would always be looking for a worst case scenario air quality impact assessment. Can we please be kept up-to-date with Transport issues as they evolve.

General Comments on AQIA;

- o On-site real time monitoring should be considered for the duration of the construction phase.*
- o Edinburgh Airport traffic numbers and projections must be accurate*
- o Predicting 30 years into the future is going to adversely impact the model output*
- o The AQIA states that no energy centre are proposed, this cannot be accurate any proposals with energy demands greater than 366Kw should be considered. We will not support Biomass.*
- o Construction Phase mitigation is basic, something bespoke must be developed looking at the detailed proposed phasing of the development over the 30 years construction period.*
- o We would question the method used when considering baseline traffic contributions*
- o We will need our Transport Planning Officers to fully agree with the traffic data being used.*
- o The scope may need to be increased and take into account St Johns Road Air Quality Management Area, we have issues with both annual and hourly mean NO2 levels in this AQMA*
- o There are no details of the proposed mitigation measures for the operational phase, I understand that the site will have a low number of parking provisions, but this is not mentioned in the AQIA. The site is well served by the Tram and there is no mention of electric vehicle charging facilities.*
- o WETA update should take into account new traffic management system installed on Newbridge roundabout.*

Affordable Housing comment

Services for Communities 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 7 Affordable Housing in the Edinburgh City Local Plan.*

2. Affordable Housing Requirement

This application for a mixed use development is to include 396 residential units integrated within the site and as such the AHP will apply and a contribution for 25% of the total units (99 homes) should be provided. The applicant has mentioned that it is the developer's intention to provide affordable housing provision amounting to the 25% requirement onsite and this is welcomed by this department. However the specific type, location and distribution of the homes are still to be determined through discussions with this department.

In accordance with the AHP guidelines, the Council will seek homes of approved affordable housing tenures that meet an identified need. These should be delivered across at least two separate plots of land to ensure there is no concentration of affordable housing in any one corner of the site. Affordable homes should be well integrated and offer a representative mix of the style and size present across the wider site.

This department would request that the developer enter into early dialogue with the Council regarding the most suitable delivery mechanism for the affordable housing requirement.

The developer will be required to enter into a Section 75 legal agreement to secure these affordable homes.

Flood Prevention comment

Even though the applicant has not provided the certificate A1 or B1 covering the Surface Water Management Plan we have reviewed this application. Here are our other comments regarding outstanding information.

The applicant must provide a certificate Appendix A1 and B1 covering the Surface Water Management Plan. The Certificates provided for the Flood Risk Assessment have been received.

We are aware that the drainage strategy document has been written in November 2015. There are a number of design standards that have moved on since then. As a result we would request that the applicant confirms that they will design the site going forward in accordance with the following standards;

*C753 The SuDS Manual instead of C697 The SuDS Manual
Sewers for Scotland Version 3 instead of Sewers for Scotland version 2*

The applicant must identify existing and proposed surface water flow paths on drawings. This can be achieved by taking the existing site survey and over-marking arrows to denote falls and then completing the same with the post-development arrangement. This should include runoff from outwith the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system. The purpose of these drawings is twofold. Firstly to understand if there is any significant re-direction of surface flows to surrounding land and secondly to identify if surface water will flow towards property entrances.

The allowance for climate change has been revised to be 30% when calculating attenuation storage. As a result please can the applicant submit updated Microdamage calculations to support the site showing no flooding during the 1:200 year + 30%cc event.

Should the applicant wish to construct >1000 car parking spaces then a CAR Authorisation will be required from SEPA. Upon planning determination a condition should be applied to this affect so that this authorisation is obtained at the appropriate time the design process so as to accommodate SEPA's comments and potential requirements.

Active Travel Team comment - ES Supplementary Doc+Addendum

Firstly, it may be worth noting that there are improvements in the pipeline for the A8 - more info can be found here:

http://www.edinburgh.gov.uk/info/20087/cycling_and_walking/1391/a8_route

Additionally, you may be aware that we won a bid for a significant improvement to active travel provision in the West of Edinburgh. It's not planned to extend quite as far as this site, but obviously it would be great if all of these developments tied in to provide cohesive routes or provided developer contributions:

http://www.edinburgh.gov.uk/download/downloads/id/10053/west_edinburgh_active_travel_network.pdf

I've also noted a few things below in response to the documents available on the planning portal:

- o The blue lines below would be required to be built to Edinburgh Street Design Guidance (factsheets now available online)*
- o I see a discrepancy between this and map and the illustrative masterplan in the Masterplan Implementation Strategy, which doesn't have any indication of shared footways, or even footpaths along the east side or Eastfield Road on the west.*
- o The paving along the frontages of the buildings along Eastfield Road don't seem to be connected by one continuous footpath - it's all a bit fragmented. Ideally any cycle paths would be direct, convenient, and safe.*
- o We should be promoting high active travel modeshare throughout, and take into account the new parking standards.*
- o Within the site, all buildings are to connect into the cycle paths. Convenient and secure cycle parking should be in every building and accessible directly from the routes. Entrances to buildings should consider pedestrians arriving from footpaths, and be located with this priority in mind.*
- o Ped crossings should be toucan crossings (at grade and single stage ideally) if connecting with segregation/shared footway.*
- o Showers, changing, lockers and clothes drying facilities will be provided in each office development building. Within the site, all buildings are to connect into the cycle paths directly, particularly for convenient and easy access to the internal secure cycle parking.*
- o Consideration needed for cyclists crossing tram tracks - should always be at >45 degrees, ideally at a right angle.*

Edinburgh Airport comment

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

Submission of a Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by Edinburgh Airport and the Planning Authority.

The submitted plan shall include details of:

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

The Bird Hazard Management Plan shall be implemented as approved by Edinburgh Airport and the Planning Authority, on completion of the development and shall remain in force for the life of the development.

No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.

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

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season.

Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Edinburgh Airport Airside Operations staff. In some instances it may be necessary to contact Edinburgh Airport Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

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

We would also make the following observations.

Cranes

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

Lighting

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

The change in building heights within the development have been review and is accepted, as the maximum height does not exceed 75.2m AOD.

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

As the application is for planning permission in principle, it is important that Edinburgh Airport is consulted on all applications for approval of matters specified in conditions to siting and design, external appearance (including lighting) and landscaping.

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Edinburgh Airport, or not to attach conditions which Edinburgh Airport has advised, it shall notify Edinburgh Airport, the Civil Aviation Authority and the Scottish Ministers as specified in the Safeguarding of Aerodromes Direction 2003.

Architecture and Design Scotland comment

Further to your recent request (11th January 2019) this letter provides a summary of the outcome of our earlier involvement in the masterplanning process for IBG phase 1 at a preapplication stage.

This letter summarises our view of the pre-application masterplan proposal as reviewed at the conclusion of a series of advisory workshops led by Architecture & Design Scotland in 2015. It should be noted therefore that subsequent developments in procurement intent, masterplan design or planning submissions have not been taken into account in this advice.

Scope of Advice

Our advice in 2015 related to the following aspects of place policy and deliverability:

The proposed delivery model

Public realm and street design

Building massing related to landscape and visual impact

Design controls and phasing

Sustainable infrastructure

Nature of IBG phase 1 in relation to current and future context

Issues

Our advice concluded that the proposals could be supported by A&DS if specific matters were addressed including procurement strategy, design proposals and supporting analysis.

These matters included:

Delivery Model

Improved commitments to early delivery of the designed and planned qualities of public realm, particularly at the key hub space around the tram stop. Deliverability of public realm proposals in this area to be more fully tested with tram operator and the council.

Commitment to remove P&R car park expansion area to allow the realisation of the masterplan proposals and consistency with the parameters drawings.

Commitment to early delivery of the proposed civic building.

Public Realm and Street Design

Preference for a more integral bus route south of P&R car park.

Further work to manage or remove the impact of 'back court' car parking on residents and office users. Including re-balance towards less off-street parking.

Further steps to reduce car dominance, improve pedestrian vibrancy and activate streets through stronger prioritisation of active frontage uses.

Mechanism for securing the local shops and amenities required to support a new resident community more fully defined and firmly established.

Better defined residential frontage and threshold along park edges and eastern edge.

Building Massing Related to Landscape and Visual Impact

Strengthen soft landscape structure proposals linked to local character.

Develop built form and landscape proposals to address findings of Landscape and Visual Impact Assessment.

Design Controls and Phasing

Stronger definition of critical qualities of place expected and design controls that prioritise delivery of these qualities.

Sustainable Infrastructure

Consolidate and embed planned innovations in sustainable infrastructure.

Distinction between IBG phases 1 and IBG East

Clearer distinction sought between relative role and characteristics of Phase 1 local centre/hub and the adjoining centre/hub planned for IBG east.

Stronger definition of uses required to achieve 'centre of gravity' at phase 1 centre/hub.

Improved 'High Street' route and east - west integration with IBG east across burn corridor/parkland. To facilitate resident use of planned future facilities located in IBG east.

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Summary

(The proposals were assessed by A&DS in relation to the question: "Have the building/s and the environs been successfully considered in terms of the needs of users and the wider community?" Levels of support: level 1- potential exemplar, level 2 - well considered, level 3 - with potential but unsupported, level 4 - outcome at risk and unsupported.)

Overall the panel found the developed proposals for IBG phase 1 positive and potentially exciting. The direction of travel in working closely with the City Council is excellent and it is clear that the level of ambition for both the project team and the council is very high. There is a need to keep the precedents in mind and to extract the lessons as the masterplan and quality controls documents are pulled together. There are potential steps back in some respects since the second workshop and there is a need to establish commitments related to the council's corporate role. Establishing greater clarity on sub-phasing and the early delivery elements is also essential. There is great potential for a high quality of development, however to secure the standards expected there is a need to extend the scope and content of design controls to secure delivery by third party developers. Furthermore there is a need to develop aspects of the masterplan in relation to the: park-and-ride (P&R) car park, location of parking, commercial block layouts, housing layout, the link with IBG East and the bus route.

Work on sustainable infrastructure and to reflect learning from the outcome of ongoing Landscape and Visual Impact work (which is ongoing and which was not presented to the panel) is also required.

We recognise and applaud the ambition for the project, however we feel that a significant amount of work is still required to ensure that the intended qualities are clearly defined or that suitable design controls or delivery mechanisms are in place to secure the intended quality of outcome. We therefore consider that the project is capable of reaching the standard of well-considered (level 2). However this level of support is subject to the conditions indicated under each topic below being fully addressed either by the Project Team or, in some cases, by the City of Edinburgh Council (CEC).

Recognising the ambition alongside the significant amount of work still required the project is supported as well-considered (level 2). However this support is subject to important and substantial conditions relating to issues that remained to be addressed either by the Project Team or, in some cases, by the City of Edinburgh Council (CEC). The conditional elements are indicated below each topic in the next section.

Topic Appraisal and Conditions

(This section indicates a concluding analysis and appraisal of the proposals in terms of the topics discussed during the Design Forum workshop series. Conditions of A&DS support are included as a footnote to each topic)

Delivery Model: Establishing Quality and Attracting Investment

Appraisal on this topic:

The direction of travel and intent are promising, however the critical strategic commitments indicated at workshop 2 remain to be secured. The panel emphasised the importance of certainty with regard to taking forward commitments to public realm delivery by the council (see (1) below), and the incorporation in the masterplan of land designated for the eastern expansion of the P&R car park (see (2) below). There is a need for a clear definition of subphasing, in particular what is to be delivered early around the tram stop (see (3) below). The potential for delivery of the civic buildings should be tested (see (4) below). Further work to consolidate the means of integrating the tram into the public realm (see (5) below) is also required.

(1) In relation to the delivery of public realm: the mechanism for delivery (e.g. via S75 contributions), the delivery sequence and the adoptability of the public realm as designed remain to be established with transportation officers and other relevant parties at CEC. The intent for the council to deliver the public realm was welcomed by A&DS when this was suggested at the second workshop. The city's early delivery of the quality of streetscape intended is seen as critical in ensuring a benchmark is set at an early stage for the quality aspired to across the site. However the form and scope of the streetscape and public realm to be adopted by the city remains to be endorsed by officers, including important details on the adoptability of what has been drawn and illustrated to date. If the masterplan and design controls need to be modified to meet adoptable standards then any modifications should meet the level of ambition and quality of design for these critical element as currently shown. Phasing proposals should be included that establish the need for up-front delivery of public realm at the hub space around the tram stop.

(2) The P&R eastern expansion area needs to be incorporated into the development to avoid phase 1 being reduced to a thin ribbon of sites that does not appropriately define the 'hub' space. The panel considered that the new development needs a minimum necessary depth of two blocks east-west between the linear park and the P&R to establish place qualities and to limit the short-term impact of retention of P&R surface car parking. It was noted that the parameters drawings conflict with the masterplan in showing differing extents of development; these should be revised to be consistent with one another. The panel encouraged urgent work to establish the council's corporate commitment to re-locate the P&R eastern expansion area to permit a necessary increase in the critical mass of masterplanned development in the short term [recognising that the tram extension to Newbridge and the relocation of the P&R are unlikely to be realised in the foreseeable future]. Adjustments to the documents need to reflect clarity and provide certainty on this important issue, allowing consistent masterplan and design control documents.

(3) Early delivery of the proposed civic building should be prioritised as a key benchmark. This use is currently identified in the masterplan on the P&R eastern expansion area.

Delivery of a key civic building in this location would help create a stronger place whilst implementation to the highest design standards would set a valuable quality benchmark for phase 1 as a whole.

(4) A more substantial critical mass of development needs to be defined in the masterplan and design controls. And an early sub-phase needs to be implemented at the outset, built up around the proposed hub at the tram stop. A phasing plan should be included for sub-phases within phase 1. See also 'parameters' topic in relation to sub-phasing.

(5) The handling of tram crossings has developed. Continuing efforts to work with the tram operator and council ahead of the application are welcomed as an important step in clarifying deliverability and integration of the tram line into the early public realm to be delivered by the council. The tram crossing and associated public realm proposals need to be established as acceptable and deliverable early by the council. Any modifications resulting need to maintain the current ambitions and intent as indicated for public realm generally (see (1) above).

Conditions of Support: Our support is conditional on these five matters being clearly established and defined in both the masterplan and parameters documents.

Public Realm and Urban Grain:

Appraisal on this topic:

The panel consider that there is now a clearer hierarchy and a better balance with greater emphasis on the east-west routes. There is an effective transition down the north-south routes from urban form to a landscape-edge form. There is a strong linkage north across the tram line towards the Hilton Hotel helping to bind-in the northwest part of the site. However the bus route has yet to be determined and the panel considered that this would be stronger and better integrated if located south of the P&R car park.

Conditions of Support: Our support is conditional on an integrated bus route.

Street Design: Place Qualities and Parking:

Appraisal on this topic:

The intent to achieve an urban environment as against a suburban campus approach is strongly supported by the panel. The limited imagery of the quality of places intended is convincing, and the direction of travel towards pedestrian priority, on-street parking and shared space streets was welcomed. However there were continuing concerns that the potential for innovative block formats, parking and distinctive place qualities could be more strongly pursued, learning from the models cited. Concerns remain that the local facilities and amenities to be provided may prove too limited under the parameters model or too inaccessible to support residential population

The panel were not convinced by the environmental quality of residential development proposed in phase 1. Whilst the workshop 2 advice on this topic remains to be fully addressed the relationship with the linear park and IBG East also needs to be looked at. The residential format as it meets parkland edges, and the linear park in particular should be more fundamentally re-considered. The aim should be to create a more united proposition for buildings along the parkland corridor, considering the relative relationship of each phase to the park. Within Phase 1, it is necessary to look at the design and layout of housing and commercial uses and how these relate to the opposite facing frontages of IBG East.

Proposals should also define how the threshold is to be handled between private or shared garden space and public structural parkland.

Car parking is not working yet and a re-balancing is needed with less off-street parking. The re-balancing between on-street and in-curtilage parking in both residential and commercial blocks has yet to be fully resolved. There is a perceived risk to vitality and vibrancy; of streets being inactive with little footfall due to parking being located away from the street front. The location of office entrances at the street front and the extent of public transport use anticipated will help mitigate this risk. However it was suggested that layouts for the design of typical blocks should be developed with parking formats more closely integrated with the street to strengthen on-street patterns of use and create fully activated street environments.

Similarly removing parking from the centre of commercial courts would create a more positive experience for workers within each block - i.e not just overlooking parking. The cited exemplars such as Accordia should be inquired into further to strengthen the linkage between innovative parking, streetscape and housing formats.

Further thinking is required about the local facilities needed for both resident and working populations alongside consideration of how to secure this provision. A recommendation was made to designate additional commercial ground floor uses south of the P&R and to be more specific in terms of use in the local centre.

The lack of multi-storey parking is disappointing given the intent to move away from suburban campus formats.

Conditions of Support: Our support is conditional on the further design development and documentation of: typical residential and commercial block formats highlighting critical qualities sought for placemaking; increased integration of parking into the streetscape generally; reduced centre-block car parking in commercial buildings with office entrances along main street frontages activating streets; improvement to the housing format to secure quality of life for residents in streets, semi-public and private amenity spaces, without parking impacting on private space; improvement to the housing format to create a coherent built edge to the linear park; and of the identification of non-negotiable locations for critical local facilities agreed with the council.

Massing, Landscape Structure and LVIA work:

Appraisal on this topic:

The panel welcomed the landscape skills brought in to address issues highlighted at the earlier workshops. However issues could not be discussed in depth at the workshop without the project landscape architect being present to provide an update on the proposals for landscape structure. The panel were satisfied that many aspects of earlier advice were in the process of being addressed if not yet fully demonstrated or articulated. However the panel were not yet persuaded that the intent for larger landscape structure has been fully tested, that planned views out from the site would be secured, or that the tree planting shown would be allowed in terms of airport restrictions. The need for built form, scale and massing proposals to be informed by and respond to the outcomes of the ongoing Landscape and Visual Impact Assessment (LVIA) was re-emphasised. The questions regarding adoptability, by the council and Scottish Water, of proposed soft planting/streetscape elements also requires to be addressed.

There is a need to look at typical boundary treatments and how these should be handled between public and private spaces e.g. ha-ha between private outdoor space and adjoining parkland to the south and east.

The following detailed point raised in earlier workshops remain to be demonstrated or articulated:

The approach to landscape form needs to consider the interaction between building massing, the characteristics of the site and the wider setting. The EIA process currently underway should inform the approach as it emerges.

The site is windswept, as evidenced by the tilted trees in recent planting schemes. There are also high levels of noise pollution that will need to be mitigated through landscape if the spaces and fringes of the development are to be pleasant environments to occupy.

The design of a viable and coherent landscape proposition will therefore be key to the establishment of a place.

The landscape treatment at the edges and the big landscape compositional elements of tree belts and avenues need to be strengthened. Also needing to be developed is the way in which the long distance views will be safeguarded and integrated as intended.

The scale of trees used to form the intended avenues needs to be tested, as does the impact of airport authority restrictions on species and the concept of 'wild' planting. The interaction between the present rural form of landscape and the intended urban character needs to be developed.

The space required for a large scale framing and environmentally enhancing landscape needs to be tested, if this is needed.

The means of integration of, for example, open space and playgrounds needs to be tested including pedestrian links across the tramline (see below)

The handling of these important considerations should influence the layout, built form and masterplan.

Conditions of Support: Our support is conditional on strengthening the soft landscape structure proposals and demonstrating that proposals respond to and/or benefit from the local landscape character, site constraints, the wider landscape context and views etc as set out above. Our support is also conditional on built form and landscape structure proposals that are responsive to the outcomes of the LVIA.

Design Controls and Phasing:

Appraisal on this topic:

The documentation needs to define both what type of place is to be achieved and what mechanisms will be in place to implement and achieve that, including phasing. The council has asked for a definition of "Phasing of development including delivery of off-site infrastructure to realise placemaking objectives. This would include the elements both within each phase as identified to date and between the individual phases."

The panel consider that the parameters approach and guidance intended are not enough to secure the intended qualities from third party developers, without more detail and a degree of coding. The documentation needs to set out a broader range of 'non-negotiable' elements critical for place quality such as: key marker buildings, phasing and delivery sequence required for parks, structure landscape and the central public square; and the location of critical elements for the community such as grocer's shop and bus stops. The document needs to set benchmarks critical for place quality for each use type - whilst housing was discussed this would also apply to commercial uses. For example, the type of garden boundary required alongside the eastern edge of the linear parkland needs to be set out to manage 3rd party developer expectations e.g. to secure the open aspect intended as opposed to close-boarded boundary fencing.

The document needs to set out sub-phases within IBG Phase 1 to clarify a planned sequence of development and infrastructure establishment. The document needs to set out the minimum heights required to form the type of place intended as well as the maximum heights.

Conditions of Support: Our support is conditional on the setting out of phasing plans and strong design controls that define first what the critical planned place qualities intended are then how these are to be secured and delivered, as noted above. A further more detailed development of design control documents is needed, articulated in sufficient detail to secure from 3rd party developers specific qualities and spatial criteria for buildings and spaces that are critical to secure the ambitions place qualities intended.

Sustainable Infrastructure:

Appraisal on this topic:

The additional skills appointed were welcomed and important as is the on-going work to embed the innovative forms of infrastructure intended. There is a need to continue to ensure that all skills are working effectively with one another.

Conditions of Support: Our support is conditional on the following-through of discussions and the planned infrastructure discussed at workshop 2. The extended ambitions in respect of SUDS, bio-retention, wetland, heatways, energy centres etc are particularly welcomed and should be maintained. The planned discussions with S Gov and with SE are helpful and should be pursued. An exploration of innovative water/waste and re-cycling infrastructure was previously encouraged and should be pursued, including the potential to extend CEC use of below ground waste storage.

Distinctiveness of IBG Ph1 relative to IBG East [Phase 2]:

Appraisal on this topic:

We have previously indicated that the role of the separate hubs must be clearly established. What are the differing demands and provision that each is serving in their differing context and their proximities to different adjoining centres - the airport and Ingliston to the west and South Gyle/ Maybury to the east? There is a need for distinct functions and identities, for each to serve a different purpose to avoid mutual dilution and to ensure they are each vibrant and commercially viable.

The distinctions between the business-led phase 1 and the housing-led IBG East phases have now been more clearly defined with the articulation of differing mixes and block structures between phase 1 and IBG East. However the location of core community facilities for IBG phase 1 residents within IBG East relies on strong integration east-west between the phases.

Stronger linkages are needed both across the intervening burn corridor/linear parkland and along the High Street. This needs to address restricted space for pedestrian access at the High Street tram/burn crossing. This point links to advice on housing format and the linear park as above.

The panel considered that the identity of the phase 1 centre required further strengthening through firmer definition of key uses planned in this local centre.

Conditions of Support:

Our support is conditional on a strengthened identity for the phase 1 local centre; strengthened linkages across the burn; and along the High Street.

Communities and Families comment

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (August 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2019).

Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the finalised Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (August 2018).

Assessment and Contribution Requirements

Assessment based on: 396 Flats

This site falls within Sub-Area W-1 of the 'West Education Contribution Zone'.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.

The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed.

The proposed development is therefore required to make a contribution towards the delivery of these actions. The application is for planning permission in principle. The required contribution should be based on the established 'per house' and 'per flat' contribution figures set out below and secured through a legal agreement

If the appropriate infrastructure and land contribution is provided by the developer, as set out below, Communities and Families does not object to the application.

Per unit infrastructure contribution requirement:

Per Flat - £3,216

Per House - £16,186

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

Per unit land contribution requirement:

Per Flat - £476

Per House - £2,042

Note - no indexation to be applied to land contribution.

Roads Authority Issues

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 £7,137,383 (see Note B) to the West Edinburgh Transport Contribution Zone for the following works (see Note A):
 - a. A8 North Side Missing Link - Active travel link between A8 Glasgow Road/Eastfield Road Dumbbell and the Royal Bank of Scotland Gogarburn access junction (illustrated by WSP Drg.Ref.70008635-SK101-Revision B, reproduced in Appendix E of the West Edinburgh Transport Appraisal Refresh report December 2016);
 - b. Dumbbells to IBG, Phase 1 - Eastfield Road upgrading to dual carriageway between the A8 Glasgow Road/Eastfield Road dumbbell junction and the new IBG northern access junction (illustrated by WSP Drg.Ref.70008635-8635 SK002-Revision C, contained in Appendix D of the West Edinburgh Transport Study report September 2015);
 - c. Dumbbells Roundabout Improvement - Junction layout amendments to provide a priority bus lane as set out in the West Edinburgh Transport Appraisal Refresh report December 2016 (Table 9.1);
 - d. Dumbbells Westbound Offslip Signals as set out in the West Edinburgh Transport Appraisal Refresh report December 2016 Table 9.1); and
 - e. Improvements at Newbridge / Dumbbells / Gogar/Maybury;

This contribution is to be secured by way of delivery by the developer of specific targeted infrastructure improvements associated with, or as part of, the development proposals and financial contributions for wider strategic infrastructure improvements in West Edinburgh as described in the Local Development Plan Supplementary Guidance "Developer Contributions & Infrastructure Delivery" by way of a suitable legal agreement. All works require to be carried out by the developer(s) within 12 months of first occupation of any part of the development, and at no cost to the Council. Full design details of the proposed infrastructure must be submitted for approval. Subsequently, all works to be carried out at no cost to the Council. The sum of any financial contribution to be indexed as appropriate and the use period to be 10 years from the date of payment;
2. Contribute a sum to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The calculated sum, based on the current development proposals, is £13,172,090 (see Note C). The sum to be indexed as appropriate and the use period to be 10 years from the date of final payment;
3. Contribute the cost required to progress suitable orders to redetermine sections of footway and carriageway; to introduce waiting and loading restrictions as necessary including controlled parking zones, and: to introduce or amend speed limits within the development. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;
4. Carry out works at no cost to the Council to install all necessary signs and markings in relation to the orders set out in 3. above;

5. *In support of the Council's LTS Cars1 policy, consideration to be given to the provision of Car Club spaces and vehicles as part of the development proposal in order to reduce the reliance on the use of private cars and car ownership. Contributions would be required for the promotion and introduction of the necessary order (typically £1,500 - £2,000 per order) and Car Club vehicle(s) (typically £5,500 per car). To be secured by way of a suitable legal agreement;*

6. *All on-site movement and access infrastructure to be generally in accordance with an approved implementation strategy and the masterplan drawings submitted for approval as part of this application:*

i. Masterplan Concept; and

ii. Masterplan Concept - Movement and Access;

a. The vehicle access points to the development site as part of the Eastfield upgrading works to consist of the upgrading of the existing motor vehicle Dumbbell access to the Ingliston Park and Ride; forming a new motor vehicle access at the replacement signals approximately 230m north of the Dumbbell Roundabout; and forming a pedestrian and cycle access at the northern boundary of the Ingliston Park and Ride;

b. The onsite movement network to include Phase 1 of the IBG Main Street, i.e. Gogar link road;

c. The Ingliston Park and Ride facilities to be retained in the vicinity of the current site;

d. Appropriate parking controls to be introduced throughout the site and including at the Ingliston Park and Ride site as required in response to the build out of the site; Full design details of the proposed infrastructure must be submitted for approval, and all subsequently approved works to be carried out at no cost to the Council;

7. *Reserved matters:*

a. Provision for car parking, inclusive of a proportion suitable for use by disabled drivers, and dedicated spaces for electric vehicle charging, including charging infrastructure. This will be assessed and agreed for each individual application for matters specified in conditions (AMC) as submitted, taking cognisance of the relevant Council parking standard applicable at the time or an agreed alternative developed specifically for West Edinburgh or the IBG development, whichever is lower, as a mechanism to restrict single occupancy car journeys and to encourage the use of alternative modes of transport. For applications for matters specified in conditions submitted where the Edinburgh Design Guidance (October 2017) parking standards apply, and in the absence of an agreed alternative, justification for the quantity of car parking being sought by the applicant will be required for each individual AMC application irrespective of the agreed maximum provision for the land use or combinations thereof, in accordance with the Edinburgh Design Guidance (see Note D). All on-road car parking will be subject to control as part of a West Edinburgh controlled parking zone;

b. Provision for cycle parking. This will be assessed and agreed for each individual AMC application as submitted, taking cognisance of the relevant Council standard applicable at the time or an agreed alternative developed specifically for West Edinburgh or the IBG development, whichever is greater, as a mechanism used in conjunction with restricted car parking provision to discourage single occupancy car journeys and to encourage the use of alternative modes of transport (see Note E);

c. *Provision for motor cycle parking. This will be assessed and agreed for each individual AMC application as submitted, taking cognisance of the relevant Council standard applicable at the time or an agreed alternative developed specifically for West Edinburgh or the IBG development, whichever is greater, as a mechanism used in conjunction with restricted car parking provision to discourage single occupancy car journeys to/from the site, and to encourage the use of alternative modes of transport (see Note F);*

8. *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. The Council will expect to adopt any road constructed under a road construction consent;*

9. *A Quality Audit, as set out in Designing Streets, to be submitted prior to and in relation the grant of each individual Road Construction Consent;*

10. *The applicant should be aware of the potential impact of the proposed development on the Edinburgh Tram and Building Fixing Agreements. Further discussions with the Tram Team will be required;*

11. *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;*

12. *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;*

13. *The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents;*

14. *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 each 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;*

15. *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. For the residential land uses, passive provision to be provided as a minimum, including ducting and infrastructure such that charging points can be readily accommodated in the future;*

16. *The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the planning authority. Agreements, including those under Section 7 of the Sewerage (Scotland) Act 1968, will be required.*

Note:

A. *Much discussion has taken place in regard to the application of the West Edinburgh Transport Contribution Zone in respect of this and other (future) planning applications. Specifically, the requirement for an applicant to undertake a standalone transport assessment in order to address site specific issues (e.g. new or upgraded accesses and internal access infrastructure) within the wider strategic context set by the West Edinburgh Transport Appraisal (WETA) Refresh Study.*

It was a recommendation of the WETA study that a combination approach be taken to infrastructure delivery - a core A8 Glasgow Road and active travel package of infrastructure measures which all parties contribute to, combined with specific attribution of other measures. This was accepted by the parties involved in the WETA Refresh Study, Transportation Technical Working Group - specifically the consultancy teams acting on behalf of the respective developers with interests in West Edinburgh.

The WETA Refresh Study report stated that, "It would be expected that the full costs of site specific access measures and other internal transport networks that do not have wider traffic or public transport functions, would be funded through the specific developer(s)." Determination of this would be supported by the specific development information. Constructive dialogue has taken place with the International Business Gateway (IBG) Stakeholders and their consultants in this regard following a number of meetings during which Transportation set out its position for the applicant's agents to provide additional information in the form of a standalone development specific Transport Assessment.

A Transport Technical Note has been submitted which states the intent of the applicant to deliver specific West Edinburgh Transport Action items set out in the LDP Supplementary Guidance "Developer Contributions & Infrastructure Delivery". These are reasonably considered a priority, given their relationship to the IBG Development.

Upgrading works have already taken place at Newbridge Roundabout with the installation of MOVA control. It is unlikely that further improvements could be gained by through MOVA. With the upgrading works to the A8 / Eastfield Road dumbbell junction and Eastfield Road dualling Phase 1 which will include new and altered signal installations it is considered more appropriate that this contribution should be targeted at linking the signals;

B. *West Edinburgh Transport Contributions (WETC):*

i. *Developer contributions to be as per the protocol set out in the "West Edinburgh Transport Appraisal Refresh - Final Report December 2016" (WETA Refresh);*

ii. Calculation assumes zero City Region Deal contributions or other Capital Funding streams;

iii. Total capital value of the West Edinburgh Action Programme items is £86,162,550 as detailed in the LDP Supplementary Guidance document "Developer Contributions & Infrastructure Delivery";

iv. IBG Phase 1 contributes 9.77% of the total AM and PM peak period trip generation of the developments in West Edinburgh. A full list of the developments in West Edinburgh considered as part of the WETC Zone is contained in the WETA Refresh report;

v. Capital cost for the Eastern (Gogar) Link Road is excluded from the calculation of developer contributions;

vi. Total Contribution for IBG Phase 1 = £7,137,383

This contribution is to be secured by way of delivery by the developer of specific targeted infrastructure improvements associated with, or as part of, the development proposals and financial contributions for wider strategic infrastructure improvements in West Edinburgh as described in the Local Development Plan Supplementary Guidance "Developer Contributions & Infrastructure Delivery" by way of a suitable legal agreement;

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

Type	Scale	Contribution
1	Class 1 Retail / Class 3 Pub-Restaurant / Class 11 Assembly & Leisure**	5,439m ² GFA* £683,299
2	Class 4 Business	122,158m ² GFA £8,453,334
3	Class 6 Storage and Distribution	Unknown** Unknown
4	Class 7 Hotel	1,150 rooms / 40,338m ² GFA £3,467,000
5	Class 9 Housing / Flats (Sui Generis)	396 units / 43,576m ² £568,457
6	Class 10 Non-residential institution	Unknown** Unknown
Total	-	- £13,172,000

The applicant has not provided details on the split of the total area allocated to these individual uses. Therefore, the Tram contribution is based on a 50:50 split of Class 1 and Class 3 uses, to be secured by way of a suitable legal agreement;

The applicant has not provided an indication of the scale of Class 11, Class 6 or Class 10 development;

D. Car parking - The Council's current 2017 parking standards for Zone 2 permit the following maximum car parking provision for the proposed use classes:

Use Class	Scale	Parking level	Maximum No.spaces
Class 1 Retail	> 500m ²	5,439m ² total 1 space per 35m ²	155 spaces
Class 3 Food & Drink		5,439m ² total 1 space per 14m ²	389 spaces
Class 4 Business	122,158m ²	1 space per 63m ²	1,939 spaces
Class 6 Storage or Distribution		Unknown 1 space per 385m ²	Unknown
Class 7 Hotels	1,150 rooms / 40,338m ²	1 space per 2 rooms	575 spaces
Class 9 Housing & Sui Generis flats	396 units / 43,576m ²	1 space per unit	396 spaces
Class 10 Non-residential		Unknown Varies	Unknown

Class 11 Assembly & Leisure 5,439m² total 1 space per 60m² 91 spaces

The proposed Classes 1, 3, and 11 uses will have a combined total of 5,439m². However, the submitted documents supporting the planning application do not identify how this total floor space will be apportioned to each use class nor specific proposals of a quantum of parking for these uses. The transport technical paper indicates that these uses will be ancillary to other main uses proposed and therefore there will not be a specific requirement for car parking and that a nominal provision may suffice. However, for the purposes of determining the maximum permissible level of parking, a maximum aggregate value has been calculated. This equates to 3,299 spaces, made up of the following:

Use Class	Scale	Maximum no.spaces
Class 1 Retail / Class 3 Food & Drink / Class 11 Assembly & Leisure / Class 1 Retail > 500m ²	5,439m ²	389 spaces
Class 4 Business	122,158m ²	1,939 spaces
Class 7 Hotels	1,150 rooms / 40,388m ²	575 spaces
Class 9 Housing & Sui Generis Flats	396 flats / 43,576m ²	396 spaces

N.B. no information provided for Class 6 or Class 10.

Disabled parking - Spaces for disabled users must be provided at the following ratios of the total respective parking provision:

- o Class 1/Class 3/Class 7/Class 9/Class 11 @ 8% = 119 spaces;
- o Class 4 @ 6% = 41 spaces; and
- o Class 6 and Class 10 - no information provided.

To comply with current parking standards, 1 in every 6 parking spaces should be provided with an electric vehicle charging point with dedicated parking space.

Given the phased approach to the construction of the development over an extended timeframe, it is recommended that parking provision should be assessed and agreed for each individual AMC application as submitted, taking cognisance of the relevant Council standard applicable at the time or an agreed alternative developed specifically for West Edinburgh or the IBG development, whichever is lower. For AMC applications submitted where the Edinburgh Design Guidance (October 2017) parking standards apply, and in the absence of an agreed alternative, justification for the quantity of car parking being sought by the applicant will be required for each individual AMC application irrespective of the agreed maximum provision for the land use or combinations thereof, in accordance with the Edinburgh Design Guidance. All car parking, where not controlled private off-street parking, will be subject to control as part of a West Edinburgh CPZ. Suitable Traffic Order(s) will require to be promoted and implemented at no cost to the Council;

E. Cycle parking - The application has been assessed under the currently applicable 2017 parking standards for Zone 2. These require a minimum of 2,387 cycle parking spaces for the proposed use classes:

Use Class	Scale	Parking level Minimum no.spaces
Class 1 Retail > 500m ²	5,439m ² total 1 space per 500m ² (customers) & 1 space per 250m ²	33 spaces

	(employee)			
Class 3 Food & Drink	5,439m ² total	1 space per 75m ²	73 spaces	
	(customers & employee)			
Class 4 Business	122,158m ²	1 space per 1,000m ²	937 spaces	
	(customers) & 1 Space per 150m ²			
	(employee)			
Class 6 Storage or Distribution	Unknown	1 space per 6,000m ²	Unknown	
	(customers)			
	1 space per 900m ²			
	(employees)			
Class 7 Hotels	1,150 rooms / 40,338m ²	1 space per 10 rooms	115 spaces	
Class 9 Housing & Sui Generis flats	396 units / 43,576m ²	2 spaces per unit	792 spaces	
Class 10 Non-residential	Unknown	Varies	Unknown	
Class 11 Assembly & Leisure	5,439m ² total	1 space per 60m ²	544 spaces	

This has been based on a maximum aggregate total as the percentage split of 5,439m² to the Class 1, 3 and 11 uses has not been specified by the applicant. These uses are considered to be ancillary to the principal uses and are therefore are only likely to require a nominal provision.

The phased approach to parking provision referred to in D. above applies to cycle parking, whichever is the greater;

F. Motorcycle parking - The application has been assessed under the currently applicable 2017 parking standards for Zone 2. These require a minimum of 460 motorcycle spaces for the proposed use classes:

Use Class	Scale	Parking level	Minimum	
			no.spaces	
Class 1 Retail > 500m ²	5,439m ² total	1 space per 1,000m ²	8	spaces
	(customers) & 1 space per 2,000m ²	(employee)		
Class 3 Food & Drink	5,439m ² total	1 space per 20	19 spaces	parking spaces
	(customers & employee)			
Class 4 Business	122,158m ²	1 space per 4,000m ²	172 spaces	(customers) & 1 space per 1,000m ² (employee)
Class 6 Storage or Distribution	Unknown	1 space per 16,000m ²	Unknown	
	(customers)	1 space per 6,000m ² (employees)		
Class 7 Hotels	1,150 rooms / 40,338m ²	1 space per 20	19	spaces
	parking spaces			
Class 9 Housing & Sui Generis Flats	396 units / 43,576m ²	1 space per 25 units		15 spaces
Class 10 Non-residential	Unknown	Varies	Unknown	
Class 11 Assembly & Leisure	5,439m ² total	1 space per 20	272 spaces	parking spaces.

This has been based on a maximum aggregate total as the percentage split of 5,439m² to the Class 1, 3 and 11 uses has not been specified by the applicant. These uses are to all intents and purposes ancillary to the principal uses and therefore are only likely to require a nominal provision.

The phased approach to parking provision referred to in D. above applies to motorcycle parking, whichever is the greater;

G. TRAMS - Important Note:

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

- o Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;*
- o Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;*
- o Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone (depending upon the extent of the proposed works, a separate Asset Protection Agreement may be required to be agreed);*
- o Any excavation within 3m of any pole supporting overhead lines;*
- o Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use;*
- o The Council and Edinburgh Trams has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line.*

See the full guidance on how to get permission to work near a tram way <http://edinburghtrams.com/information/working-around-trams>.

Location Plan



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END

Development Management Sub Committee

Wednesday 8 May 2019

**Application for Planning Permission 19/00574/FUL
At 146 Princes Street, Edinburgh, EH2 4BL
Change of use from retail to whisky-themed visitor
experience with ancillary retail, bars, offices, training and
event space, including roof-top extension and other
external alterations.**

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

Summary

The proposals comply with the Local Development Plan, with the exception of Policy ERC1 in the supplementary guidance. However, an exception from this guidance is justified as the proposed development complies with the key aims of the LDP in terms of the main shopping function of the city centre.

The proposals comply with the non-statutory guidelines and have no adverse effect on the character or appearance of the conservation area or character of the listed buildings and do not harm the Outstanding Universal Value of the World Heritage Site. The development has no detrimental impact on significant architectural remains, 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

[Policies and guidance for this application](#)

LDPP, LDEL02, LRET01, LRET02, LEMP01, LEN06, LEN04, LEN01, LDES01, LEN09, LTRA02, LTRA03, NSG, NSLBCA, NSGD02, CRPNEW,

Report

Application for Planning Permission 19/00574/FUL At 146 Princes Street, Edinburgh, EH2 4BL Change of use from retail to whisky-themed visitor experience with ancillary retail, bars, offices, training and event space, including roof-top extension and other external alterations.

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 former Fraser's department store, occupying two adjoining buildings at the north-west corner of Princes Street at its confluence with Hope Street, Lothian Road and Shandwick Place. The building is within the World Heritage Site.

Nos. 144-147 Princes Street is the six storey and basement, inter-war classical style, former Binns department store by J R MacKay, dating from 1935. The building is constructed in ashlar sandstone with a canted corner featuring a cantilevered clock at second floor level and bronze-finished steel-framed casement windows. The ground floor shopfront is modern with a polished black marble fascia. The building is category B listed (reference 43328, listed on 28 March 1996).

The vacant department store incorporates a former bank of similar style and height at No. 3 Hope Street with a return to Hope Street Lane by Sydney H Miller, dating from 1930. The windows are bronze-finished steel-framed casement and the roof is pend and platform with a copper external pitch. The building is category B listed (reference 43307, listed on 28 March 1996).

The current building replaced older constructions which were developed from the original late 18th century tenements of the First New Town. In 1873, these tenements were altered significantly and converted into a hotel with shops at street level. This hotel subsequently became Maule's department store which was taken over by Binns in 1935. At this point a significant section of the frontage was demolished and rebuilt by J R McKay.

The interior was modernised throughout in the mid-1970s for retail use, including new stairs and lifts. In the early 1980s, the north-east corner of the building, formerly the warehouse, was entirely demolished and to incorporate escalators.

Elements of the bank telling hall, including columns and a coffered ceiling, survive within No. 3 Hope Street and there are remnants of 1930s and earlier corncicing throughout the building above later suspended ceilings.

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

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

2.2 Site History

Associated application for listed building consent under consideration (application reference 19/00573/LBC).

22 August 2002 - planning permission granted to install cooling plant/pipework on roof of building (application reference 02/01100/LBC).

9 July 2002 - listed building consent granted to install cooling plant/pipework on roof of building (application reference 02/01100/LBC).

Main report

3.1 Description Of The Proposal

The application is for a change of use from Class 1 retail to a sui generis whisky-themed visitor experience with ancillary uses comprising retail on the ground floor, a training academy, office and double-height event space on the fourth floor, staff offices and back of house spaces on the fifth floor and two bars at sixth floor level. The main exhibit spaces will be on the first, second, third and basement floors.

The proposed external alterations are summarised as follows:

- remove the existing roof plant and associated enclosures, gantries and louvred perimeter screen, remove the inner roof pitch on the Hope Street/Hope Street Lane elevations and one chimney;
- erect a partially set back sixth floor comprising a contemporary style, bronze-finished, metal-clad framing bar with glazed frontages leading to an open stone-paved terrace facing Princes Street and Hope Street; a bronze finished mesh-clad plant room behind this structure; a copper-clad hipped roof behind the existing outer copper roof pitches; and a flat sedum roof with a zinc pitched edge over the remaining area of the roof covering a second bar and associated facilities;
- form a contemporary style, copper-framed dormer window in the existing copper roof pitch to the Hope Street Lane elevation;
- remove the modern shopfront glazing and framing, fabric canopies and entrance doors from the Princes Street/Hope Street shopfront, retaining the surviving original bronze frames and restore the ground floor frontage to its original form and detailing in matching materials, including the recessed entrance doors and bronze-faced canopy above the main entrance on Princes Street;

- replace the modern entrance doors to the former bank building on Hope Street with a bronze door to match the original scale and design;
- replace the existing blockwork screen to the plant shaft on Hope Street Lane with a perforated bronze finished metal screen with a metal roller shutter door to a new goods entrance at ground floor level;
- remove the modern staff doors in the stairwell bay adjoining the plant shaft on Hope Street Lane and install a timber-boarded panel with staff doors;
- remove all the existing single glazing from the existing bronze-finished steel framed windows and install slimline double glazing in the existing frames; and
- replace the existing timber doors and infill panels on the decorative section of the Hope Street Lane elevation with bronze panelled doors to match the original pattern.

No car parking is proposed and there are existing Sheffield cycle stands providing parking for 12 cycles. These spaces will be supplemented by additional covered cycle racking for staff within the building at ground floor level.

Service vehicles will access the development from Hope Street Lane.

Supporting Documents

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

- Planning Statement;
- Economic and Social Benefits Assessment;
- Design and Access Statement;
- Heritage Statement;
- Conservation Plan;
- Visual Impact Assessment;
- Archaeological Written Scheme of Investigation;
- Noise Impact Assessment;
- Transport Statement;
- Air Quality Assessment; and
- Surface Water Management Plan.

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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - 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 proposal is acceptable in principle in this location;
- b) the proposals preserve or enhance the character or appearance of the conservation area;
- c) the proposals preserve the character of the listed buildings;
- d) the proposals harm the Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site;
- e) the proposals have an adverse impact on significant archaeological remains;
- f) the proposals are detrimental to residential amenity, road safety or infrastructure;
- g) any impacts on equalities or human rights are acceptable; and
- h) public comments have been addressed.

a) Principle

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

LDP Policy Del 2 guides development in the city centre, stating that development will be permitted which, "retains and enhances its character, attractiveness, vitality and accessibility and contributes to its role as a strategic business and regional shopping centre and Edinburgh's role as a capital city". Proposals are required to meet various criterion including, a use or mix of uses appropriate to the location of the site and, in the case of major mixed-use developments, offices (particularly on upper floors) and other uses at street level to maintain city centre diversity, especially retail use in important shopping frontages.

The proposed whisky-themed visitor experience use with associated ground floor retail is consistent with the objectives of this policy in the context of the city centre and its culture and tourism function and particularly if it is expected to improve footfall at the west end of Princes Street.

LDP Policy Ret 1 states that, "planning permission will be granted for retail and other uses which generate a significant footfall including commercial leisure use, offices, community and cultural facilities'." A key objective of the LDP is "to sustain and enhance the city centre as the regional focus for shopping, entertainment, commercial leisure and tourism related activities and encourage appropriate development of the highest quality".

The proposed development is a prestigious, high-quality, potentially world-wide, visitor/tourist attraction in the city centre which will help to sustain footfall levels in this area, especially given that the new St James development is expected to move the centre of gravity of the city's retail to the east. In addition, the proposal includes an element of retail on the ground floor which also represents a cultural facility given Scotland's renowned whisky industry.

There will be a net loss of retail floor space. However, the proposed use is consistent with the retail policy intentions set out in the LDP of reinforcing the retail vitality of the shopping streets in the retail core by providing a mixed-use retail/leisure experience. In addition, the proposal has "paid special attention to upper floors, if not used for retail purposes, and how these may be put to, or brought into beneficial use which will enhance the city centre character" by providing a tourism/leisure experience, including ancillary offices, training facilities, bars and event spaces.

Policy Ret 9 presumes against changes of use in the city centre retail core which would undermine the retailing function of the area, but the proposed development is not likely to have this effect. The city centre retail core supplementary guidance states that there are benefits in allowing shops to change to other uses that preserve and enhance the city centre's vitality and viability. The proposal does not comply with Policy ERC1 in the guidance regarding the change of use of shop units to non-shop uses in Princes Street in terms of use class. However, this is countered by the LDP which allows a more flexible approach to the introduction of complementary uses that support the main shopping function of the city centre and encourages use into the evening "in order to achieve a diverse, thriving and welcoming city." Also, the guidance does not specifically address circumstances such as this, where the proposal seeks to retain some retail floorspace with direct access to Princes Street, whilst combining it with an associated tourism/leisure use.

LDP Policy Emp 1 is supportive of high quality office development within the city centre. Whilst the office element of the proposal is small scale and associated with the leisure proposal, it is consistent with LDP policy.

The development is therefore acceptable in principle as it will sustain and enhance the city centre and its various roles including retail, commercial leisure and tourism-related activities.

b) 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; and*
- *the important feature of terminated vistas within the grid layouts and the long-distance views across and out of the conservation area.*

The proposed tourism/leisure use is in keeping with the predominantly commercial character of the First New Town in which the site is located.

The external alterations proposed will not alter the essential hierarchical urban plan form of the First New Town nor interfere with its important vistas and views. The scale, form, design and materials of the proposed rooftop extensions are in keeping with the geometric forms of the historic and later roof structures within the First New Town.

The character and appearance of the west end of Princes Street will be enhanced by bringing this important category B listed building back into a sustainable and viable use. The associated extensions and external alterations are sensitive to the historic environment and involve a significant degree of conservation gain.

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

c) Character of Listed Buildings

LDP Policy Env 4 permits proposals to alter or extend a listed building where the alterations or extensions are justified; there will be no unnecessary damage to the building's historic structure or diminution of its interest; and any additions are in keeping with other parts of the building.

The external appearance of the former Art Deco department store frontage and bank building is to remain as existing to a large extent and exterior works are to be undertaken to restore the Princes Street and Hope Street facades to their original primacy date, involving the repair and reinstatement of original features.

Alterations to the building were carried out in the late twentieth century that have had a 'negative' or 'neutral' impact on the building, as identified in the Conservation Plan, including new services and plant. These elements will be removed and replaced with more appropriate interventions.

The most significant of these interventions is the proposed rooftop extension comprising a series of individual structures tailored to complement the original roof elements and proposed functions. The existing roof is covered with plant equipment, including condensers, associated pipework, access gantries and a metal louvred screen along the parapet edge on Princes Street. The removal of these insensitive features and addition of high-quality, contemporary style rooftop extensions in appropriate traditional materials will rationalise and enhance the appearance of the roof. The most significant section of the roof - the copper outer pitch to Hope Street and Hope Street Lane - will be retained and the roof fabric to be removed is utilitarian and of no special historic or architectural merit. The chimney to be removed is later and in an inner position on the roof, so the removal of the structure will have no impact on the composition of the principal elevations.

The proposed bronze-framed rooftop bar facing Princes Street is a striking piece of contemporary architecture, the openings of which align with the bays of the principal facades. The structure will be set back from the building edges to reduce its visual impact and the proposed perimeter planter, required for public safety, will replace the existing unsightly louvred screen.

The other proposed rooftop structures employ a limited palette of robust, low maintenance cladding and roofing materials which relate to and complement the existing elevations and roof.

The proposed hipped roof structure over the bank building will match the copper finish of the historic external pitch to Hope Street and the new roof will sit behind the existing ridge to reduce the visual impact on the original roof. This roof originally extended further along the north elevation and part of this section was removed previously, so the new roof structure will provide a more unified north elevation. The proposed contemporary style dormer window in the remaining original section of copper roof on the Hope Street Lane elevation is an acceptable intervention to provide a viewing window for the new bar within this space without disrupting the principal elevation on Hope Street.

The remainder of the rear and inner side roof pitches will be of zinc-clad which is an appropriate material in this context and the sedum top surface requires a very low pitch which assists in keeping the roof height to a minimum.

The proposed plant housing structure is semi-sunk and finished in bronze-finished mesh to blend in with the new bar extension on the Princes Street elevation.

The Visual Impact Assessment which analyses the existing and proposed roofscape from key verified viewpoints demonstrates that the impact of the new roof extensions will be minimal. This intervention is also offset by significant conservation gain elsewhere in the building.

The key conservation gain is the removal of the modern shopfront glazing and framing and fabric canopies and restoration of the original bronze-framed shopfront, including the removal of the later corner entry doors and reinstatement of main entrance doors in the original position along with an entrance canopy to replicate the original design and materials. The details have been based on existing detailing and historic evidence in the form of drawings and photographs. The restored shopfront will be complemented by new black-finished steel security gates, the design of which is based on photographic evidence of the original balustrades within the millinery department of Binn's department store, and decorative mosaic-tiled entranceways.

A further conservation gain is the replacement of the modern entrance doors to the former bank building on Hope Street and Hope Street Lane bronze doors to match the original scale and pattern.

Another positive intervention is the removal of the utilitarian blockwork screen to the plant shaft on Hope Street Lane and replacement with a bronze-finished metal screen which will match the existing and new copper roof pitches on the north elevation.

Elsewhere, the scheme involves the repair/restoration of other significant elements of the listed building, including the Binns' cantilevered clock on the Princes Street/Hope Street corner and the original steel windows.

The proposed alterations and extensions are therefore justified and will cause no unnecessary damage to the building's historic structure or diminution of its interest, in compliance with LDP Policy Env 4.

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 includes a rooftop extension which is in keeping with the scale of the existing buildings in this area. The proposals will therefore have no detrimental impact on the character or 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) Archaeological Remains

The site has been occupied since start of the New Town development and it is possible that elements of earlier buildings may have survived the twentieth century redevelopment of the site. Whilst the development will have an impact upon the fabric of these historic buildings, in archaeological terms, such impacts are relatively low and not considered to be adverse.

However, the works may reveal important information regarding the development of these buildings, so a condition has been applied to ensure that an archaeological Watching Brief takes place during construction works, to allow investigation works should any excavations require to be deeper than anticipated. This Brief will be based upon the Written Scheme of Investigation submitted.

f) Residential Amenity, Road Safety and Infrastructure

There are no existing residential properties in close proximity to the development, so no issues of overshadowing, privacy, noise, odours or disruption arise from the proposed commercial use or physical extensions/alterations.

Environmental Protection has concerns regarding potential noise from the rooftop bars and external terrace, particularly if operating after 21:00 hours, although no significant noise issues are anticipated before 23:00 hours, given the location and background noise levels.

The Noise Impact Assessment (NIA) only calculates background noise levels up to 23:28 hours, although the current proposal is that the bars and event space may be open until 02:00 hours. Environmental Protection has therefore recommended a restriction on the hours of operation of the premises to between 07.00 hours and 23.00 hours, based on background noise levels reducing after this time as the number of bus/tram services and road traffic reduces.

This restriction has not been applied, given that the proposed bars are ancillary to the main use as a tourist/visitor attraction and not likely to emit any more noise than any of the nearby public houses and clubs, many of which have late licences. The use of any external spaces would be controlled by the licence regime.

Environmental Protection has also requested further information regarding the ventilation and window specifications of the proposed event space and bars, the sound insulation performance of the external doors and noise levels from the plant within the rooftop compound and the kitchen exhaust terminals.

The agent has confirmed that the entire building is mechanically vented, which is to the satisfaction of Environmental Protection and detailed, annotated drawings have been submitted which provide the required information to acceptable standards. The slimline double glazing with the original steel window frames has a total thickness of approximately 26mm, with a 12mm cavity. This is an acceptable compromise in terms of the specification requested by Environmental Protection, given that any thicker glazing would not fit within the original frames and the replacement of this historic fabric with new frames would not be acceptable in terms of the building's listed status.

No car parking spaces are proposed which complies with the Council's 2017 parking standards in Zone 1 and a secure cycle parking store will be provided for staff at ground floor level to complement the existing external cycle racks.

The development is within close proximity of the West End tram stop and bus stops on Princes Street and within walking distance of Waverley and Haymarket Stations.

No financial contribution towards the tram infrastructure is required as the existing retail use would generate a higher sum than the proposed tourism/leisure use and its ancillary facilities.

There are no air quality constraints on the proposed development as confirmed by the submitted Air Quality Assessment.

The proposed development will therefore have no detrimental impact on residential amenity, road safety or infrastructure, in compliance with LDP Policies Des 12, Tra 2 and Tra 3.

g) Equalities and Human Rights

The development respects the provisions of the Equality Act 2010 by including accessible access throughout the building.

h) Public Comments

The Architectural Heritage Society of Scotland welcomes the constructive re-use of the building and sympathetic approach adopted and is mainly concerned about the visual impact of the rooftop extension and potential of the new window on the north elevation to detract from the roofline as viewed from the south or east. These concerns have been addressed in section 3.3 c).

The other comments support the proposed scheme on the grounds that it will compensate for the loss of shops from the area and bring substantial benefits to the city in terms of its economy and tourism.

Reservations have been raised regarding noise levels, increased footfall and traffic and pollution levels. However, these are observations rather than objections.

Conclusion

The proposals comply with the Local Development Plan, with the exception of Policy ERC1 in the supplementary guidance. However, an exception from this guidance is justified as the proposed development complies with the key aims of the LDP in terms of the main shopping function of the city centre.

The proposals comply with the non-statutory guidelines and have no adverse effect on the character or appearance of the conservation area or character of the listed buildings and do not harm the Outstanding Universal Value of the World Heritage Site. The development has no detrimental impact on significant architectural remains, 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 programme of archaeological works, in the form of a Watching Brief during construction works, shall be undertaken to mitigate any potential impacts on archaeological remains. Details of this programme shall be submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
2. 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.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
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. Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984.
5. TRAMS - Important Note:

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

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

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:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application 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 22 February 2019. A total of four representations were received, comprising one general comment from the Architectural Heritage Society of Scotland and eight supporting comments.

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

13 February 2019

Drawing numbers/Scheme

01 - 60,

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

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

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

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

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

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

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

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 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.

Relevant Non-Statutory Guidelines

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

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

The 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 19/00574/FUL At 146 Princes Street, Edinburgh, EH2 4BL Change of use from retail to whisky-themed visitor experience with ancillary retail, bars, offices, training and event space, including roof-top extension and other external alterations.

Consultations

Historic Environment Scotland

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

Economic Development

Commentary on existing use

The application relates to 146 Princes Street, a 'B' listed department store dating from 1935, and 3 Hope Street, a 'B' listed bank dating from 1930. The two adjoining buildings were combined by the retailer House of Fraser which traded out of the building from 1953 to 2018. The building has a net internal area of 6,699 sqm.

The building supported 127 jobs (headcount) prior to closure. Based upon the ratio of part-time to full-time workers in the retail sector of Edinburgh, it is estimated that this would represent 90 full-time equivalent (FTE) employees. Based upon the mean gross value added per employee for the retail sector in Edinburgh - £29,484 - the jobs could be expected to support £3.74 million of gross value added (GVA) per annum (2016 prices). It is estimated that multiplier effects could support a further 24 FTE jobs and £1.72 million of GVA per annum, giving a total projected impact of 114 FTE jobs and £5.46 million of GVA per annum (2016 prices).

Commentary on proposed uses

The application proposes a change of use of the building from a department store to "a whisky themed visitor experience with ancillary retail, bars, offices, training and event space." Alterations to the external building envelope are limited, with the most significant being a "contemporary" rooftop extension. The floor-space of the building would be expanded by 908 sqm (gross). The building interior would be reconfigured to provide the different types of space set out above.

The applicant has estimated that the development would directly support "up to" 180 FTE jobs and a further 80 FTE jobs via multiplier effects. The Employment Densities Guide (3rd edition) states that on average commercial visitor attractions support one FTE job per 120 sqm - which for a 6,699 sqm attraction would give an estimated direct employment impact of 56 FTE jobs - but the Guide notes that employment densities of visitor attractions are highly variable. The direct employment impacts therefore appear high but not wholly unfeasible given the mix of uses within the development.

Multiplier tables published by the Scottish Government indicate that every job in the "sports and recreation" sector in Scotland supports on average 0.34 jobs elsewhere in the Scottish economy; for a development directly supporting 180 FTE jobs this would translate to an estimated 56 FTE jobs supported by multiplier effects. The figure of 80 FTE jobs quoted by the applicant therefore appears credible.

The applicant has estimated that the development would support "up to" £11.5 million of gross value added per annum. Given the development is projected to in total support 260 FTE jobs, this translates to an estimated annual impact of £44,230 per FTE employee. This appears high but not unfeasibly so.

Other considerations

It is reasonable to assume that a development such as this would potentially attract visitors to Edinburgh who would not otherwise have visited the city. In addition to spending money at the attraction itself, these visitors could be reasonably expected to spend money elsewhere in the city over the course of their visit, for example on accommodation, travel, and eating and drinking. This expenditure would in turn support additional jobs. The extent of this expenditure and the jobs supported thereby is challenging to predict but could be substantial (for example, the Scotch Whisky Experience attracts over 300,000 visitors per annum). The existing use of the building in question as a department store would not in itself be expected to attract visitors to Edinburgh who would not otherwise have visited the city and so these jobs would be net additional in relation to the existing use.

The development would add a new visitor attraction to the west end of Princes Street. The west end of Princes Street has historically had a weaker offering than the east end and this has been greatly exacerbated in recent years with major investments in St Andrew Square and the St James Centre. With significant pressures on the retail sector, this leaves the west end of Princes Street vulnerable to falling footfall and rising vacancy rates. Rather than seek to preserve the west end of Princes Street as a retail destination of the same calibre as the east end - highly challenging given the limited scope to deliver modern retail space coupled with the weaker connectivity and other factors - a more pragmatic response may be to promote the evolution of the west end to accommodate alternative uses, for example visitor attractions, food and drink, residential, hotel and office. The proposed development would help facilitate this by delivering a flagship visitor attraction on a prominent site at the west end of Princes Street, potentially acting as an anchor for further such developments.

SUMMARY RESPONSE TO CONSULTATION

The applicant estimates that the proposed development could, if fully occupied, directly support approximately 180 FTE jobs. By comparison, it is estimated that the existing use of the building in question could, if fully occupied, directly support approximately 90 FTE jobs. Even allowing for some degree of optimism bias in the applicant's projections, the proposed development can be expected to support an increase in employment.

In addition to directly supported jobs, the development could be expected to support additional jobs via the impact of expenditure by people visiting Edinburgh in order to visit the attraction.

The development could help rebalance Princes Street and compensate for the movement of the centre of gravity of the city's retail offering eastward, helping sustain footfall levels at the west end of Princes Street in the face of significant investment in the east end. The shift of the building in question to non-retail uses could help increase the resilience of the street in the face of sustained pressures on the retail sector.

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning these linked LBC & FUL applications for the change of use from retail to whiskey themed visitor experience with ancillary retail, bars, offices, training and event space including roof-top extension and other alterations.

A full historic background is contained with Simpson & Brown's Conservation Statement however in summary the development principally affects two B-listed buildings constructed in the 1930's the former House of Fraser (Binns) Store and adjacent B-listed former RBS building at 6 Hope Street. The site however has been occupied since start of the New Town development and it is possible that elements of earlier buildings may have survived the 20th century redevelopment of the site.

The site is therefore considered to be of historic significance and these applications 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) Policies ENV 4 and 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 outlined in both Simpson & Browns Conservation Statement and the accompanying Archaeological WSI produced by Addyman Archaeology, the development will have an impact upon the fabric of these historic buildings. However, I concur with their general conclusions that, on archaeological terms, such impacts are not considered to be adverse and relatively low. That said the works may reveal important information regarding the development of these buildings. It is therefore recommended that a programme of archaeological work (historic building survey and excavation) are undertaken during development to record and protect the historic fabric of these buildings and any below floor deposits.

This will be based upon the WSI submitted by Addyman Archaeology and build upon the work carried out on the site for Simpson & Browns Conservation Statement. It is therefore recommended that the following condition is attached to these consents to ensure that this works is undertaken.

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, excavation analysis & reporting) 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.

Roads Authority

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

1. Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984.

Note:

- Zero car parking is considered acceptable for this development.*
- There are no specific cycle parking standards for this type of Class 10 development. Staff cycle parking is to be provided within the building and there are 12 existing on-street cycle parking spaces.*
- There is no net tram contribution.*
- A draft travel plan has been submitted as part of the application.*

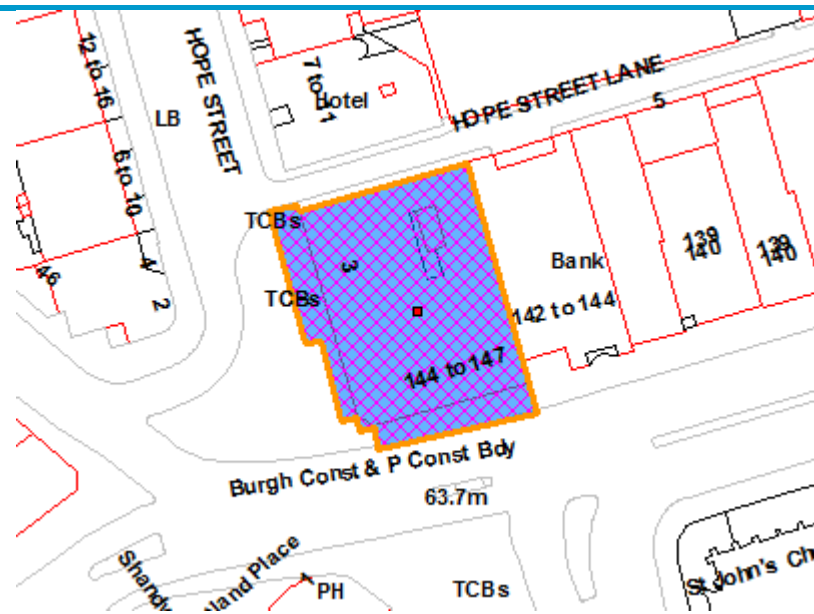
TRAMS - Important Note:

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

- Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;*
- Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;*

- Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;
- Any excavation within 3m of any pole supporting overhead lines;
- Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use;
- The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line.
- See our full guidance on how to get permission to work near a tram way
- <http://edinburghtrams.com/community/working-around-trams>

Location Plan



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Development Management Sub Committee

Wednesday 8 May 2019

**Application for Listed Building Consent 19/00573/LBC
At 146 Princes Street, Edinburgh, EH2 4BL
Internal and external alterations to enable change of use
from retail to whisky-themed visitor experience with
ancillary retail, bars, offices, training and event space,
including roof-top extension.**

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

Summary

The proposals have special regard to the desirability of preserving the building and its setting and any features of special architectural or historic interest it possesses and are acceptable.

Links

[Policies and guidance for this application](#) LDPP, LEN04, LEN06, NSG, NSLBCA, CRPNEW,

Report

Application for Listed Building Consent 19/00573/LBC At 146 Princes Street, Edinburgh, EH2 4BL Internal and external alterations to enable change of use from retail to whisky-themed visitor experience with ancillary retail, bars, offices, training and event space, including roof- top extension.

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 former Fraser's department store, occupying two adjoining buildings at the north-west corner of Princes Street at its confluence with Hope Street, Lothian Road and Shandwick Place. The building is within the World Heritage Site.

Nos. 144-147 Princes Street is the six storey and basement, inter-war classical style, former Binns department store by J R MacKay, dating from 1935. The building is constructed in ashlar sandstone with a canted corner featuring a cantilevered clock at second floor level and bronze-finished steel-framed casement windows. The ground floor shopfront is modern with a polished black marble fascia. The building is category B listed (reference 43328, listed on 28 March 1996).

The vacant department store incorporates a former bank of similar style and height at No. 3 Hope Street with a return to Hope Street Lane by Sydney H Miller, dating from 1930. The windows are bronze-finished steel-framed casement and the roof is pend and platform with a copper external pitch. The building is category B listed (reference 43307, listed on 28 March 1996).

The current building replaced older constructions which were developed from the original late 18th century tenements of the First New Town. In 1873, these tenements were altered significantly and converted into a hotel with shops at street level. This hotel subsequently became Maule's department store which was taken over by Binns in 1935. At this point a significant section of the frontage was demolished and rebuilt by J R McKay.

The interior was modernised throughout in the mid-1970s for retail use, including new stairs and lifts. In the early 1980s, the north-east corner of the building, formerly the warehouse, was entirely demolished and to incorporate escalators.

Elements of the bank telling hall, including columns and a coffered ceiling, survive within No. 3 Hope Street and there are remnants of 1930s and earlier cornicing throughout the building above later suspended ceilings.

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

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

2.2 Site History

Associated application for planning permission under consideration (application reference 19/00574/FUL).

22 August 2002 - planning permission granted to install cooling plant/pipework on roof of building (application reference 02/01100/LBC).

9 July 2002 - listed building consent granted to install cooling plant/pipework on roof of building (application reference 02/01100/LBC).

Main report

3.1 Description Of The Proposal

The application is for external and internal alterations to form a whisky-themed visitor experience with ancillary uses comprising retail on the ground floor, a training academy, office and double-height event space on the fourth floor, staff offices and back of house spaces on the fifth floor and two bars at sixth floor level. The main exhibit spaces will be on the first, second, third and basement floors.

The proposed alterations are summarised as follows:

External Alterations

- remove the existing roof plant and associated enclosures, gantries and louvred perimeter screen, remove the inner roof pitch on the Hope Street/Hope Street Lane elevations and one chimney;
- erect a partially set back sixth floor comprising a contemporary style, bronze-finished, metal-clad framing bar with glazed frontages leading to an open stone-paved terrace facing Princes Street and Hope Street; a bronze finished mesh-clad plant room behind this structure; a copper-clad hipped roof behind the existing outer copper roof pitches; and a flat sedum roof with a zinc pitched edge over the remaining area of the roof covering a second bar and associated facilities;
- form a contemporary style, copper-framed dormer window in the existing copper roof pitch to the Hope Street Lane elevation;

- remove the modern shopfront glazing and framing, fabric canopies and entrance doors from the Princes Street/Hope Street shopfront, retaining the surviving original bronze frames and restore the ground floor frontage to its original form and detailing in matching materials, including the recessed entrance doors and bronze-faced canopy above the main entrance on Princes Street;
- replace the modern entrance doors to the former bank building on Hope Street with a bronze door to match the original scale and design;
- replace the existing blockwork screen to the plant shaft on Hope Street Lane with a perforated bronze finished metal screen with a metal roller shutter door to a new goods entrance at ground floor level;
- remove the modern staff doors in the stairwell bay adjoining the plant shaft on Hope Street Lane and install a timber-boarded panel with staff doors;
- remove all the existing single glazing from the existing bronze-finished steel framed windows and install slimline double glazing in the existing frames; and
- replace the existing timber doors and infill panels on the decorative section of the Hope Street Lane elevation with bronze panelled doors to match the original pattern.

Internal Alterations

- remove the existing escalators and two passenger lifts and install a new central stair and lift in the same location rising vertically providing access to all floors including the new rooftop extension;
- restore the original bank telling hall to its original condition, including the decorative column capitals and ceiling bosses, as the welcome space for visitors;
- retain and restore the surviving parts of the stone bank vault in the basement of the former bank building; and
- form a double height space for event use between the fourth and fifth floors.

Supporting Documents

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

- Planning Statement;
- Design and Access Statement;
- Heritage Statement;
- Conservation Plan; and

- Visual Impact Assessment.

3.2 Determining Issues

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - 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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

In determining applications for listed building 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 proposals preserve the character of the listed buildings;
- b) the proposals preserve or enhance the character or appearance of the conservation area;
- c) any impacts on equalities or human rights are acceptable; and
- d) public comments have been addressed.

a) Character of Listed Building

External Alterations

The external appearance of the former Art Deco department store frontage and bank building is to remain as existing to a large extent and exterior works are to be undertaken to restore the Princes Street and Hope Street facades to their original primacy date, involving the repair and reinstatement of original features.

Alterations to the building were carried out in the late twentieth century that have had a 'negative' or 'neutral' impact on the building, as identified in the Conservation Plan, including new services and plant. These elements will be removed and replaced with more appropriate interventions.

The most significant of these interventions is the proposed rooftop extension comprising a series of individual structures tailored to complement the original roof elements and proposed functions. The existing roof is covered with plant equipment, including condensers, associated pipework, access gantries and a metal louvred screen along the parapet edge on Princes Street. The removal of these insensitive features and addition of high-quality, contemporary style rooftop extensions in appropriate traditional materials will rationalise and enhance the appearance of the roof. The most significant section of the roof - the copper outer pitch to Hope Street and Hope Street Lane - will be retained and the roof fabric to be removed is utilitarian and of no special historic or architectural merit. The chimney to be removed is later and in an inner position on the roof, so the removal of the structure will have no impact on the composition of the principal elevations.

The proposed bronze-framed rooftop bar facing Princes Street is a striking piece of contemporary architecture, the openings of which align with the bays of the principal facades. The structure will be set back from the building edges to reduce its visual impact and the proposed perimeter planter, required for public safety, will replace the existing unsightly louvred screen.

The other proposed rooftop structures employ a limited palette of robust, low maintenance cladding and roofing materials which relate to and complement the existing elevations and roof.

The proposed hipped roof structure over the bank building will match the copper finish of the historic external pitch to Hope Street and the new roof will sit behind the existing ridge to reduce the visual impact on the original roof. This roof originally extended further along the north elevation and part of this section was removed previously, so the new roof structure will provide a more unified north elevation. The proposed contemporary style dormer window in the remaining original section of copper roof on the Hope Street Lane elevation is an acceptable intervention to provide a viewing window for the new bar within this space without disrupting the principal elevation on Hope Street.

The remainder of the rear and inner side roof pitches will be of zinc-clad which is an appropriate material in this context and the sedum top surface requires a very low pitch which assists in keeping the roof height to a minimum.

The proposed plant housing structure is semi-sunk and finished in bronze-finished mesh to blend in with the new bar extension on the Princes Street elevation.

The Visual Impact Assessment which analysis the existing and proposed roofscape from key verified viewpoints demonstrates that the impact of the new roof extensions will be minimal. This intervention is also offset by significant conservation gain elsewhere in the building. Any other proposed rooftop extensions in Princes Street will be assessed on their own merit and in context.

The key conservation gain is the removal of the modern shopfront glazing and framing and fabric canopies and restoration of the original bronze-framed shopfront, including the removal of the later corner entry doors and reinstatement of main entrance doors in the original position along with an entrance canopy to replicate the original design and materials. The details have been based on existing detailing and historic evidence in the form of drawings and photographs. The restored shopfront will be complemented by new black-finished steel security gates, the design of which is based on photographic evidence of the original balustrades within the millinery department of Binn's department store, and decorative mosaic-tiled entranceways.

A further conservation gain is the replacement of the modern entrance doors to the former bank building on Hope Street and Hope Street Lane bronze doors to match the original scale and pattern.

Another positive intervention is the removal of the utilitarian blockwork screen to the plant shaft on Hope Street Lane and replacement with a bronze-finished metal screen which will match the existing and new copper roof pitches on the north elevation.

Elsewhere, the scheme involves the repair/restoration of other significant elements of the listed building, including the Binns' cantilevered clock on the Princes Street/Hope Street corner and the original steel windows.

Internal Alterations

The proposed internal alterations have been designed to be sympathetic to the original design of the building and its current configuration in order to limit the amount of alteration to the building whilst providing a viable new use. The majority of alterations are confined to areas which are less historically significant or in substantially altered areas, such as the 1980's north-east corner.

All elements of 'negative' significance, including escalators and lifts, the metal stair between the ground and basement floors, draught lobbies, modern partitions and exposed and suspended services will be removed and either replaced with more appropriate interventions or the affected areas will be restored to the original historic detailing. Modern linings will be removed from columns and walls and missing sections of cornicing will be reinstated. The original decorative plaster in the four corners of Maule's office survive and the original floor plan of this room will be acknowledged physically in a modern display.

Other elements of conservation gain include the restoration of the surviving parts of the stone bank vault as a store and exhibition space.

The only significant floorplate breach is to form the double height event space spanning the fourth and fifth floors and this will only affect plainly detailed fabric. The most extensive partitioning will be at fifth floor level to form back of house and support spaces. This floor has the least important architectural features, where any exist.

No significant architectural spaces will be partitioned and any new walls will avoid cutting across any original cornicework.

Historic Environment Scotland are supportive of the scheme on the basis that it will provide a meaningful re-use of this important listed building without causing any significant harm to its special interest.

The proposals therefore have special regard to the desirability of preserving the building and its setting and the special features of historic and architectural interest that it possesses.

b) 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; and*
- *the important feature of terminated vistas within the grid layouts and the long-distance views across and out of the conservation area.*

The external alterations proposed will not alter the essential hierarchical urban plan form of the First New Town nor interfere with its important vistas and views. The scale, form, design and materials of the proposed rooftop extensions are in keeping with the geometric forms of the historic and later roof structures within the First New Town.

The character and appearance of the west end of Princes Street will be enhanced by bringing this important category B listed building back into a sustainable and viable use. The associated extensions and external alterations are sensitive to the historic environment and involve a significant degree of conservation gain.

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

c) Equalities and Human Rights

The development respects the provisions of the Equality Act 2010 by including accessible access throughout the building.

d) Public Comments

The Architectural Heritage Society of Scotland welcomes the constructive re-use of the building and sympathetic approach adopted and is mainly concerned about the visual impact of the rooftop extension and potential of the new window on the north elevation to detract from the roofline as viewed from the south or east. These concerns have been addressed in section 3.3 a).

The supporting comments relate mainly to the associated application for planning permission (reference 19/00574/FUL).

Conclusion

The proposals have special regard to the desirability of preserving the building and its setting and any features of special architectural or historic interest it possesses and are acceptable.

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.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

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

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:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application 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 22 February 2019. A total of four representations were received, comprising one general comment from the Architectural Heritage Society of Scotland and three supporting comments.

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

8 February 2019

Drawing numbers/Scheme

01 - 59,

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

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

Relevant Non-Statutory Guidelines

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

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 Listed Building Consent 19/00573/LBC At 146 Princes Street, Edinburgh, EH2 4BL Internal and external alterations to enable change of use from retail to whisky-themed visitor experience with ancillary retail, bars, offices, training and event space, including roof- top extension.

Consultations

Historic Environment Scotland

The proposal under consideration concerns the conversion and alteration of 146 Princes Street into a whisky-themed visitor experience with ancillary services. This corner building, listed at Category B, was constructed in two main phases - The Royal Bank of Scotland (Hope Street) in the 1920s and a new frontage for Binns Department Store (Hope Street and Princes Street) in the 1930s.

The accompanying Conservation Plan provides an in-depth narrative on the history of the building and assesses its significance, as a whole and its component parts. We agree with its assessment of significance.

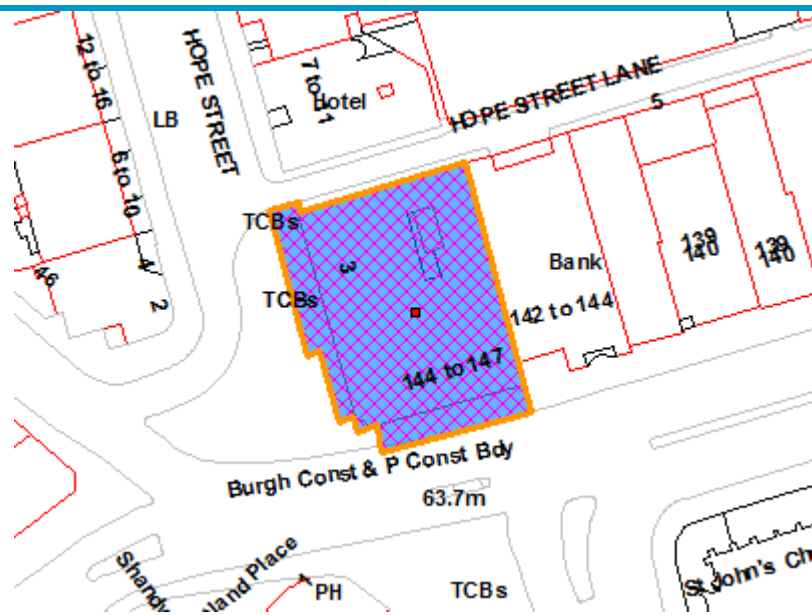
We can also see how the detailed proposals have taken into consideration the significance of the building. A scheme of this ambition, which would see the comprehensive adaptation of the listed building, will inevitably result in a range of impacts, both positive and adverse in nature. In this case, we do not anticipate any significant impacts on the special interest of the listed building. We welcome that a more conservation-based approach would be taken to the handling of the former bank telling hall, which we consider to be the most important internal space. We also consider the shopfront proposals will bring about conservation gain - with the removal of the modern Dutch canopies and reinstatement of a single traditional canopy over the Princes Street entrance (to closely match the original design), reinstatement of the Hope Street entrance and removal of the later corner entrance.

The more significant changes, arguably, are focused on the rooftop alterations and extension, which will impact on certain views towards the listed building. Where the extension would be most visible, i.e. from the east along Princes Street, we consider these views to be less important. In contrast, where we consider the views to be more important, i.e. in close-up views of the building from the south and west, the extension will be less visible, and is unlikely to represent a major visual departure from the existing arrangement, which includes louvers atop the southern parapet.

In summary, we are supportive of this scheme as it would provide a meaningful reuse of an important listed building without causing any significant harm to its special interest.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

Location Plan



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Development Management Sub Committee

Report returning to Committee - Wednesday 8 May 2019

Application for Planning Permission 18/08091/FUL At Land 34 Metres South East Of, 8 Bainfield Drive, Edinburgh Moorings for boat hotel accommodation (5 boats) at Union Canal, west of Viewforth Bridge.

Item number	8.1
Report number	
Wards	B09 - Fountainbridge/Craiglockhart

Recommendations

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

Background information

This application was continued by the Development Management Sub-Committee on 24 April 2019 for a site visit and additional information. The additional information requested related to the following:

- The disposal of liquid waste;
- The servicing arrangements for the boat hotel; and
- Consultation with the City Canal Champion.

Main report

Liquid Waste

The applicant has confirmed the incinerator toilet turns everything to ash including the fluid. It can then be disposed of in a bin for landfill. The product is made by a Norwegian company and has been on the market since 1999 and has sold more than 50,000 units. Product information at <https://www.cinderellaeco.com/gb/vacation-homes/cinderella-comfort/>. No effluent will be discharged into the Union Canal.

Servicing

The applicant has confirmed they have agreed with Scottish Canals that we will use one of the small huts opposite the moorings to store supplies. This will be in addition to a larger storage facility in the centre of Edinburgh. The trolley will be collapsible and will also be stored in the hut opposite the mooring. However, it may not be necessary to use the trolley on each occasion and cleaners will sometimes only need to use a large holdall for servicing.

City Canal Champion

Councillor Gavin Corbett has confirmed he was not consulted as part of this planning application. He has now provided the following information:

At the Development Management Sub Committee meeting on 24 April 2019 it was rightly observed that the committee had not heard from the City Canal Champion in relation to the proposal to locate 5 boatels by Boroughmuir High School. So I have prepared this short note, largely drawing from the 2011 Canal Strategy but also discussions in the Canal Delivery Board, Canal Community Action Group and Fountainbridge Sounding Board since then.

1. Holiday boats (boatels) are an accepted moorings use within the canal strategy as part of a mix of different uses (page 36-37). This is generally accepted by stakeholders and, indeed, there is already at least one boatel in Lochrin Basin, in the area beyond Leamington Lift Bridge.

2. The 2011 canal strategy, which has material relevance to planning decisions, did not identify the current location as suitable for moorings. However, that strategy pre-dated the planning consent for the school and indeed was in the context of a different vision for the Lochrin hub (page 36-37 of the strategy) which included two new basins.

3. So the context for that part of the canal has changed. However, that changed context may not necessarily mean that a holiday boat use is acceptable. One might equally (or more plausibly) conclude that the building of a school with a current roll of 1,255 (with current extension plans to take it to 1,500) within 20m of that precise location should be the primary driver of a refreshed vision for that stretch of the canal.

*4. The "hardening" of the canal edge (page 5 of the report to Committee) is used to explain the shift from the canal strategy identified use of marginal vegetation to holiday boat use. However, the report (page 2) also acknowledges that the towpath improvements were funded by developer contributions, including from the school. In the original consent (13/00073/PPP) the section 75 contribution from the school towards the towpath improvement was identified as £139,500. **In other words, funds paid by the school construction project to improve the canal towpath are now being used to justify a change in anticipated use of the same canal bank which will inhibit use of the canal by the school.***

5. The canal strategy specifically (pages 19-20) seeks to ensure that new developments do more than simply treating the water as a setting or a backdrop; rather that they should seek to create a relationship with the waterway. My discussions with senior managers at the school demonstrate an appetite to do that, with the school purchasing kayaks, developing plans with Edinburgh Schools Kayak Club and looking at other learning opportunities from having the canal 20m from the front door. **The school has said it wants to be part of the canal not simply beside the canal, an aspiration which is entirely consistent with the canal strategy.**

6. This school community aspiration appears not to have been taken into account in the Moorings site options appraisal commissioned by Scottish Canals in the summer of 2018 which has acted as a frame for the current application. In stark contrast to the original strategy - which had significant stakeholder and public engagement - the 2018 exercise had no stakeholder engagement, least of all with the school which is now a major part of the canal community. Further, the appraisal seems to conceive of moorings within a very narrow view of the waterway rather than a wider development context. **There is no mention of the school in the appraisal; indeed, the school is not even shown as a school on the revised drawings in the appraisal.** seems a remarkable omission. Further, nowhere in the appraisal is any rationale given for recommending that holiday boats are a suitable use for this location, rather than, say, an opportunity for the school community to interact more fully with the canal.

7. I have a frequent and very positive relationship with Scottish Canals, but, on this occasion I have conveyed my disappointment about the lack of engagement.

8. Alongside the canal strategy and moorings site appraisal, policy, Des 10 from the LDP is relevant. It says "Planning permission will only be granted for development on sites on the coastal edge or adjoining a watercourse, including the Union Canal, where the proposal:

- a) provides an attractive frontage to the water in question.
- b) where appropriate, **maintains, provides or improves public access** and along the water's edge.
- c) maintains and enhances the water environment, its nature conservation or landscape interest including its margins and river valley.
- d) if appropriate, **recreational use of the water.**"

*Clearly, boatels will provide public access to the water and recreational use, for those handful of members of the public who hire the boatels at any one time. However, it will do so at the cost of restricting that same access and use for the much larger school community. In my view, **the tests set by Des 10 have not been met since the aggregate effect is to limit access and use to a small group of visitors and so reducing it for a larger school community.***

9. The development of Fountainbridge and, in particular, the former brewery sites has been praised over the last five years. Aside from the school, the renovation of the old rubber factory has resulted in the building now hosting Edinburgh Printmakers and opened on Saturday 27 April. The masterplan for homes and workplaces across Viewforth from the school has won awards and is now out for procurement. Developers Moda and Vastint will be on site this year to the north and east of the council-owned site and both have engaged productively with stakeholders through the Fountainbridge Sounding Board. The dialogue between stakeholders has been constructive over the last 8 years, if also robust at times. **The offer of dialogue also extends to potential development opportunities on the canal itself; but on this occasion, that opportunity has not been taken.**

10. So, as it stands, the proposal is generally not welcomed by residents, the school community and canal groups. It is inconsistent with the canal strategy and policy des 10 and inhibits the way in which a growing school community can develop a strong sense of ownership of the canal which is a key theme of the strategy. It is framed by a narrowly-conceived moorings site options appraisal which has taken no account of the proximity of the school and the opportunities that offers.

Gavin Corbett
Edinburgh Canal Champion
26 April 19

Further Information

In response to Councillor Corbett's comments above, the following information is provided.

Point 4 - Use of Towpath - Scottish Canals has confirmed that developer contributions were received to ensure that the landscape treatment of the towpath was done to a consistently high standard. The Scottish Canal's Fountainbridge improvement proposals were presented to the Council's streetscape working group and the aim was to ensure that connections from new development to the canal corridor happened in a co-ordinated manner. Follow up meetings were held with the council cycling officer, neighbourhood team and Historic Environment Scotland - all of whom were engaged in the works that have since been completed. This was not to justify a change of use - it should be noted that the towpath use is not changing and it remains for public use by all parties.

Points 5 and 6 - Relationship with Boroughmuir High School

Scottish Canals has met the head teacher of the school on 25 February 2019 and the boat proposal was discussed at that meeting. It was agreed that the school would be given a detailed implementation programme for the boat hotel if it is approved and there would a quarterly meeting between Scottish Canals, the applicant and the school to review the operation and any issues arising.

In terms of the Canoe Club, the school has acquired a few canoes and are looking to establish a club to promote leisure use of the canal and would like to implement access to the water near the school. There is a small boats pontoon in place nearby next to Leamington Lift Bridge which the school can use in the first instance. Scottish Canals outlined the best location for a small boat pontoon (nearer Gibson Terrace) - this would keep canoes away from the bridge opening and residential boats and is a safer environment for a launching point as it is greenspace rather than a hardspace. Discussions are ongoing regarding the funding and implementation of this.

Links

<u>Policies and guidance for this application</u>	LEN16, LTRA02, LTRA03, LEMP10, LHOU07, LDES05, LDES10, LEN08, LEN15, NSGD02,
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A copy of the original Committee report can be found in the list of documents at

<https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=PFRQPXEWH6I00>

Or Council Papers online

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