

Notice of meeting and agenda

Development Management Sub-Committee of the Planning Committee

10:00am, Wednesday 19 June 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 17 June 2019** (see contact details in the further information section at the end of this agenda).
- 1.3 If a member of the Council has submitted a written request for a hearing to be held on an application that raises a local issue affecting their ward, the Development Management Sub-Committee will decide after receiving a presentation on the application whether or not to hold a hearing based on the information submitted. All requests for hearings will be notified to members prior to the meeting.

2. Declaration of interests

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

3. Minutes

- 3.1 None.

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

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

Pre- Applications

- 4.1 2 Pepper Place (At Site 90 Metres South Of) – Forthcoming application by John Talbot for a mixed-residential development comprising of student/co-worker living, assisted living and a dementia care centre with landscaping, SUDs, carparking, access and associated infrastructure. On vacant land opposite the White House and adjacent to Craigmillar Library – application no 19/02043/PAN – report by the Chief Planning Officer (circulated)

Applications

- 4.2 2 Belmont Drive, Edinburgh, EH12 6JN - Form new accommodation within garden (as amended) – application no 18/10330/FUL – report by the Chief Planning Officer (circulated)

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

- 4.3 73 Duddingston Row, Edinburgh (At Land 56 Metres Southeast Of) - Erection of 40 residential units, comprising 30 flats, 2 houses and 8 maisonettes, along with associated parking, pedestrian paths, amenity space and soft landscaping. – application no 18/03994/FUL – report by the Chief Planning Officer (circulated)

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

- 4.4 18 - 20 King's Stables Road, Edinburgh EH1 2LQ - Use of student accommodation as short-term holiday accommodation from 1 June to 31 August annually – application no 19/00112/FUL – report by the Chief Planning Officer (circulated)

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

- 4.5 540A Lanark Road, Edinburgh, EH14 5EL - Extension of existing class 2 use premises to form new class 3 hot food takeaway (Sui Generis). (Change of Use from Bank Class 2 to Class 1 is permitted development). (Re-submission related to 17/04434/FUL) – application no 18/10239/FUL – report by the Chief Planning Officer (circulated)

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

- 4.6 Silverknowes Parkway, Edinburgh (Land Adjacent to Gas Governor) - Replacement of non-advertising bus shelter to Foster bus shelter with double-sided back-lit LED advertising panel – application no 18/10579/ADV – report by the Chief Planning Officer (circulated)

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

- 4.7 Whitson Grove And Stevenson Drive, Whitson Grove, Edinburgh (At Bus Shelter at Junction of) - Replacement of non-advertising bus shelter to Foster bus shelter with double-sided back-lit LED advertising panel – application no 18/10575/ADV – report by the Chief Planning Officer

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

5. Returning Applications

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

- 5.1 3F2, 17 Bruntsfield Gardens, Edinburgh - Creation of new flatted dwelling within attic space and alter existing third floor flat. Proposed new access from existing communal stairwell (as amended) – application no 19/00792/FUL - report by the Chief Planning Officer (circulated)

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

- 5.2 7, 11, 13 Eyre Terrace, Edinburgh EH3 5ER - Planning permission in principle for mixed use development. Retail (class 1); financial, professional + other services (class 2); food + drink (class 3); business (class 4); hotels (class 7); residential (class 8, 9 + sui generis), car parking, access + other works, approval of siting + maximum height of principal building block, points of vehicular/pedestrian access + egress – application no 14/01177/PPP – report by the Chief Planning Officer (circulated)

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

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) Craigiehall, Riverside Road, South Queensferry EH30 9TN - Protocol Note by the Head of Strategy and Communications (circulated) - application no 18/10545/PPP
- 6.1(b) Craigiehall, Riverside Road, South Queensferry EH30 9TN - Demolition of buildings, residential development (Class 9) and apartments (Sui Generis); commercial Class 1, 2 and 3 within a local centre; non-residential (Class 10); hotel (Class 7); park & ride; landscaping, open space, access, SUDS and ancillary development – application no 18/10545/PPP – report by the Chief Planning Officer (circulated)

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

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) 179A Canongate, Edinburgh – Partial demolition of existing buildings and development of Purpose Built Student Accommodation (PBSA) with community space and associated infrastructure – application no 19/00117/FUL – report by the Chief Planning Officer (circulated)

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

- 7.1(b) 179A Canongate, Edinburgh - Partial demolition of existing buildings – application no 19/00116/CON – report by the Chief Planning Officer (circulated)

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

- 7.2 37 Corstorphine Road, Edinburgh EH12 5QQ - Demolition of existing house, erection of new building to form residential apartments with associated car parking and landscaping – application no 18/02404/FUL – report by the Chief Planning Officer (circulated)

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

- 7.3 61 and 63 London Road, Edinburgh (Land at) - Erection of mixed-use development including student accommodation and ancillary uses, commercial unit, and associated landscaping and infrastructure – application no 19/01149/FUL – 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 None.

Laurence Rockey

Head of Strategy and Communications

Committee Members

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

Information about the Development Management Sub-Committee

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

Further information

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

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

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

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

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

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

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Development Management Sub Committee

Wednesday 19 June 2019

Report for forthcoming application by

John Talbot. for Proposal of Application Notice

19/02043/PAN

**At Site 90 Metres South of 2, Peffer Place, Edinburgh
Mixed-residential development comprising of student/co-
worker living, assisted living and a dementia care centre with
landscaping, SUDs, carparking, access and associated
infrastructure. On vacant land opposite the White House and
adjacent to Craigmillar Library.**

Item number	4.1
Report number	
Wards	B17 - Portobello/Craigmillar

Summary

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for planning permission for the development of a mixed use development comprising student/co-worker living, assisted living and a dementia care centre with landscaping, SUDs, car parking, access and associated infrastructure on vacant land located on Niddrie Mains Road.

In accordance with the Town and Country Planning Act 1997, as amended, the applicant submitted a Proposal of Application Notice (19/02043/PAN) on 25 April 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 approximately 2.9 hectares in area and lies to the north of Niddrie Mains Road in Craigmillar. The site was previously occupied by a retail warehouse and was subsequently used as an overspill vehicle parking area for the neighbouring depot. The site currently comprises an area of vacant open scrubland and hardstanding with several mature trees.

The southern boundary of the site is formed by Niddrie Mains Road. To the west, adjoining land includes a residential caravan site and Craigmillar Police Station. A solid 2m boundary fence forms the southern and western boundary treatment. Land to the north of the site is occupied by the Castlebrae Business and Industry Area. Land to the east is bounded in part by the Craigmillar East Neighbourhood Centre, and an area of open space, on which the future development of the relocated Castlebrae High School is planned.

2.2 Site History

The site

24 September 2015 - Permission granted for mixed use development including retail (class 1), financial, professional and other services (class 2); food and drink (class 3); business and employment (class 4); residential institutions (class 8); residential (class 9); assembly and leisure (class 11); sui generis flatted development and other associated works including car parking, public realm, access arrangements and works in general at development site at Niddrie Mains Road Edinburgh (application reference 14/03416/PPP. Varied by permission 14/03416/VARY).

Surrounding sites

Under consideration - proposal for the development of a three and four storey secondary school with associated hard and soft landscaping, 'town square', external sports provision and car parking (application reference 19/01771/FUL).

10 May 2018 - Planning permission granted for an educational, learning and teaching landscape design to the proposed SUDs Basin (application reference 17/04498/AMC).

23 February 2018- planning permission granted for the erection of 194 new residential units, comprising 128 flats and 66 terraced houses, along with associated roads, pedestrian paths, parking courtyards, amenity space and soft landscaping (matters listed in conditions one i (a), two, three (excluding (h)), four, five and six) (as amended) (application reference 17/03244/AMC, varied by 17/03244/VARY).

Main report

3.1 Description of The Proposal

An application for planning permission will be submitted for the erection of a mixed-residential development comprising of student/ co-worker living, assisted living and a dementia care centre with landscaping, SUDs, car parking, access and associated infrastructure on vacant land located on Niddrie Mains Road.

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 currently brownfield in nature. The proposals for the site require to be assessed against the relevant policies of the LDP.

As the development comprises an element of student accommodation, Policy Hou 8 is also relevant. This policy seeks to ensure that student housing developments are located appropriately in terms of access to university facilities by sustainable methods and to ensure that proposals do not lead to excessive concentrations of student accommodation in their locality.

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

The application will be for full planning permission. A design and access statement will be required to accompany the application. The layout and design of the proposed development will be assessed against the requirements of the Edinburgh Design Guidance and the Craigmillar Urban Design Framework.

Early proposals were presented to the Edinburgh Urban Design Panel in December 2018. The key considerations were:

- Ensuring design principles from the Craigmillar Urban Design Framework are followed to make a positive contribution to the local townscape and public realm;
- Demonstrating that the proposed uses could be effectively integrated into the local centre, seeking advice in the fields of landscape architecture and design for older people and those with cognitive impairments;
- Ensuring that the site layout improves permeability and provides positive integration with boundaries and adjacent uses;
- Ensuring that the development respects the setting of the category B listed White House building;
- Considering the setting within the landscape context; and
- Demonstrating that a balance can be struck on the site between providing an accessible facility, and the need for secure boundaries and layout for vulnerable residents.

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

The proposal should have regard to the transport policy of the LDP and Designing Streets. Consideration should be given to prioritising pedestrian and cycle movement.

Transport information will be required to support the application.

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

The applicants will be required to submit sufficient information to demonstrate that the site can be developed without having a unacceptable impact on the environment. In order to support the application the following documents are likely to be expected (this list is not exhaustive):

- Pre-application Consultation Report;
- Planning Statement;
- Design and Access Statement;
- Landscape and Visual Impact Assessment;
- Transport information;
- Archaeology Assessment;
- Flood Risk Assessment and Surface Water Management Plan;
- Air Quality Impact Assessment; and
- Sustainability Statement.

3.3 Assessment

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

Financial impact

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

Risk, Policy, compliance and governance impact

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

Equalities impact

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

Sustainability impact

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application. Early proposals were presented to the Edinburgh Urban Design Panel I December 2018.

8.2 Publicity summary of representations and Community Council comments

The Proposal of Application Notice (reference: 19/02043/PAN) outlined two public exhibitions to be held at:

- Craigmillar Library, Niddrie Mains Road on 18 June 2019 (14:00 - 19:00)

The applicant has also undertaken the following measures:

- Correspondence with local councillors, MSPs and MP;
- Correspondence with Craigmillar Community Council; and
- Publicity of public event in the local press (Edinburgh Evening News)

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

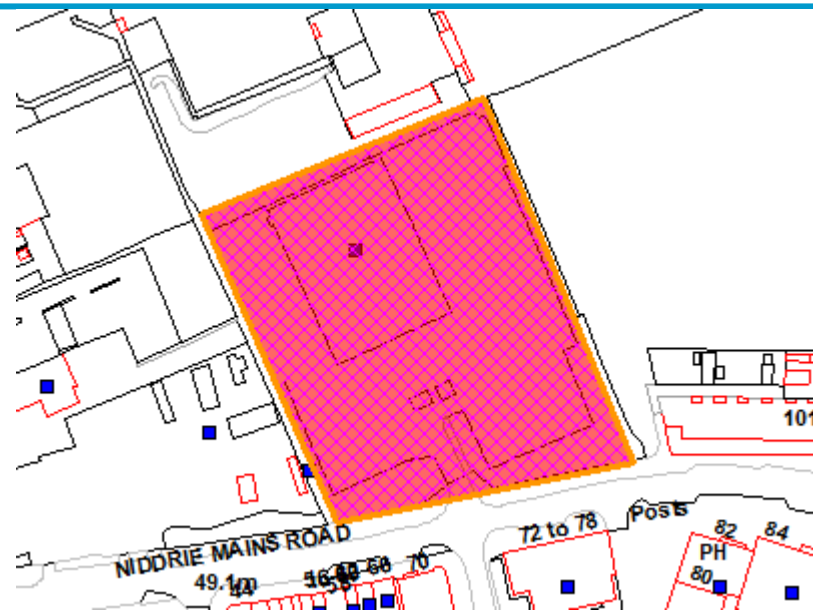
PLACE

The City of Edinburgh Council

Contact: Julie Ross, Planning Officer

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Location Plan



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Development Management Sub Committee

Wednesday 19 June 2019

**Application for Planning Permission 18/10330/FUL
At 2 Belmont Drive, Edinburgh, EH12 6JN
Form new accommodation within garden (as amended).**

Item number	4.2
Report number	
Wards	B06 - Corstorphine/Murrayfield

Summary

The proposals comply with the development plan and non-statutory guidelines, have no adverse effect on the character or appearance of the conservation area and have no detrimental impact on residential amenity or road safety. 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, LHOU01, LEN06, LEN12, LTRA02, LTRA03, NSG, NSLBCA, NSGD02, CRPWMU,
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Report

Application for Planning Permission 18/10330/FUL At 2 Belmont Drive, Edinburgh, EH12 6JN Form new accommodation within garden (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 relates to the garden ground of a recently built, contemporary style, white and grey rendered, two/three storey dwelling house with a similar style detached double garage on the west side of Belmont Drive.

The site extends northwards on an upwards slope behind 10 -12 Belmont Gardens and 3 and 4 Belmont View and contains mature trees in its southern and eastern sections. The site is enclosed by timber fencing with a stone boundary wall on the eastern boundary and access off Belmont Drive.

The surrounding area is predominantly residential.
This application site is located within the West Murrayfield Conservation Area.

2.2 Site History

28 October 2016 - planning permission granted to erect dwelling house and garage (application number 16/04237/FUL).

14 September 2015 - planning permission granted to erect dwelling house and garage (application number 15/02300/FUL).

08 February 2016 - planning permission granted to erect dwelling house with integrated garage (application number 15/05787/FUL)

Main report

3.1 Description of the Proposal

The application is to erect a single-storey, one-bedroom annex (gross internal floor area of 53.5 square metres) to the main house to the immediate south of the garage.

The proposed structure is contemporary style with timber-clad elevations, dark-grey aluminium-clad windows and a dark-grey coloured single-ply membrane covered flat-roof.

Scheme 1

The original scheme proposed a larger footprint and external decking.

Supporting Documents

The following document has been submitted in support of the application and is available to view on the Planning and Building Standards Online Services:

- Tree Survey.

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 development is acceptable
- b) the proposals will adversely affect the character or appearance of the conservation area
- c) the proposals will have an adverse impact on residential amenity
- d) the proposals will have a detrimental impact on road safety or infrastructure
- e) any impacts on equalities or human rights are acceptable
- f) public comments raised have been addressed.

a) Principle

Notwithstanding the description of the development, the details of the proposal constitute a building capable of being used as a separate dwelling, so it must be assessed as such.

Edinburgh Local Development Plan (LDP) Policy Hou 1 states that priority will be given to the delivery of the housing land supply on suitable sites. Whilst small in scale, the development will respect the characteristics of the surrounding area and create an attractive residential environment with access to public transport and local facilities.

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 Murrayfield Conservation Area Character Appraisal is summarised as follows:

A cohesive inner suburb characterised by a range of high quality villas dating from the early 19th to the mid-20th century with high quality, largely stone-built architecture of restricted height enclosed by stone boundary walls, which define the visual and physical seclusion of the villas. Belmont House is a focal point in the Conservation Area and significant in terms of its historical development, setting and topographical position. There is no dominant architectural style and buildings are individually designed and influenced by popular styles of the time or period. There is a predominantly private and enclosed feel to the area due to high enclosures; either of distinctive high stone walls or hedges. Mature trees in large gardens make a significant contribution to the landscape framework and leafy character of area.

The proposed building is a low-lying structure which will sit within the garden of a contemporary style house. This house sits within the wider context of West Murrayfield in which the existing houses are mainly detached or semi-detached structures of two and three storeys and various architectural style, including flat-roofed earlier 20th century villas and contemporary style recent developments with a range of external finishes including sandstone, timber and render. The proposed structure will be in keeping with this range of styles and materials.

The footprint has been reduced slightly in the revised scheme and the building will not encroach on the garden ground to a significant extent. The use of timber cladding on each elevation will help to integrate the structure with the natural landscape.

The group of mature trees in the eastern and southern areas of the site will remain. The most significant tree in close proximity to the development is a mature sycamore and there will be slight encroachment on the root protection zone. However, any affected roots will be protected through the use of pad foundations. A condition has been applied to ensure that trees are adequately protected during construction works.

The retention of these trees and majority of the site as green garden ground will ensure that the development has no negative impact on wildlife.

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

c) Residential Amenity

The gross internal floor area of the proposed unit (53.5 square metres) complies with the minimal floor area requirements as set out in the Edinburgh Design Guidance. Future occupants will have ample daylighting due to the large south-facing windows and a good level of amenity as the site is within a mature garden setting.

The development complies with the privacy, daylighting and overshadowing standards set out in the Edinburgh Design Guidance. No windows will directly face the existing houses on Belmont Gardens and Belmont View. The proposed decking has been omitted in the revised scheme.

The proposals will therefore have no detrimental impact on neighbouring residential amenity.

d) Road Safety and Infrastructure

There is no minimum car parking requirement in this location (Zone 2 in the Council's Parking Standards) and there is ample space within the unit for one bicycle.

This is a small-scale residential unit which will not generate any significant additional traffic.

The development is not expected to generate any additional primary school pupils, so no financial contribution towards education infrastructure is required.

The proposed development will therefore have no detrimental impact on road safety or infrastructure.

e) Impact on Equalities and Human Rights

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

f) Public Comments

Material Objections

- overdevelopment - this has been addressed in section 3.3b;
- out of character with the conservation area in style and materials - this has been addressed in section 3.3b;
- negative impact on the natural environment - this has been addressed in section 3.3b;
- overshadowing and loss of privacy - this has been addressed in section 3.3b;
- exacerbation of existing parking problems and traffic congestion - this has been addressed in section 3.3c.

Non-material Objections

The objections on the grounds of the previous planning permission, future possible uses, noise and disruption during construction and the behaviour of construction workers are non-material in planning terms.

Conclusion

The proposals comply with the development plan and non-statutory guidelines, have no adverse effect on the character or appearance of the conservation area and have no detrimental impact on residential amenity or road safety. 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. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with BS 5837:2012 " Trees in relation to design, demolition and construction". Details of the proposed foundations system shall be submitted to and approved in writing by the planning authority before work is commenced on site.

Reasons:-

1. In order to safeguard protected trees.

Informatives

It should be noted that:

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 15 February 2019. A total of 25 representations were received objecting to the proposals, including one from the Ward Councillor.

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 Urban Area as defined in the Edinburgh Local Development Plan.

Date registered

7 January 2019

Drawing numbers/Scheme

01, 02A, 03A, 04A, 06A, 07A, 08, 09 + 10,

Scheme 2

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

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

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

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

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

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 West Murrayfield Conservation Area Character Appraisal emphasises the range of high quality villas of restricted height enclosed by stone boundary walls, and the predominance of residential uses within the area.

Appendix 1

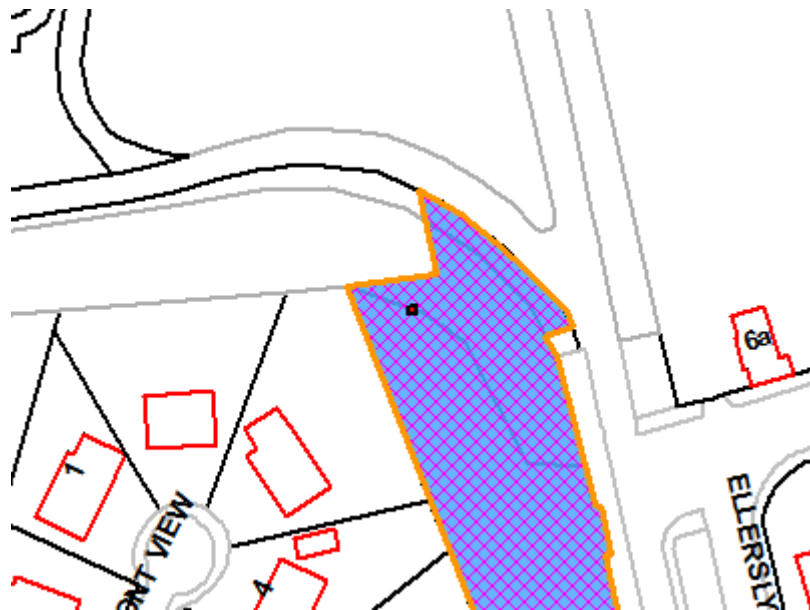
Application for Planning Permission 18/10330/FUL

At 2 Belmont Drive, Edinburgh,
EH12 6JN
Form new accommodation within garden (as
amended).

Consultations

No consultations undertaken.

Location Plan



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END

Development Management Sub Committee

Wednesday 19 June 2019

Application for Planning Permission 18/03994/FUL

At Site 56 Metres Southeast of 73, Duddingston Row,
Edinburgh.

Erection of 40 residential units, comprising 30 flats, 2
houses and 8 maisonettes, along with associated parking,
pedestrian paths, amenity space and soft landscaping.

Item number	4.3
Report number	
Wards	B17 - Portobello/Craigmillar

Summary

The proposal is acceptable in principle. It is in-keeping with the character of the area and provides adequate levels of amenity. There is no adverse impact to road safety. The proposal accords with relevant development plan policy and non-statutory guidance. There are no material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	LDPP, LDEL01, LDES01, LDES02, LDES04, LDES05, LDES06, LDES08, LEN12, LEN16, LEN20, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, NSG, NSGD02, PLDP07,
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Report

Application for Planning Permission 18/03994/FUL At Site 56 Metres Southeast of 73, Duddingston Row, Edinburgh Erection of 40 residential units, comprising 30 flats, 2 houses and 8 maisonettes, along with associated parking, pedestrian paths, amenity space and soft landscaping.

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 located on the north east side of Duddingston Row and to the north of Bingham Avenue. It is approximately 5678 square metres in area.

The site is currently vacant. Trees line the site along the Duddingston Row and Bingham Avenue frontage.

The Bingham Community Centre is located to the north east of the site and Bingham Park to the north west. The area to the west, south and east can be characterised as predominately residential.

2.2 Site History

There is no relevant planning history for this site.

Land to north

23 November 2011 - Erection of a new single storey respite care centre on the site of the former Lismore Primary School (as amended) (Planning application 11/03032/FUL).

Main report

3.1 Description of the Proposal

The proposal is for the development of 40 affordable residential units arranged in four blocks. Each block comprises the following:

Block One

This block fronts Duddingston Row and is proposed to be two storeys in height with a pitched roof. It is proposed that the flats are finished in facing brick with a metal roof.

There are two flats with one bedroom, two flats with two bedrooms and two houses with two bedrooms. Each of the residential units has private amenity ground to the rear. Six car parking spaces are proposed to the front of this block.

Block Two

This block sits on the corner of Duddingston Row and Bingham Avenue and comprises a three storey block of flatted dwellings. The block is proposed to be finished in facing brick, with a flat roof.

There is a total of 18 flats proposed, comprising 14 flats with one bedroom and four flats with two bedrooms. The block is accessed via three internal stairwells. An area of communal garden ground is located to the rear of the residential block with access via a pedestrian link from both Duddingston Row and Bingham Avenue and each internal stairwell.

Blocks Three and Four

These blocks are a matching pair of three-storey flats fronting Bingham Avenue. Across these two blocks there are eight flats with one bedroom, all located at ground floor level, and eight flats with two bedrooms arranged in a maisonette format on the upper levels. Each of the units has private amenity space located to the front and rear of the block.

All the blocks are proposed to be finished in a light multi-tonal brick. The window frames will be finished in grey with a bronze hue. The balustrades would be finished in galvanised steel to match the windows. The roofs will be grey seam metal.

In terms of amenity space, there is a large area of communal amenity space provided in the northern corner of the site.

Bins stores are proposed to be located at the gable end of blocks 2, 3 and 4. Block 1 has a bin storage area for each unit within the front setback adjacent to the driveways.

Parking is provided for Block 1 within the curtilage of the units, and there is an additional nine spaces proposed along Bingham Avenue.

An enclosed bike shelter is proposed to be located to the south of the shared amenity space.

The proposal includes the removal of 24 trees within the site boundary, including eight Swedish Whitebeam. Five Ulmus "New Horizon" trees are proposed to be located along Bingham Avenue with four Crataegus Monogyna "Stricta" along Duddingston Row. Hedging is also proposed to provide a buffer between the pavement and garden space.

Amended Scheme

The proposal was amended to change the boundary treatments along the front elevation and the landscaping strategy.

Supporting Documents

- Design and Access Statement;
- Transport Assessment;
- Tree Report;
- Sustainability Statement.

These documents can be viewed on Planning and Building Standards Online Service.

3.2 Determining Issues

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

Do the proposals 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 design, scale and layout are acceptable to the site;
- c) the proposal has an impact on the amenity of the area;
- d) parking, access and road safety arrangements are acceptable;
- e) the proposal meets the sustainability criteria;
- f) the proposals have any equalities or human rights impacts;
- g) impact on infrastructure can be mitigated;
- h) there are any other material planning considerations; and,
- i) the representations raised have been addressed.

a) The Principle of Development

Local Development Plan (LDP) Policy Hou 1 (Housing Development) seeks to deliver housing and relevant infrastructure on suitable sites in the urban area. The application

site is a vacant brownfield site located within the urban area of Bingham. The surrounding area is characterised by a mix of housing types and architectural styles with the Seaview Respite Centre and Bingham Park to the north. The proposal would complement the housing mix through the provision of additional residential units of varying sizes. Furthermore, the proposal would provide an additional 40 residential units towards meeting the identified housing needs in Edinburgh.

The small area of open space in the northern part of the site is being reprovided in the form of new amenity space.

Based on the above, the principle of the proposal accords with LDP Policy Hou 1 and residential development in this location is supported.

b) Scale, Layout and Design

LDP Policy Des 1 (Design Quality and Context) seeks to ensure that development will create or contribute towards a sense of place. Furthermore, it stipulates that the design concept should draw upon the positive characteristics of the surrounding area.

LDP Policy Des 4 (Development Design) requires that new development has a positive impact on its surroundings having regard to height and form; scale and proportions; and materials and detailing.

The proposal comprises four blocks of different building types. It includes a mix of three storey flatted dwellings and two storey dwellings and flats. Block 2 is designed to have a flat roof, while Block 1 would have a pitched roof and Blocks 3 and 4 would have a mansard roof with dormers. The surrounding area comprises a mix of housing types and architectural styles, including terraced dwellings, flats and detached bungalows. Given this mix, the proposal will complement the character of the surrounding area. Concerns have been raised through the representations regarding whether flatted dwellings are appropriate in this location. However, given the relatively low density nature of the proposal and the presence of other examples of flatted dwellings within the immediate surrounding area, the proposal will not be out of character.

In terms of building materials, there are examples of a range of material finishes in the surrounding area. All four blocks would be finished in a similar palette of materials to ensure cohesion across the site. Notwithstanding the above, a condition is proposed requiring that building material details are submitted for approval prior to the commencement of works. This will ensure an appropriate finish that will not detract from the character of the surrounding area.

In terms of site layout, the blocks have been positioned to follow the building line along Duddingston Row. The units fronting Bingham Avenue have been set slightly further back to allow for amenity space within the front setback. The proposal is separated from the Seaview Respite Centre to the north by communal and private gardens. This setback provides a privacy buffer between the two developments.

LDP Policy Hou 2 (Housing Mix) seeks to ensure a mix of housing types and sizes are provided to meet a range of housing needs. The proposal provides a mix of sizes including one, two and three bedroom flats and houses. The Edinburgh Design Guidance recommends that development proposals provide at least 20% family accommodation. While the proposal does not meet this requirement, with only two units being of three bedroom or more, the proposal as a whole is for affordable housing and as such responds to the market needs. Furthermore, the affordable housing team has offered no objection to the housing mix proposed in this location and as such, this is acceptable in this instance. As the council is applicant, a memorandum of understanding is required (as opposed to a legal agreement) in order to secure the policy requirement of 25% of housing units being affordable.

LDP Policy Hou 3 (Private Green Space in Housing Development) requires that development makes adequate provision for green space to meet the needs of future residents. Flatted developments should have 10 square metres per flat of private open space and a minimum 20% of the overall site area should be useable open space. Blocks 1, 3 and 4 all have private amenity space either to the front or rear of the development. It is noted that the layout of the gardens is varied so the requirement for a three metre depth is not technically complied with, but they do exceed this requirement in width. Communal amenity space, proposed for block two exceeds the requirements of the design guidance at approximately 312 square metres. Furthermore, the proposal includes a community garden area to the north of the site measuring approximately 930 square metres. The community garden includes natural play equipment and garden seating. The overall useable greenspace within the site would exceed the 20% requirement of LDP Policy Hou 3.

A landscape plan was submitted with the application. The proposed planting is of a simple design, with appropriate species choices. Within this context and taking account of the character of the wider area, the extent of landscaping is acceptable and appropriate. A schedule of planting implementation was not included in the application, and a condition has been attached requiring that the landscape scheme is implemented within a specified period following completion of the development.

The application includes a plan showing the proposed fencing and boundary treatment within the site. The amended scheme proposes a 600mm brick wall with galvanised steel balustrading along the front elevation of the proposal. This provides an element of privacy to the garden ground, yet at the same time ensuring that the development is open to the street and provides an active frontage. A 1.8 metre boundary treatment is proposed along the interface between the application site and the Seaview Respite Centre. Given this sensitive interface, a condition is proposed requiring the submission of details of the boundary treatment including elevation plans to ensure the finish is appropriate.

Overall, the scale, layout and design of the proposal is acceptable and accords with LPD policies Des 1, Des 4, Hou 2, Hou 3 and the Edinburgh Design Guidance.

c) 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. Elements of this are assessed below.

Internal Space Standards

In terms of internal space standards, all 40 units comply with the minimum standards set out in the Edinburgh Design Guidance.

Privacy, Daylight and Sunlight

The Edinburgh Design Guidance sets out the requirements for new development in terms of impact on privacy, daylight and sunlight.

In terms of the impact that the development would have on daylight to existing buildings, given the orientation of the proposed blocks and the separation between the proposed and existing residential development on the opposite side of Duddingston Row and Bingham Avenue, the proposal would not impact on daylight to the residential properties opposite. It is noted the guidance does not protect gable end windows.

In terms of daylight to new windows, the majority of the units are dual aspect or have been orientated to have south-facing living areas to maximise daylight.

In terms of the impact of sunlight on amenity space, the Edinburgh Design Guidance requires that at least half of garden or amenity space receives at least 3 hours of sunlight at the spring equinox (21st March). It is acknowledged that the rear gardens of blocks two, three and four would not meet the standards specified in the Edinburgh Design Guidance. The applicant submitted additional information regarding sunlight, and while the sunpath analysis shows that limited sunlight would reach these gardens during the spring equinox, the owners/occupiers of the proposed residential units would have access to the communal gardens to the rear of the proposal, which exceed this requirement. Therefore, on balance, the infringement to the Edinburgh Design Guidance is acceptable in this instance as owners/occupiers would have access to an area of open space with adequate sunlight during the spring equinox

Overall, the proposal would not have an unreasonable impact on daylight or sunlight in accordance with the standards outlined in the Edinburgh Design Guidance.

Privacy

Privacy is afforded to all occupiers of the new development and to neighbouring properties at the adjacent sites. Guidance requires that new windows are located at least 18 metres from an existing window to prevent any unreasonable overlooking. It is noted that gable end windows are not protected. The proposed window on the north elevation of Block 1 that would face 73 Duddingston Row is from an internal hallway and therefore should not have an unreasonable impact on the privacy of the adjacent property. Overall, the proposal would comply with this requirement.

Amenities

The proposal includes separate bin stores associated with each block of flats. The bin stores are to be located at gable ends of the flats and would meet the relevant capacity requirements. Concerns have been raised regarding the location of the bin stores, however the refuse strategy has been reviewed by the Council Waste Team who have agreed that refuse provision is adequate and in accordance the relevant guidance.

d) Parking, Access and Road Safety

Transport information has been submitted as part of the application which provides a detailed assessment of the transport considerations associated with the proposal.

Access

The residential units are accessed via Duddingston Row and Bingham Avenue and there is no vehicular access internally within the site.

Pedestrian links are provided through the site from both Bingham Avenue and Duddingston Row to the area of public open space to the north and between each of the blocks.

Parking

In terms of parking provision, LDP Policy Tra 2 (Private Parking) requires that developments make provision for car parking levels that comply with and do not exceed the parking levels set out in the non-statutory guidance.

The Edinburgh Design Guidance stipulates that for the 40 units proposed, up to 52 off-street car parking spaces can be provided. The development proposes nine spaces on-street by re-aligning the carriageway along Bingham Avenue and six off-street spaces for Block 1. Given the availability of parking within the area, the proposed parking levels are acceptable and no concerns have been raised by the Roads Authority.

It is noted that no electric charging facilities are proposed at this stage. However, an informative is recommended, requiring that the applicant consider infrastructure within the development that would facilitate future provision should it be required.

Two disabled spaces are proposed to be provided along Bingham Avenue in accordance with the Edinburgh Design Guidance.

Cycle Parking

LDP Policy Tra 3 (Private Cycle Parking) requires that cycle parking and storage within the development complies with Council guidance.

The Edinburgh Design Guidance requires that at least 88 cycle spaces be provided on site. The applicant has advised that adequate space is provided within the properties that have private gardens to accommodate two bikes per unit. This accounts for Blocks 1, 3 and 4. A separate cycle store has been provided to the rear of the garden ground of Block 2. This would have capacity to accommodate 36 bikes based on one Sheffield stand per two bikes. This ratio is acceptable within this location and a condition is recommended that requires details of the bike store to be submitted to and approved by the Planning Authority.

Overall, the proposal is acceptable in terms of LDP Policies Tra 2 and Tra 3.

e) Sustainability

The applicant has submitted a sustainability statement in support of the application. The proposed development will meet the requirements of Section 6 (energy) of the 2010 Building Standards. The application includes solar photovoltaic panels.

f) Equalities and Human Rights Impacts

The application was assessed in terms of equalities and human rights. An Integrated Impact Assessment checklist was completed and raised no requirement for further action at this stage.

g) Infrastructure

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) requires that development proposals contribute towards infrastructure provision where relevant and necessary to mitigate any negative additional impact of the development. The finalised Supplementary Guidance on Developer Contributions and Infrastructure Delivery dated August 2018 sets the contribution levels required.

Education

The site is within the catchment of Brunstane Primary School. As there is sufficient spare capacity within the school to accommodate the additional pupil, no contribution towards new education infrastructure is required.

Healthcare

The site is not located within a healthcare contributions zone and therefore no contribution towards health care is required at this stage.

Transport

The application site is not located within any transport contribution zones and as such no infrastructure contribution towards transport is required at this stage.

h) Other Material Planning Considerations

Affordable Housing

LDP Policy Hou 6 (Affordable Housing) stipulates that planning permission for residential development of 12 or more units should include provision for affordable housing of 25 percent of the total units proposed.

The proposal is for 100% affordable housing and therefore satisfies the requirements of Policy Hou 6. Notwithstanding, a memorandum of understanding will be agreed to secure the provision of affordable housing.

Environmental Impacts:

Given the historic land use of the site, a Site Investigation Report was submitted as part of the application. Environmental Protection has reviewed the report and advised that sufficient evidence has been provided to determine that the land in general is in suitable condition for the intended use.

Notwithstanding the above, it was noted that precautionary gas protection measures and suitably protective water supply pipework materials are recommended. While it was acknowledged that the concern of ground gas risk is relatively marginal with respect to this development, the recommendation for the specification and sequence of measures proposed as a suitable long term precaution was accepted and as such a condition of the permission will require that the works are carried out to a satisfactory standard.

In addition to the above, concerns have been raised through representations regarding the impact that the proposal would have on noise, air and light pollution. It is noted that the site is not located in or within close proximity to an air or noise quality management zone and no concerns regarding such impacts have been raised by Environmental Protection. In terms of light pollution, given the urban location of the application site, it is not expected that the proposal would result in an abnormal level of light pollution for a residential area.

Archaeology

LDP Policy Env 8 (Protection of Important Remains) seeks to protect archaeological remains from being adversely impacted from development. The Council's Archaeology Officer was consulted on the application and has confirmed that there are likely to be no archaeological remains on the site and therefore there are no known archaeological implications with regard to this proposal.

Ecology

Concerns have been raised regarding the impact that the development would have on wildlife. A Preliminary Ecological Appraisal, Preliminary Roost Appraisal and a Badger Survey were undertaken. None of the trees inspected had a level of bat roosting suitability and no signs of badgers were recorded.

Trees

LDP Policy Env 12 (Trees) states that development will not be permitted if it will result in damage to trees worthy of retention. This proposal would result in the loss of 24 trees across the site. The majority of the trees to be removed would be along Bingham Avenue and Duddingston Row.

It is acknowledged that the trees along the street frontage make a contribution to the character of the surrounding area. That being said, the applicant has submitted a tree report which states that a number of trees are in poor condition and are recommended for removal due to disease. This leaves only three mature healthy trees on Bingham Avenue, which have a limited lifespan. In addition, root protection areas inhibit the development of the site in a way which addresses the prevailing character of the area in

relation to building lines and urban frontages. A comprehensive landscaping approach is supported to mitigate against the visual loss along Bingham Avenue and Duddingston Row with replacement tree planting, shrubs and hedging providing a green edge to the development.

i) Matters Raised in Representations

The application attracted seven letters of representation objecting to the proposal. The matters raised through the representations have been summarised below.

Material Considerations

- Impact on privacy, daylight and sunlight to existing properties - considered in section 3.3 (c);
- Lack of parking - considered in section 3.3 (d);
- Impact on traffic - considered in section 3.3 (d);
- Flatted dwellings not appropriate - considered in section 3.3 (b);
- Proposal is an overdevelopment of the site - considered in section 3.3 (b);
- Increase in noise, light and air pollution - considered in Section 3.3 (h);
- Impact on local services - considered in section 3.3 (g);
- Loss of trees - considered in section 3.3 (h);
- impact on local wildlife - considered in section 3.3 (h);
- Visual impact of the building and setback from the road frontage - considered in section 3.3 (b);
- Design of the development not appropriate within the context of the area- considered in section 3.3 (b);
- Location of bin stores - considered in section 3.3 (c).

Non-Material Considerations

- Increased crime due to increase in population;
- Noise from building works.

Conclusion

Based on the assessment above, overall the proposal complies with the provision of the Edinburgh Local Development Plan and the Edinburgh Design Guidance. The principle of residential development in this location is acceptable and the proposal will not result in an unreasonable impact on the amenity or character of the surrounding area.

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

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

3.4 Conditions/reasons/informatives

Conditions:-

1. The protective measures specified in Section 12, page 35 of the Phase I and Phase II of the Geo-environmental Report: MM-EC Geo-environmental dated February 2018 which comprises gas protection measures for residential properties requiring the incorporation of appropriate gas protection measures sufficient to attain a minimum score of 3.5 points in accordance with the requirements of BS8485: 2015 are to be carried out.

Note: Typical gas protection measures sufficient to attain 3.5 points are a combination of the following:

Cast in situ ground bearing floor slab with nominal mesh reinforcement (0.5 points),
Cast in-situ; monolithic reinforced ground bearing raft or reinforced cast in situ suspended floor slab with minimal penetrations (1.0 or 1.5 points);
Passive sub floor pressure relief (0.5 points) or passive sub floor dispersal vent layer (1.5 or 2.5 points); and
Gas Membrane installed and meeting the requirements of Table 7 of the BS 8485:2015 (2 points).

The use of PE pipe material (MDPE/HPPE) is not deemed suitable for the site and therefore PE-Al-PE Barrier pipe materials would be recommended subject to agreement with Scottish Water.

All measures must be implemented to an appropriate industry based standard. Prior to the occupation of the development, documentary evidence to certify completion of those measures to this standard shall be submitted to and approved in writing by the Council, as planning authority.

2. Prior to the commencement of development details of the proposed screen fencing between the application site and the Seaview Respite Centre must be submitted to and approved in writing by the Planning Authority. This must include, but is not limited to, elevation plans and details of the proposed building materials and finish.

3. Prior to commencement of the development, details of the proposed cycle stores to be submitted for approval by the Planning Authority regarding specification, design, security and location. Cycle stand products should meet the criteria of ease of use and provide secure locking points for wheels/frame. Once approved these shall be located on site prior to the occupation of the development.

4. The approved landscaping scheme shall be fully implemented within 6 months of the completion of the development. Any trees or plants which within a period of five years from the occupation of this unit that die, are removed or become seriously damaged or diseased shall be replaced with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the Planning Authority.

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

Reasons:-

1. In order to protect the development from landfill gas.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to ensure the adequacy of facilities for cyclists.
4. In order to ensure that the approved landscaping works are properly established on site.
5. 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. Consent shall not be issued until the developer has entered into a legal agreement or memorandum of understanding for the following contributions:

Affordable housing is set at 25% of all units (10 in total).

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application attracted seven letters of representation objecting to the proposal. The matters raised through the representations have been summarised in the assessment above.

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 in the Edinburgh Local Development Plan (LDP). A small part of the site in the northern corner is open space.

Date registered

25 July 2018

Drawing numbers/Scheme

01, 02, 03C, 04A, 05A, 06 - 13, 14A, 15, 16A, 17, 18, 19A,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Jane Iannarelli, Planning Officer

E-mail:jane.iannarelli@edinburgh.gov.uk Tel:0131 469 3557

Links - Policies

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

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

LDP Policy 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 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

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 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.

Relevant Non-Statutory Guidelines

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

Second Proposed 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.

Appendix 1

Application for Planning Permission 18/03994/FUL At Site 56 Metres Southeast of 73, Duddingston Row, Edinburgh Erection of 40 residential units, comprising 30 flats, 2 houses and 8 maisonettes, along with associated parking, pedestrian paths, amenity space and soft landscaping.

Consultations

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the erection of 40 residential units, comprising 30 flats, 2 houses and 8 maisonettes along with associated landscaping, parking, pedestrian paths, amenity space and soft landscaping

The application site lies adjacent to the south-eastern boundary of the historic landscape surrounding Duddingston House. Prior to the Second World War the site appears to have been open farmland. After the War the site was developed with the construction of the recently demolished Lismore Primary School. Given that the area proposed for the new construction has been significantly impacted upon by the construction and demolition of the former school it is considered unlikely that significant insitu remains will have survived.

Accordingly it has been concluded that there are no known archaeological implications regarding this application.

Scottish Water

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 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.

Affordable Housing

1. Introduction

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

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

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

This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.

An equitable and fair share of parking for affordable housing, consistent with the relevant parking guidance, is provided.

2. Affordable Housing Provision

This application is for 40 residential homes and an AHP requirement for 25% (10) homes are required. The applicant is 21st Century Homes, which is the City of Edinburgh Council affordable housing developer and 40 affordable homes for social rent will be delivered exceeding the affordable housing requirement. The development will consist of 20 flats, 4 houses and 16 Cottage flats and maisonettes, along with associated parking. The homes will be built to the Housing for Varying Needs Standards and the latest Design Guidance requirements.

3. Summary development

The application satisfies and exceeds the AHP requirement. A Section 75 is not necessary as the Council will manage the homes.

Children and Families

Assessment based on 2 Houses and 14 Flats (24 one bedroom flats have been excluded from the assessment).

Using the pupil generation rates set out in the Supplementary Guidance, the development is expected to generate at least one primary school pupil but less than one secondary school pupil.

The site is within the catchment of Brunstane Primary School. As there is sufficient spare capacity within the school to accommodate the additional pupil, no contribution towards new education infrastructure is required.

Environmental Assessment

Environmental Protection has assessed the site investigation report that was supplied by the applicant with respect to the consideration of land contamination, entitled:

Phase I & Phase II Geo-Environmental Investigation (Final); Proposed Development, Bingham Housing, Bingham Housing, Bingham Avenue, Edinburgh, EH15 3NE: MM-EC Geo-environmental: February 2018

The information supplied is considered to provide sufficient evidence to enable the Local Authority to determine with reasonable confidence that the land in general exists to be in suitable condition for the intended use. Therefore, further information, or the use of a future planning condition to request additional site investigation and/or a detailed schedule of remediation measures is not considered to be necessary for this application.

It is nevertheless noted that precautionary gas protection measures and suitably protective water supply pipework materials in compliance with UKWIR guidance issued by the Scottish Water Authority are recommended within Section 12.3 and 12.4 of this report. While the concern of ground gas risk is relatively marginal with respect to this development, we accept the recommendation (12.3) for the specification and sequence of measures proposed as a suitable long term precaution, on the basis of the documentary information and monitoring within the report. Therefore, the following planning condition is recommended to ensure that the precautionary measures proposed within section 12 of the report are completed to a satisfactory industry based standard; i.e.; BS:8485:2015; and will be adequately documented as being such:

1) The protective measures specified in Section 12, page 35 of the Phase I and Phase II of the Geo-environmental Report: MM-EC Geo-environmental: February 2018; will be implemented to an appropriate industry based standard and documentary evidence to certify completion those measures to this standard shall be provided to the satisfaction of the Council.

Finally, in the event unreported or unexpected ground conditions are encountered during any phase of earthworks that indicate the potential presence of harmful contamination: for example; any potential asbestos containing material; all site works should cease while arrangements are made with the Environmental Consultant to inspect the area of concern and the matter raised with the Planning Authority to ensure safety of the development. In addition, the developer is responsible for ensuring any imported material onto site is clear from contamination and suitable for the specific purpose intended.

Roads Authority

Further to the memorandum of 6 September 2018, there are no objections to the proposed application subject to the following being included as conditions or informatives as appropriate:

1. Separate application will be required for road construction consent and road opening permit to carry out the work to realign the footway, carriageway etc. Full details to be agreed prior to commencement of building works;
2. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;
3. In support of the Council's LTS Cars1 policy, the applicant should be asked to contribute the sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of a car club vehicle in the area;
4. Contribute the sum of £2,000 to progress a suitable order to introduce 1 disabled parking space on-street;
5. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;
6. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

Note:

- o Current Council parking standards permit up to 2 spaces per unit depending on room numbers. The 40 units could therefore provide up to 52 off-street spaces under the parking standards. The development proposes to provide 9 spaces on-street by realigning the carriageway etc. on Bingham Avenue and 6 off-street spaces for Block 1. In addition, there is considered to be sufficient kerbspace available to accommodate further parking if required and the proposed parking levels are therefore considered acceptable;
- o The revised proposals include adequate cycle parking for the flats with cycle parking for the houses to be provided within enclosed rear gardens.

Flood Planning

The information submitted is sufficient and no further comment.

Waste Planning

The revised drawing has been agreed for the waste strategy

Location Plan



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END

Development Management Sub Committee

Wednesday 19 June 2019

Application for Planning Permission 19/00112/FUL At 18 - 20 King's Stables Road, Edinburgh, EH1 2LQ Use of student accommodation as short term holiday accommodation from 1 June to 31 August annually

Item number	4.4
Report number	
Wards	B11 - City Centre

Summary

The proposals comply with the Edinburgh Local Development Plan and non-statutory guidelines and would have no adverse effect on the amenity of the area. The development would have no detrimental impact on the character and appearance of the Old Town Conservation Area and Edinburgh World Heritage Site. There are no material considerations that outweigh this conclusion.

Links

Policies and guidance for this application	LDPP, LEMP10, LDEL02, LDES05, LHOU07, NSLBCA, NSBUS, LTRA02, LTRA03,
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Report

Application for Planning Permission 19/00112/FUL At 18 - 20 King's Stables Road, Edinburgh, EH1 2LQ Use of student accommodation as short term holiday accommodation from 1 June to 31 August annually

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 six storey building with a consented use for student accommodation. The site is currently under construction and nearing completion. The building forms part of a wider mixed use development including a hotel, residential and commercial units. On completion, the building will contain 167 studio apartments. King's Stables Road is a connecting route between Lothian Road and the Grassmarket and the site is located on the south side of the street with Lady Wynd to the east and Argyle House to the west.

The site is within the Edinburgh World Heritage Site.

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

2.2 Site History

July 2016 - Conservation area consent granted for: Partial demolition required to re-develop site for mixed use development (application reference: 15/05716/CON).

August 2017 - Planning permission granted for: Mixed use development comprising flats, student accommodation, hotel, arts facility and class 1, 2 and 3 uses, involving the erection of new buildings, alteration of existing buildings, partial demolition and change of use of ground floor of existing tenement building (as amended) (application reference: 15/05715/FUL).

Main report

3.1 Description Of The Proposal

Planning permission is sought for the change of use of student accommodation to short stay commercial visitor accommodation on an annual basis from 1 June to 31 August.

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 development is acceptable in principle in this location
- b) there is any unacceptable impact on residential amenity;
- c) there is any adverse impact on the character and appearance of the Old Town Conservation Area or the outstanding universal value of the Edinburgh World Heritage Site;
- d) the proposal raises any road safety issues; and
- e) comments raised have been addressed.

a) Principle

The site is within the city centre where a mix of uses is supported by LDP policy Del 2.

The development is acceptable in principle in this location subject to the consideration of other matters below.

b) Amenity

The intention of LDP policy Hou 7 is to preclude the introduction or intensification of non-residential uses incompatible with predominantly residential areas and secondly, to prevent any further deterioration in living conditions in more mixed use areas which nevertheless have important residential functions.

The area is high density, as is common within the city centre, with residential properties in close proximity with commercial uses. The hotel and student accommodation mean that throughout the year the area will be subject to a transient population. The use of the student accommodation as short stay commercial visitor accommodation during the traditionally busy summer months will not significantly alter the character of the area and therefore will have no detrimental impact on the amenity of the surrounding area. The proposal will not result in the intensification of a non-residential use incompatible with a predominantly residential area and or result in the deterioration of living conditions in a mixed use area. The proposal is compliant with LDP policy Hou 7.

c) Old Town Conservation Area and World Heritage Site

There will be no physical alterations to the building as part of the proposal. There will be no impact on the character and appearance of the Old Town Conservation Area or the outstanding universal value of the Edinburgh World Heritage Site in line with LDP policies Env 1 and Env 6.

d) Transport

Transport has raised no objection to the proposal. No car parking has been proposed and there is storage for 167 bicycles as per the original consent. The proposal complies with LDP policies Tra 2 and Tra 3.

e) Public comments

Material Considerations

- Impact on amenity: addressed in section 3.3(b);
- Over provision of holiday lets: addressed in section 3.3(a);
- Parking: addressed in section 3.3(d).

Non-material Considerations

- Anti-social behaviour;
- Disruption from construction;
- Unfair to private landlords;
- Refuse collection.

Conclusion

The proposals comply with the Edinburgh Local Development Plan and non-statutory guidelines and would have no adverse effect on the amenity of the area. The development would have no detrimental impact on the character and appearance of the Old Town Conservation Area and Edinburgh World Heritage Site. There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

1. The accommodation shall only be rented out as short term holiday lets from 1 June to 31 August annually.

Reasons:-

1. To protect the amenity of the surrounding area.

Informatives

It should be noted that:

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Following statutory neighbour notification and advertisement in the press on 1 February 2019, ten letters of representation have been received.

Background reading/external references

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

**Statutory Development
Plan Provision**

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

Date registered

11 January 2019

Drawing numbers/Scheme

01-07,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Murray Couston, Planning Officer

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

Links - Policies

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

LDP Policy Emp 10 (Hotel Development) sets criteria for assessing sites for hotel development.

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

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

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.

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

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

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

Appendix 1

**Application for Planning
Permission 19/00112/FUL At 18 -
20 King's Stables Road,
Edinburgh, EH1 2LQ
Use of student accommodation as short
term holiday accommodation from 1 June
to 31 August annually.**

Consultations

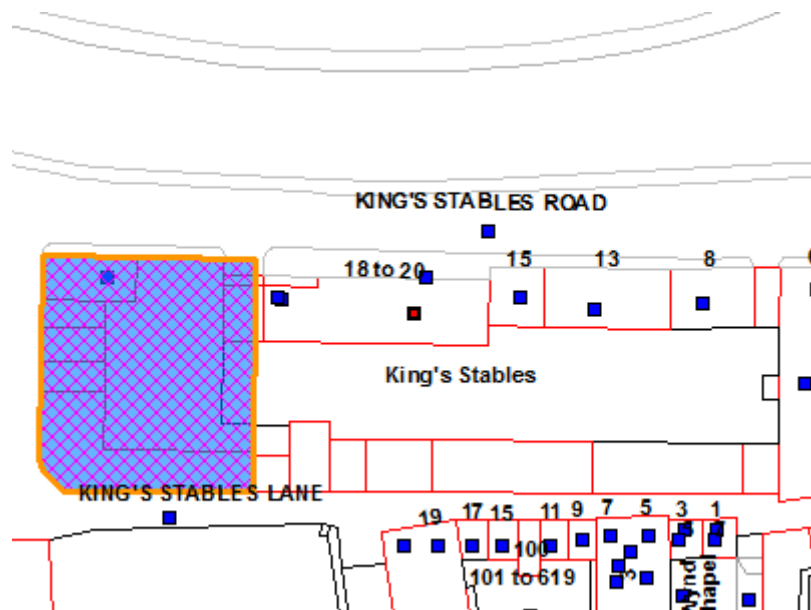
Transport

No objections to the application.

Environmental Protection

No objections to the application.

Location Plan



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END

Development Management Sub Committee

Wednesday 19 June 2019

**Application for Planning Permission 18/10239/FUL
At 540A Lanark Road, Edinburgh, EH14 5EL
Extension of existing class 2 use premises to form new class
3 hot food takeaway (Sui Generis). (Change of Use from
Bank Class 2 to Class 1 is permitted development). (Re-
submission related to 17/04434/FUL).**

Item number	4.5
Report number	
Wards	B02 - Pentland Hills

Summary

The proposal is an acceptable form and scale of development within the local centre and accords with Local Plan Policy Ret 5. The scale and design of the proposed development would not result in an adverse impact on the character and appearance of the conservation area or result in a harmful loss of amenity to neighbouring properties. The proposed development would not result in adverse traffic impacts. There are no material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	LDPP, LDES05, LDES12, LEN06, LRET05, LRET11, LTRA02, LTRA03, NSG, NSBUS, OTH, CRPJGR,
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Report

Application for Planning Permission 18/10239/FUL At 540A Lanark Road, Edinburgh, EH14 5EL Extension of existing class 2 use premises to form new class 3 hot food takeaway (Sui Generis). (Change of Use from Bank Class 2 to Class 1 is permitted development). (Re- submission related to 17/04434/FUL).

Recommendations

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

Background

2.1 Site description

The application site lies on the north side of Lanark Road at the junction with Baberton Avenue. The site is occupied by a single storey building, positioned behind a low stone wall, which was previously in use as a bank and is now currently vacant. To the front of the building is a tarmacked area used as a parking area. Access to the site is from Lanark Road and Baberton Avenue. The area is a mixture of residential and commercial uses and the site lies adjacent to a pub with residential properties located directly behind the site.

This application site is located within the Juniper Green Conservation Area.

2.2 Site History

27 June 2014 - Advertisement consent granted for the installation of internally illuminated fascia signs to front and side, install new ATM panels, window vinyls, welcome signage panel and internally illuminated projecting sign on existing flagpole (application number 14/01923/ADV).

6 June 2017 - Planning permission granted for the removal of the existing brand signage, ATM + night safe, infill apertures with stainless steel blanking plate (application number 17/01583/FUL).

25 April 2018 - Planning permission refused for the extension of Existing Class 2 Use Premises to form new Class 3 Hot Food Takeaway (Sui Generis). (application number 17/04434/FUL).

20 September 2018 - Appeal determined by the DPEA and dismissed at appeal. The reporter concluded that given the prominent position of the site within the conservation area, the proposed design would have an adverse impact on the conservation area. The change of use was supported and was acceptable in terms of amenity and transport issues.

Main report

3.1 Description Of The Proposal

The application is for a change of use from class 2 to class 1 (Retail) within the existing unit. A single storey extension is proposed to the side of the existing building to form a separate new hot food takeaway unit.

The extension measures 7.5 metres wide by 15.4 metres in length with a pitched roof measuring 3.8 to the eaves and 6.3 metres overall.

Materials proposed are facing brick, trespa panels and aluminium glazed screens.

Supporting Information

The following documents have been submitted in support of the application:-

Noise Impact Assessment; and
Parking Statement.

This document 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.

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 proposals would have a detrimental impact upon the adjacent local retail centre;
- b) the proposal is of an appropriate scale, form and design and does not detract from the character and appearance of the conservation area;
- c) the proposal will not result in an unreasonable loss of neighbouring amenity;
- d) the proposal is acceptable in terms of road safety;
- e) any impacts on equalities or human rights are acceptable; and
- f) comments raised have been addressed.

a) Local Centre

The change of use from class 2 (financial, professional and other services) to retail class 1 within the existing building is permitted development under Class 10 of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) and is not being assessed as part of this application.

The proposed site lies within the Juniper Green Local Centre. Edinburgh Local Development Plan (LDP) Policy Ret 5 applies and sets out four requirements for acceptability:

- i) that the proposal can be satisfactorily integrated into the centre.
- ii) is compatible, in terms of scale and type, with the character and function of the centre.
- iii) makes a positive contribution to the shopping environment and appearance of the centre.
- iv) would not have a significant adverse impact on the city centre or any town centre.

The local centre has a wide range of shopping and other uses ranging from pharmacy, barbers, bike repair shop, pub, restaurant, fish and chip shop and a takeaway. The role of local centres is to provide a basic level of shopping services within walking distances of all homes. The appeal decision stated that it is a busy centre providing a mix of services to meet local needs and whilst there is a number of eating/ hot food outlets in the surrounding area these do not dominate the area. The new unit will provide 82 sqm of floor space along with providing a new retail unit and within the context of the centre as a whole, the proposal is considered compatible in terms of scale and type.

The proposal improves the overall appearance of the building within the context of the existing local centre. The scale, form and design of the extension are considered further in section 3.3 b).

The scale and form of this proposal will not impact on the city centre retail core or any town centre.

In addition, Policy Ret 11 and the Non Statutory Business Guidance supports hot food takeaways in existing shopping centres as long as the property is not within an area of restriction, there is not an excessive concentration of uses and there will be no adverse impact on residential amenity. The property is not within an area of restriction, it will result in an additional hot food use within the local centre but this is not considered to be excessive, and the impact on residential amenity is considered further in section 3.3 c). In conclusion, the hot food takeaway is an appropriate use in principle and would complement the function of the local retail centre. The proposal complies with LDP Policies Ret 5, Ret 11 and the non-statutory guidance on business.

b) Scale, Form and Design and Impact on the Conservation Area

The Juniper Green Conservation Area Character Appraisal states that, *A wide and interesting mix of architectural styles and form ranging from original farm buildings with vernacular construction, to Georgian, Victorian Edwardian and modern developments.*

LDP Policy Env 6 requires development to preserve or enhance the special character and appearance of the conservation area and to contribute positively to the character of the area. The existing building, built in the 1960s/70s, does not contribute to the character of the conservation area, which comprises a wide and interesting mix of architectural styles. The proposed extension has been designed as single storey so that it will not detract from the character of the immediate area or the appearance of the original modern building, and is of an acceptable scale and design. The materials will match the existing building and provide visual continuity.

The proposal will not have an adverse impact on the character and appearance of the conservation area and complies with LDP Policies Env 6 and Des 12.

c) Amenity

The extension will not result in overshadowing to the neighbouring residential properties and no privacy issues arise from the proposal.

The property is located adjacent to other commercial uses and residential properties. The applicant has submitted a Noise Impact Assessment (NIA) to assess the noise from the kitchen ventilation extraction system.

Environmental Protection raised no objections to the application subject to conditions relating to ventilation, hours of operation and deliveries. A suspensive condition has been attached to control the ventilation within the kitchen.

It should be noted that the application site is located on a main thoroughfare which is characterised by commercial uses at ground floor with residential above. The need to restrict delivery hours in this instance is unnecessary as the other business premises are not subject to these conditions.

Noise from outside the premises cannot be controlled by Planning and any issues of anti-social behaviour would be a matter for Police Scotland.

The site is not located within an area of restriction as set out in the Non Statutory

Business Guidance therefore a condition on hours of operation is not appropriate as there are other late night uses within the Local Centre.

The proposal complies with LDP Policies Des 5, Des 12 and Ret 11.

d) Road Safety

A parking survey was submitted in support of the application. This survey indicated that there were sufficient on street parking spaces available in the vicinity during the proposed period of operation. The Roads Authority has raised no objections to the application. The former use (class 2) provided one formal disabled space and approximately four additional informal spaces on the site. Current Council parking standards (October 2017) permit up to 1 space per 14 square metres for Class 3 (hot food takeaway). The total proposed floor area is estimated at 300 square metres, including the additional 82 square metres extension and this would permit up to 21 spaces. Given the size of the site, scale of the development and its location this number of parking spaces cannot be accommodated and therefore the provision of one disabled space and cycle parking within the site is acceptable.

e) Equalities and Human Rights

This application was assessed in terms of equalities and human rights. No impact was identified.

f) Public comments

The material objections raised were:

- on street parking is inadequate - addressed in section 3.3 d).
- too many takeaways - addressed in section 3.3 a).
- cooking odours - addressed in section 3.3 c).
bullet noise and disturbance -
- design is out of character with the area - addressed in section 3.3 b).

Conclusion

The proposal is an acceptable form and scale of development within the local centre and accords with Local Plan Policy and non statutory guidance. The scale and design of the proposed development would not result in an adverse impact on the character and appearance of the conservation area or result in a harmful loss of amenity to neighbouring properties. The proposed development would not result in adverse traffic impacts. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

1. Prior to the Class 3 use being taken up, the kitchen ventilation extract system, capable of 30 air changes per hour, shall be installed as shown on drawing number 5660 (4) GA010.

Informatives

It should be noted that:

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 11 January 2019. A total of 18 letters of representation has been received. 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	Edinburgh Local Development Plan - Local Centre.
Date registered	5 December 2018
Drawing numbers/Scheme	01-05, Scheme 1

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

Contact: Lynsey Townsend, Senior Planning Officer
 E-mail:lynsey.townsend@edinburgh.gov.uk Tel:0131 529 3905

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

LDP Policy Ret 5 (Local Centres) sets criteria for assessing proposals in or on the edge of local centres.

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

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

Other Relevant policy guidance

The Juniper Green Conservation Area Character Appraisal emphasises the traditional village character, and the wide and interesting mix of architectural styles and forms.

Appendix 1

**Application for Planning Permission 18/10239/FUL
At 540A Lanark Road, Edinburgh, EH14 5EL
Extension of existing class 2 use premises to form new
class 3 hot food takeaway (Sui Generis). (Change of Use
from Bank Class 2 to Class 1 is permitted development). (Re-
submission related to 17/04434/FUL).**

Consultations

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:

Current Council parking standards (October 2017) permit up to 1 space per 14m² for Class 3 (hot food takeaway). The total proposed space is estimated at 300m², including the additional 99m², permitting a maximum of 21 spaces. The existing 200m² Class 2 (former bank) would permit up to 4 spaces and currently provides 1 formal space with approximately 4 additional informal spaces on site.

Given the nature and scale of the development, its location and the provision of cycle parking, the proposed 1 disabled space is considered acceptable.

A parking survey was submitted in support of the application. This survey indicated that there were sufficient on street parking spaces available in the vicinity during the proposed period of operation.

Environmental Protection

Environmental Protection has no objections to this planning application, subject to the following conditions:

Conditions

1. Prior to the Class 3 use being taken up, the kitchen ventilation extract system, capable of 30 air changes per hour, shall be installed as show on drawing no. 5660(4)GA010.
2. The ventilation system shall be installed, tested and operational, prior to the use hereby approved being taken up.
3. Prior to the Class 3 use being taken up, the ventilation extract fan installed, shall produce no more noise at any octave band frequency than the model proposed and used in the Noise Impact Assessment, R-8045-ST1-MI, 7th February 2018; (Vent Axia, Black Sabre Slim: BSC500/4).
4. Prior to the Class 3 use being taken up, a silencer of the same specification as that detailed in the Noise Impact Assessment, R-8045-ST1-MI, 7th February 2018; (Silencer - VentDirect CP03-C*P-0500-2D) shall be installed.
5. The hours of operation of the premises shall be restricted to between the hours of 07.00 hours and 23.00 hours, in order to protect the amenity of nearby residents.
6. Deliveries and collections, including waste collections, to be restricted to between the hours of 07.00 hours and 21.00 hours; Monday to Saturday and between 09.00 hours and 21.00 hours on Sundays. Assessment

Planning application 18/10239/FUL is for the extension of an existing Class 2 premises, to form a new class 3 hot food takeaway. The proposed change of use of the existing part of the building from Class 2 to Class 1 is permitted development. It is a resubmission of application 17/04434/FUL which was refused.

The development site is an existing detached single storey, flat roofed property which was previously used as a Bank. The building is positioned on the corner of Lanark Road and Baberton Avenue in the village of Juniper Green. Juniper Green is a relatively quiet suburban village on the outskirts of Edinburgh. Lanark Road is a main thoroughfare and traffic can be very busy at peak times. Therefore, the predominant background noise in the area during the daytime will be traffic noise.

Immediately to the south west of the site on the same side of Lanark Road, is a Public House over two and ½ storeys, this adjoins to a hairdressing salon with what appears to be a residential flat located above. Further south west are a hairdressers and bookmakers with residential accommodation on the two floors above.

Immediately to the north and north east, behind the development site are two semi-detached one and a half storey residential properties at Baberton Park. To the east, on the other side of Baberton Park is a hairdressing salon with what appears to be residential accommodation on the floor above. Heading further north east along Baberton Park is a two storey residential building adjoining a 2 and a half storey residential accommodation.

On the opposite side of Lanark Road to no. 540a, to the south is a restaurant and chip shop. Further east, directly opposite the site is a one and a half storey residential property. This is adjacent to a vacant single storey building formerly used as a public toilet. Further east is a single storey bike repair shop.

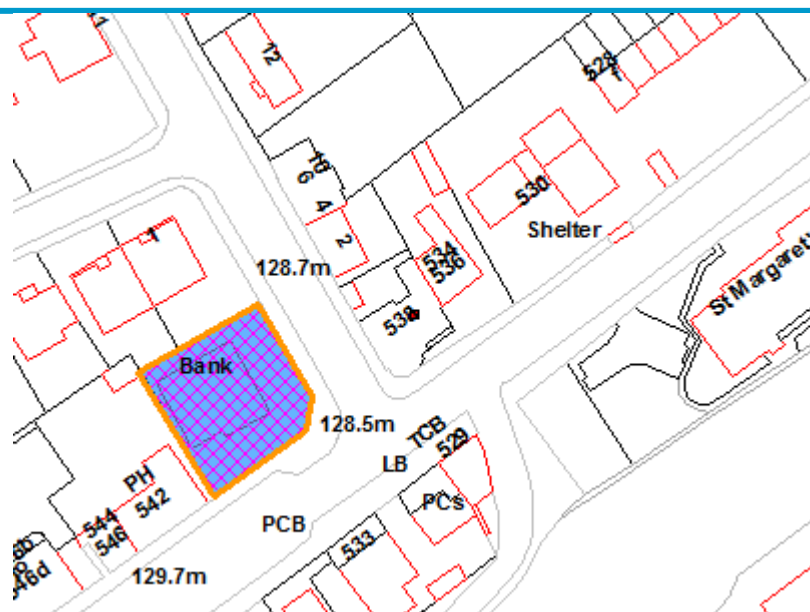
The main concerns regarding this application relate to noise from associated activities as well as odour from cooking affecting neighbouring residential accommodation. Following discussions, the agent amended the plans in order that the kitchen extract fan duct would clear the ridge height of the two and a half storey residential property in Baberton Avenue, which was within a 30m radius of the extract duct.

With regard to noise, the agent submitted a Noise Impact Assessment (NIA) to assess the noise from the kitchen ventilation extraction system. The NIA concluded that a silencer was required to ensure compliance with our noise standard. Therefore, the same specification of fan and silencer have been recommended as conditions.

The proposal is that the premises will only operate until 23.00 hours at night. However, it is possible that a future business could decide to trade later or operate a delivery only service after this time. Take-aways can generate significant late-night street noise with delivery vehicles arriving and leaving as well as noise from customers etc. It is not possible to mitigate against this type of street noise. After 23.00 hours, Juniper Green is very quiet with little traffic to mask this noise. Therefore, it is considered appropriate to recommend a condition to protect nearby residents from late night noise.

Similarly, early morning / late night deliveries or waste collections can also cause noise disturbance to residents that is difficult to mitigate against, therefore a condition is recommended.

Location Plan



Development Management Sub Committee

Wednesday 19 June 2019

**Application for Advert Consent 18/10579/ADV
At Land Adjacent To Gas Governor, Silverknowes Parkway,
Edinburgh
Replacement of non-advertising bus shelter to Foster bus
shelter with double-sided back-lit LED advertising panel.**

Item number	4.6
Report number	
Wards	B01 - Almond

(a) Summary

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

(b) Links

<u>Policies and guidance for this application</u>	NSADSP,
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Report

Application for Advert Consent 18/10579/ADV At Land Adjacent To Gas Governor, Silverknowes Parkway, Edinburgh Replacement of non-advertising bus shelter to Foster bus shelter with double-sided back-lit LED advertising panel.

Recommendations

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

Background

2.1 Site description

The application for advertisement consent relates to a bus shelter at the roadside of Silverknowes Parkway. The area is predominantly residential in character to the south, with designated open space to the north.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The advertising panel will be double sided and situated on one end of the bus shelter. The advert will comprise an illuminated 6 sheet display that shows a series of messages that are changed every two weeks.

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

3.2 Determining Issues

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

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

3.3 Assessment

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

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

a) Amenity

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

The proposed advertisement panel would read as an integral part of a functional piece of street furniture. It would be located around 35 metres from the nearest residential property, which in the context of the scale of the advertisement is a relatively significant separation distance. Although the area is not commercial, it is not wholly residential in nature; the site is close to the entrance to Silverknowes Golf Club. The illumination would not adversely affect the residential amenity of the surrounding properties.

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

b) Public Safety

The Roads Authority has advised that it has no objections to the proposed display with regard to public safety.

c) Equalities and Human Rights

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

d) Public Comments

No comments received.

Conclusion

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

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

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

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

Reasons:-

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

Informatives

It should be noted that:

1. As outlined in the Council's Report to Planning Committee 27 February 2014 for the control of digital forms of advertising, this advert will be expected to comply in full with the Outdoor Media Centre (OMC) voluntary code for digital format roadside advertising (published in January 2011). The code reflects planning regulations in place throughout the UK. This states that:
 - a. there shall be no moving images, animation, video or full motion images displayed unless consent has been specifically granted for such displays;
 - b. digital roadside billboards / hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays see below);
 - c. the luminance level of a digital roadside billboards shall comply with the Institute of Lighting Engineers Technical Report No's 5 (2003);
 - d. Roadside digital displays will [in Scotland] conform to the 5 'Standard Conditions' specified in Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984;
 - e. With respect to item a) above images, animation, video or full motion images are not permitted and with respect to item b) above, for this location, a maximum change rate of one static advert every 15 seconds will be permitted (i.e. 4 adverts per minute). If either of these conditions is not adhered to it is likely that the Council, in its capacity as roads authority, will take appropriate action under Section 93 of the Roads (Scotland) Act 1984. This may include isolation of the power supply to the unit;
2. Adverts must not contain moving images or sequencing of images over more than one advert;
3. Drivers should only be able to see the details of a roadside digital advertisement on one screen or a pair of synchronised screens at a time. This is to ensure that multiple images do not change at different times;
4. There should be no message sequencing where a message is spread across more than one screen;
5. Phone numbers, web addresses details etc should be avoided;

6. It is recommended that the speed of change of image should be set to be in effect instantaneous;
7. Where the advert is visible in the same view as traffic signals, the timing of the signals should where possible be taken into account when calculating the message display time;
8. Adverts should not resemble existing traffic signs or provide directional advice;
9. Night time levels of luminance should be based on the luminance of other signs and surfaces in the area. Typical values in urban areas would be in the range of 75-300Cd/m²;
10. Day time levels of luminance may need to be higher, this should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output is within acceptable limits;
11. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to disconnect and disable the sign, or take any other steps, required to ensure that any display on the sign which constitutes a danger to road users is removed or screened. The Council will seek to recover their costs for undertaking such action and the applicant should note that the display of any moving images (ref note 4 above) is likely to result in immediate action under Section 93.

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

No representations have been received.

Background reading/external references

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

Statutory Development Plan Provision	Edinburgh Local Development Plan
Date registered	28 December 2018
Drawing numbers/Scheme	01 - 05, Scheme 1

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

Contact: Murray Couston, Planning Officer
E-mail:murray.couston@edinburgh.gov.uk Tel:0131 529 3594

Links - Policies

Relevant Policies:

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

Section 1.02 Application for Advert Consent 18/10579/ADV At Land Adjacent to Gas Governor, Silverknowes Parkway, Edinburgh Replacement of non-advertising bus shelter to Foster bus shelter with double-sided back-lit LED advertising panel.

Consultations

Transportation

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

Note:

1. As outlined in the Council's Report to Planning Committee 27 February 2014 for the control of digital forms of advertising, this advert will be expected to comply in full with the Outdoor Media Centre (OMC) voluntary code for digital format roadside advertising (published in January 2011). The code reflects planning regulations in place throughout the UK. This states that:

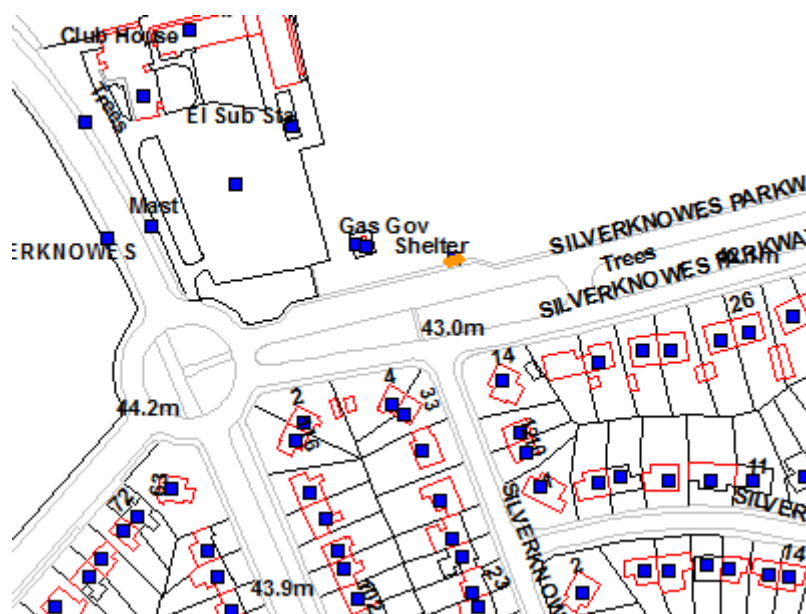
- a) there shall be no moving images, animation, video or full motion images displayed unless consent has been specifically granted for such displays;
- b) digital roadside billboards / hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays see below);
- c) the luminance level of a digital roadside billboards shall comply with the Institute of Lighting Engineers Technical Report No's 5 (2003);
- d) Roadside digital displays will [in Scotland] conform to the 5 'Standard Conditions' specified in Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984;

With respect to item a) above images, animation, video or full motion images are not permitted and with respect to item b) above, for this location, a maximum change rate of one static advert every 15 seconds will be permitted (i.e. 4 adverts per minute). If either of these conditions is not adhered to it is likely that the Council, in its capacity as roads authority, will take appropriate action under Section 93 of the Roads (Scotland) Act 1984. This may include isolation of the power supply to the unit;

2. Adverts must not contain moving images or sequencing of images over more than one advert;
3. Drivers should only be able to see the details of a roadside digital advertisement on one screen or a pair of synchronised screens at a time. This is to ensure that multiple images do not change at different times;
4. There should be no message sequencing where a message is spread across more than one screen;
5. Phone numbers, web addresses details etc should be avoided;
6. It is recommended that the speed of change of image should be set to be in effect instantaneous;

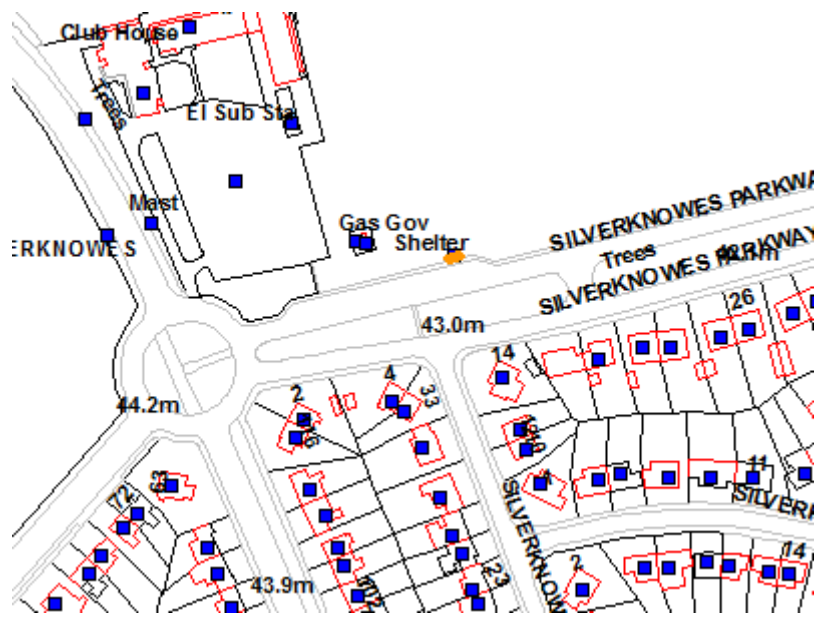
7. Where the advert is visible in the same view as traffic signals, the timing of the signals should where possible be taken into account when calculating the message display time;
8. Adverts should not resemble existing traffic signs or provide directional advice;
9. Night time levels of luminance should be based on the luminance of other signs and surfaces in the area. Typical values in urban areas would be in the range of 75-300Cd/m²;
10. Day time levels of luminance may need to be higher, this should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output is within acceptable limits;
11. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to disconnect and disable the sign, or take any other steps, required to ensure that any display on the sign which constitutes a danger to road users is removed or screened. The Council will seek to recover their costs for undertaking such action and the applicant should note that the display of any moving images (ref note 4 above) is likely to result in immediate action under Section 93

Location Plan



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END



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END

Development Management Sub Committee

Wednesday 19 June 2019

**Application for Advert Consent 18/10575/ADV
At Bus Shelter At Junction Of Whitson Grove And Stevenson
Drive, Whitson Grove, Edinburgh
Replacement of non-advertising bus shelter to Foster bus
shelter with double-sided back-lit LED advertising panel.**

Item number	4.7
Report number	
Wards	B07 - Sighthill/Gorgie

Summary

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

Links

Policies and guidance for this application	NSADSP,
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Report

Application for Advert Consent 18/10575/ADV At Bus Shelter At Junction of Whitson Grove And Stevenson Drive, Whitson Grove, Edinburgh Replacement of non-advertising bus shelter to Foster bus shelter with double-sided back-lit LED advertising panel.

Recommendations

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

Background

2.1 Site description

The application for advertisement consent relates to an existing bus shelter on Stevenson Drive. The area is predominantly residential in character with three storey tenements to the north west and Saughton Sports Complex to the south east.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description of The Proposal

The advertising panel will be double sided and situated on one end of the bus shelter. The advert will comprise an illuminated 6 sheet display that shows a series of messages that are changed every two weeks.

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

3.2 Determining Issues

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

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

3.3 Assessment

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

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

a) Amenity

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

The proposed advertisement panel would read as an integral part of a functional piece of street furniture. It is located around 11.5 metres from the nearest residential property. The advert would be located on a busy road adjacent to Saughton Sports Complex. The illumination would not adversely affect the residential amenity of the surrounding properties.

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

b) Public Safety

The Roads Authority has advised that it has no objections to the proposed display with regard to public safety.

c) Equalities and Human Rights

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

d) Public Comments

No comments received.

Conclusion

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

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

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

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

Reasons:-

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

Informatives

It should be noted that:

1. As outlined in the Council's Report to Planning Committee 27 February 2014 for the control of digital forms of advertising, this advert will be expected to comply in full with the Outdoor Media Centre (OMC) voluntary code for digital format roadside advertising (published in January 2011). The code reflects planning regulations in place throughout the UK. This states that:
 - a) there shall be no moving images, animation, video or full motion images displayed unless consent has been specifically granted for such displays;
 - b) digital roadside billboards / hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays see below;
 - c) the luminance level of a digital roadside billboards shall comply with the Institute of Lighting Engineers Technical Report No's 5 (2003);
 - d) Roadside digital displays will [in Scotland] conform to the 5 'Standard Conditions' specified in Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984;With respect to item a) above images, animation, video or full motion images are not permitted and with respect to item b) above, for this location, a maximum change rate of one static advert every 15 seconds will be permitted (i.e. 4 adverts per minute). If either of these conditions is not adhered to it is likely that the Council, in its capacity as roads authority, will take appropriate action under Section 93 of the Roads (Scotland) Act 1984. This may include isolation of the power supply to the unit;
2. Adverts must not contain moving images or sequencing of images over more than one advert;
3. Drivers should only be able to see the details of a roadside digital advertisement on one screen or a pair of synchronised screens at a time. This is to ensure that multiple images do not change at different times;
4. There should be no message sequencing where a message is spread across more than one screen;
5. Phone numbers, web addresses details etc should be avoided;

6. It is recommended that the speed of change of image should be set to be in effect instantaneous;
7. Where the advert is visible in the same view as traffic signals, the timing of the signals should where possible be taken into account when calculating the message display time;
8. Adverts should not resemble existing traffic signs or provide directional advice;
9. Night time levels of luminance should be based on the luminance of other signs and surfaces in the area. Typical values in urban areas would be in the range of 75-300Cd/m²;
10. Day time levels of luminance may need to be higher, this should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output is within acceptable limits;
11. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to disconnect and disable the sign, or take any other steps, required to ensure that any display on the sign which constitutes a danger to road users is removed or screened. The Council will seek to recover their costs for undertaking such action and the applicant should note that the display of any moving images (ref note 4 above) is likely to result in immediate action under Section 93.

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

No representations have been received.

Background reading/external references

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

Statutory Development Plan Provision	Edinburgh Local Development Plan
Date registered	28 December 2018
Drawing numbers/Scheme	01 - 05, Scheme 1

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

Contact: Murray Couston, Planning Officer
E-mail:murray.couston@edinburgh.gov.uk Tel:0131 529 3594

Links - Policies

Relevant Policies:

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

Appendix 1

Application for Advert Consent 18/10575/ADV At Bus Shelter At Junction of Whitson Grove And Stevenson Drive, Whitson Grove, Edinburgh Replacement of non-advertising bus shelter to Foster bus shelter with double-sided back-lit LED advertising panel.

Consultations

Transportation

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

Note:

1. As outlined in the Council's Report to Planning Committee 27 February 2014 for the control of digital forms of advertising, this advert will be expected to comply in full with the Outdoor Media Centre (OMC) voluntary code for digital format roadside advertising (published in January 2011). The code reflects planning regulations in place throughout the UK. This states that:

- a) there shall be no moving images, animation, video or full motion images displayed unless consent has been specifically granted for such displays;
- b) digital roadside billboards / hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays see below);
- c) the luminance level of a digital roadside billboards shall comply with the Institute of Lighting Engineers Technical Report No's 5 (2003);
- d) Roadside digital displays will [in Scotland] conform to the 5 'Standard Conditions' specified in Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984;

With respect to item a) above images, animation, video or full motion images are not permitted and with respect to item b) above, for this location, a maximum change rate of one static advert every 15 seconds will be permitted (i.e. 4 adverts per minute). If either of these conditions is not adhered to it is likely that the Council, in its capacity as roads authority, will take appropriate action under Section 93 of the Roads (Scotland) Act 1984. This may include isolation of the power supply to the unit;

2. Adverts must not contain moving images or sequencing of images over more than one advert;
3. Drivers should only be able to see the details of a roadside digital advertisement on one screen or a pair of synchronised screens at a time. This is to ensure that multiple images do not change at different times;
4. There should be no message sequencing where a message is spread across more than one screen;
5. Phone numbers, web addresses details etc should be avoided;
6. It is recommended that the speed of change of image should be set to be in effect instantaneous;

7. Where the advert is visible in the same view as traffic signals, the timing of the signals should where possible be taken into account when calculating the message display time;
8. Adverts should not resemble existing traffic signs or provide directional advice;
9. Night time levels of luminance should be based on the luminance of other signs and surfaces in the area. Typical values in urban areas would be in the range of 75-300Cd/m²;
10. Day time levels of luminance may need to be higher, this should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output is within acceptable limits;
11. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to disconnect and disable the sign, or take any other steps, required to ensure that any display on the sign which constitutes a danger to road users is removed or screened. The Council will seek to recover their costs for undertaking such action and the applicant should note that the display of any moving images (ref note 4 above) is likely to result in immediate action under Section 93.

Location Plan



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Development Management Sub Committee

report returning to Committee - Wednesday 19 June 2019

Application for Planning Permission 19/00792/FUL At 3F2, 17 Bruntsfield Gardens, Edinburgh Creation of new flatted dwelling within attic space and alter existing third floor flat. Proposed new access from existing communal stairwell (as amended).

Item number	5.1
Report number	
Wards	B10 - Morningside

Recommendations

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

Background information

The Committee decided at their meeting on 5 June 2019 to continue the application as it was agreed that the rooflights constitute development and an assessment of the impact of the rooflights within the conservation area was required.

Main report

Policy Env 6 of the LDP requires development proposals to preserve or enhance the character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal emphasises the well-proportioned Victorian tenemental perimeter blocks with Baronial detailing and the substantial area of the open parkland formed by the Meadows and Bruntsfield Links. With regards to Bruntsfield Gardens specifically, the appraisal states *Bruntsfield Gardens derives significant character and interest from its enclosed end and an art deco block of flats.*

The rooflights are conservation style rooflights; by virtue of their size, positioning, design and angle within the roof slope, the proposed rooflights represent modest and relatively discreet alterations to the host building. They will not dominate the roofscape and their visibility from public viewpoints will be minimal. The installation of the rooflights will preserve the appearance of the conservation area.

There are examples of similar roof alterations of the front and rear roof planes on this style of tenement within the conservation area. Therefore, rooflights are characteristic of the conservation area.

The proposal is of an acceptable scale, form and design and will preserve the character and appearance of the conservation area. The proposal complies with Policy Env 6. Overall, the creation of a new flatted unit and the installation of the rooflights is acceptable.

Links

Policies and guidance for this application

LDPP, NSLBCA, OTH, CRPMAR, LHOU01, LHOU03, LHOU04, LTRA02, LTRA03, NSG, NSGD02,

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=PMZ2D4EWM5000>

Or Council Papers online

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Elizabeth McCarroll, Planning Officer

E-mail:elizabeth.mccarroll@edinburgh.gov.uk Tel:0131 529 3013

Development Management Sub Committee

report returning to Committee - Wednesday 19 June 2019

Application for Planning Permission in Principle 14/01177/PPP

At 7, 11, 13 Eyre Terrace, Edinburgh, EH3 5ER

Planning permission in principle for mixed use development. Retail (class 1); financial, professional & other services (class 2); food & drink (class 3); business (class 4); hotels (class 7); residential (class 8, 9 & sui generis), car parking, access & other works, approval of siting & maximum height of principal building block, points of vehicular/pedestrian access & egress.

Item number	5.2
Report number	
Wards	A05 - Inverleith (Pre May 2017)

Recommendations

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

Background information

This application was granted by the Development Management Sub-Committee on 25th February 2015 subject to a legal agreement requiring a financial contribution for educational infrastructure, affordable housing provision, transport infrastructure and Tree Management. Despite reminders, this legal agreement was never concluded and so planning permission has never been issued and the application is still 'live'. In the meantime, there have been new material planning considerations which means that the application needs to be re-assessed. The duty to consider all material considerations continues until the time a grant or refusal is made, whether or not the resolution to grant is subject to a legal agreement.

Main report

New material considerations

The new material considerations in this case are the Edinburgh Local Development Plan, the updated Edinburgh Design Guidance, the Revised Parking Standards and the Finalised Developer Contributions and Infrastructure Guidance. The application has been re-assessed in relation to these new material considerations and requires a new decision by the Development Management Sub-Committee.

(a) Edinburgh Local Development Plan

The application now falls to be assessed under policies of the Local Development Plan.

The principle of redeveloping the site for a mix of offices, commercial uses (class 1, 2, and 3), hotel and residential use (including a care home) remains appropriate within this mixed use urban area. The principle of developing the area of open designated open space has not changed since the determination of the original proposals.

The principle of the development remains acceptable and in the main the proposals still accord with the policies within the Local Development Plan.

(b) Revised Urban Design Guidance

The proposals are still on the whole in accordance with the revised Urban Design Guidance.

(c) Revised Parking Standards

The Parking standards have been revised since the determination of this application in 2015. As the proposal does not define specifically the exact uses, the proposal cannot specify the precise amount of parking spaces that will actually be provided. Cycle parking will require to comply with current standards. Therefore, these matters are not approved at this time and should be addressed at AMC application stage.

(d) Finalised Developer Contributions and Infrastructure Guidance

The application requires updated developer contributions in relation to Educational Infrastructure in accordance with The Finalised Developer Contributions and Infrastructure Guidance. The proposed requirement would be a contribution of £980 per flat (Q4 2017 prices to be index linked) towards increasing non-denominational primary school capacity and £6536 per house (2017 Q4 prices to be index linked) towards increasing non-denominational secondary capacity. The s75 would be updated to reflect this change.

Other s75 financial requirements remain as previously determined.

(d) Revised Conditions and Informatives

The proposed conditions and informatives are as follows

3.4 Conditions/reasons/informatives

1. Prior to the commencement of works on site, details of the undernoted matters shall be submitted to and approved by the Council as planning authority, in the form of a detailed layout to include detailed plans, sections and elevations of the buildings and all other structures, landscaping, road access and parking details.

Reserved matters:

- (a) the number of residential units to be developed;
- (b) the gross floorspace of commercial units;
- (c) the gross floorspace of the offices;
- (d) the gross floor area and number of bedrooms of the hotel and residential institution;
- (e) the precise location and extent of individual uses;
- (f) detailed design of buildings including all external features, glazing specifications (including acoustic capabilities), and materials;
- (g) the precise position of the principal block and height of the principal block above 4 storeys;
- (h) design and configuration of public realm, public and private open spaces, all external materials and finishes;
- (i) car and cycle parking, access, road layouts and alignment and servicing areas i.e. detailed design of roads, footpaths and cycle routes;
- (j) a Quality Audit as set out in Designing Streets;
- (k) waste management and recycling facilities;
- (l) drainage Strategy, Flood Risk Assessment and Surface Water Management Plan;
- (m) sustainability details, including drainage system i.e. sustainable urban drainage systems;
- (n) cross sections of the site and existing and finished ground levels in relation to Ordnance Datum;
- (o) daylighting information - assessment as per Edinburgh Design Guidance;
- (p) details of the ventilation systems and sound insulation properties or sound transmission characteristics of the structures for Class 3 (Food and Drink) and Class 7 (Hotel);
- (q) detailed landscape plan of hard and soft landscaping details, including:
 - I. Layout and design including walls, fences, gates and any other boundary treatments;
 - II. Location of new trees, shrubs, hedges and grasses;
 - III. A schedule of all plants to comprise species, plant size and proposed number/density;
 - IV. Programme of completion and subsequent maintenance;
 - V. Existing and proposed services such as cables, pipelines, substations;
 - VI. Other artefacts and structures such as street furniture, including lighting columns and fittings;
 - VII. Details of hard landscaping;
 - VIII. Landscape Management Plan including schedule for implementation and maintenance of planting scheme;
 - IX. Tree protection measures (for the appropriate trees in King George V Park);
 - X. External lighting, including floodlighting and/or street lighting, arrangements for the development; and
 - XI. Details of phasing of these works.
- (r) A masterplan or framework document for the whole site to be submitted with the first AMC application if the site is to be developed in phases.
- (s) Flood prevention and drainage.

(t) Air quality and pollution.

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

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

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

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

3. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.

4. Only the tree/s shown for removal on the approved drawing/s shall be removed, and no work shall be carried out on the remaining trees at any time without the approval of the Planning Authority.

5. The detailed siting and design of the development shall be carried out in substantial accordance with the principles set out in the Feb 2015, Eyre Terrace, Arboricultural Survey Report. Development shall not commence until full details of tree protection measures, including method statements and scheme of Arboricultural supervision (confirming the qualified arboriculturalist appointed to oversee all Arboricultural works) have been submitted to and approved in writing by the Head of Planning and Building Standards.

6. Prior to the commencement of development, the approved tree protective measures, will be implemented and maintained for the duration of the construction period. No unauthorised materials, equipment or building shall be located or stored within the construction exclusion zone, nor shall any unauthorised access or trenches be taken through it.

7. No development shall take place until the applicant has demonstrated that Scottish Water agrees that the development will connect to the combined sewer.

8. No development shall take place until a scheme for protecting the residential and hotel development hereby approved from noise from any approved Class 1 (retail), Class 2 (financial and professional services), Class 3 (food and drink), or Class 4 (office) use has been submitted to and approved in writing by the Council as planning authority; all works which form part of the approved scheme shall be completed before any part of the residential and hotel development is occupied

9. No development shall take place until a scheme for protecting the residential and hotel development from noise arising from the existing commercial and transport noise has been submitted to and approved in writing by the Council as planning authority; all works which form part of the approved scheme shall be completed before any part of the hotel and residential development is occupied.

10. Each application for approval of matters specified in condition 1 shall be accompanied by a phasing plan for the development of the site. The phasing plan shall identify the car parking, individual blocks with associated landscaping, open space, and surface water

management plan to come forward as part of the development and show how these matters relate to the wider development.

Reasons:-

1. To ensure a high quality development.
2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
3. In order to safeguard the interests of archaeological heritage.
4. In order to safeguard protected trees.
5. In order to safeguard protected trees.
6. In order to safeguard protected trees.
7. To ensure adequate drainage provision is provided.
8. In order to protect the amenity of the occupiers of the development.
9. In order to protect the amenity of the occupiers of the development.
10. In order for the Council as planning authority to consider this matter in more detail.

Informatives

It should be noted that:

1. Permission should not be issued until a suitable legal agreement has been concluded covering the following matters:

Affordable Housing

- 25% of any residential units (if more than 11 units) provided to be of Affordable Housing tenure;

Transport Infrastructure

- a contribution of £2,000 (per order) to progress the necessary traffic order(s);
- provide two public parking spaces, location to be agreed in writing by the Head of Planning and Building Standards and the Head of Transport, to offset the loss of spaces on Eyre Terrace;

Education

- a contribution of £980 per flat (Q4 2017 prices to be index linked) towards increasing non- denominational primary school capacity and £6536 per house (2017 Q4 prices to be index linked) towards increasing non-denominational secondary capacity.

Trees

- before development commences, a tree management plan to be prepared (and agreed by the Council) identifying any works required to the trees adjacent to the site boundary as a result of the development over an agreed timespan. Any necessary works, including tree removal or surgery, shall be undertaken at no cost to the Council.

2. The development hereby approved relates to the principle of forming a mixed use development on this site and gives no approval to the specific mix or sizes of uses or to the positioning of the principal block/to the layout as proposed on the plans.

3. a) Application for the approval of matters specified in conditions shall be made before the expiration of 3 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) The approved development shall be commenced not later than the expiration of 3 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.

4. 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.

5. 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.

6. Detailed drainage of the proposed drainage system and surface water management plan must be provided to the City of Edinburgh Council (CEC) and undertaken with regards to CEC guidance and all statutory guidance from other sources for the proposed development area. Refer to CEC Flood Prevention's consultation response available at www.edinburgh.gov.uk/planning).

7. As the development is located in Zones 1 to 8, they will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category A - New Build)

8. The proposed pedestrian route within the site and parallel to King George V Park to be to an adoptable standard including suitable lighting and drainage as required.

9 The access to any car parking area is to be by dropped kerb (i.e. not bell mouth).

10 Cycle parking will be expected to be provided in a secure and undercover location to the Council's current standards. The design, layout and specification to be to the satisfaction of the Head of Transport.

11 Any gate or gates must open inwards onto the property.

12 The applicant should be informed that prior to carrying out any works to form a footway crossing a Minor Roadworks consent must be applied for and secured

a. 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

b. 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 Head of Transport 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 2002 regulations or British Standard 8300:2009 as approved by the Head of Transport.

c. The proposed deletion of on-street parking spaces to accommodate the ramp access will require justification and is not approved at this stage. Any loss of on-street parking places will be expected to be compensated for elsewhere. Any amendment to the existing on-street parking layout will require a contribution of £2,000 to progress the necessary order.

d. 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.

e. The design, installation and operation of any lift (passenger or otherwise) shall be such that any associated noise complies with NR20 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

f. For the avoidance of doubt, the following has been agreed:

a mixed use development - but not specific mixes or the amount or location of uses; o positioning of the building blocks (subject to the identified lines of deviation); and height – up to four storeys.

Conclusion

The proposed mixed use development generally complies with the Local Development Plan and non-statutory guidance.

Links

Policies and guidance for this application

LDPP, LEN02, LEN05, LEN06, LDEL01, LDES01, LDES03, LEN01, LEN09, LEN21, LEN18, LHOU01, LHOU06, LEMP01, LRET06, LDES05, LDES04, LTRA02, LTRA03, LTRA04, NSG, NSLBCA, NSGD02,

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=N31UVXEW0GY00>

Or Council Papers online

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Development Management Sub Committee

Wednesday 19 June 2019

**Application for Planning Permission 18/02404/FUL
At 37 Corstorphine Road, Edinburgh, EH12 5QQ
Demolition of existing house, erection of new building to
form residential apartments with associated car parking and
landscaping.**

Item number	7.2
Report number	
Wards	B06 - Corstorphine/Murrayfield

Summary

The proposal complies with the local development plan and the non statutory guidance. The scale, form, design and materials are acceptable and will have no effect on the character of the surrounding area. The proposals will have no adverse impact on the neighbouring listed building or its setting. The development will have no detrimental impact on significant archaeological remains, flora or fauna, residential amenity or road safety.

A suitable legal agreement shall be entered into to ensure an appropriate contribution to the provision of affordable housing and education.

Flooding arrangements for the site are acceptable to CEC's Flood Team. However, SEPA is objecting on the grounds that there is a risk of flooding of the proposed buildings. In view of this outstanding objection, as SEPA is a statutory consultee, the Scottish Ministers will require to be notified should Committee decide to grant the application. There are no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDES01, LDES03, LDES05, LHOU01, LHOU02, LHOU03, LHOU06, LTRA02, LTRA03, LDES04, LEN15, LEN21, NSG, NSGD02, LDES10,

Report

Application for Planning Permission 18/02404/FUL At 37 Corstorphine Road, Edinburgh, EH12 5QQ Demolition of existing house, erection of new building to form residential apartments with associated car parking and landscaping.

Recommendations

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

Background

2.1 Site description

The site is located on the south side of Corstorphine Road and extends to approximately 0.17 hectares. The site is triangular in shape, bounded by a stone wall and is currently occupied by a detached two storey residential villa, single storey garage and incidental garden ground. Neither of the buildings are listed. The Water of Leith is directly to the rear of the site, with Roseburn Park lying beyond this. To the north of the site are large detached villas which are in residential and commercial use, detached villas also lie to the west. Number 39, 41 and 43 Corstorphine Road, that lie to the west, are category C listed (LB ref: 28587 and 28588, listed 18/09/2002).

There are three vehicular access points to the site from Corstorphine Road.

The site is not located within a conservation area but is adjacent to the West Murrayfield Conservation Area to the west and the Coltbridge and Wester Coates Conservation Area to the east.

2.2 Site History

17 July 2003 - Planning permission granted to construct two way vehicle access with gates and turning area (application number 03/01727/FUL).

16 May 2016 - Planning permission granted to form new vehicle access and associated parking area (application number 16/01583/FUL).

Main report

3.1 Description of The Proposal

The application is to demolish the existing villa and garage and erect a residential development comprising 20 apartments: 14 two-bedroom and six three-bedroom within a four storey block with terraces, balconies, cycle and car parking, landscaping and refuse space.

The proposed building comprises a contemporary style, flat roofed structure of four storeys with part of the top floor recessed at the front and rear elevation. The main facing material is ashlar stone, supplemented with brick cladding, bronze coloured aluminium, timber cladding and bronze finished windows and steel metal balustrades.

Landscaped areas are proposed to the front, in the north east corner and south west corner of the building, with timber decked private gardens facing onto the Water of Leith and Roseburn Park.

The scheme provides 18 car parking spaces, including three spaces with electric car charging points, 44 secure cycle parking spaces and four Sheffield stands for 8 cycles.

Scheme 1

This scheme did not include EV charging points or external cycle spaces.

Applicant's Supporting Statement

The following documents are available on the Planning and Building Standards On-Line Services:

- Planning Supporting Statement;
- Transport Statement;
- Drainage Strategy; and
- 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 development is acceptable in principle in this location;
- b) the proposal will have any adverse impacts on the setting of the adjacent listed building
- c) the scale, form, design and materials are acceptable;
- d) the development will impact on residential amenity;
- e) the proposal raises any issues in terms of residential amenity for the future occupiers of the development;
- f) transport, parking and access are satisfactory;
- g) there is an Affordable Housing contribution required;
- h) the proposal have any significant impacts in terms of flooding;
- i) the proposal is acceptable in relation to other relevant material considerations; and
- j) the representations have been addressed.

a) Principle

The site is allocated as Urban Area in the Edinburgh Local Development Plan (LDP) where housing development in principle is acceptable. Housing is supported within the urban area by Policy Hou1 where it is compatible with other policies in the local plan.

The development is acceptable in principle in this location subject to the consideration of other matters below.

b) Impact on the Setting of the Listed Building

The new development is located approximately 20 metres from number 39 Corstorphine Road, a category C listed building. The proposal will replace the existing building with another built form of a similar height and along with the established landscape setting it will ensure that the proposal will not affect the setting of the listed building.

c) Scale, Form, Design, Materials and Density

Edinburgh Local Development Plan policies Des 1 and Des 3 states that planning permission will not be granted for poor quality or inappropriate design that would be damaging to the character of the area and that development should demonstrate that the existing characteristics have been incorporated and enhanced through its design and will have a positive impact on its surroundings. Policy Hou 4 seeks appropriate density on each site.

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

The surrounding area is of a mixed character, encompassing detached dwellings and larger commercial buildings to the east. The proposed development takes its character from the larger commercial developments on the street. The building is angled at its

south west corner, where it follows the line of the Water of Leith and the site boundary towards the north east corner of the site. Elements of the north elevation of the building respond to the established building line on Corstorphine Road. This element of the development reflects and follows the more established commercial character to the east of the site. The building is generally four stories in height, although the height and mass on the west elevation has been reduced to respond to the adjacent listed building and villa properties, whilst the height on the east elevation responding to the commercial development. The building sits comfortably within the general context of the street given the different building heights and the proposal will integrate well within the wider townscape.

The proposed contemporary design and use of stone on the main elevations and the range of building styles, materials and tones is appropriate in this context with no set rhythm when considering the streetscape, particularly to the east of the site. The rear elevation is articulated with large windows and balconies to take advantage of the open outlook over Roseburn Park and the Water of Leith, and provides a sympathetic and attractive frontage onto that watercourse.

The overall design will make a positive contribution to the site with an appropriately scaled and designed building.

The development complies with LDP policies Des 1, Des 3 and Des 10

Density

Edinburgh Local Development Plan policies Hou 4 seeks an appropriate density of development on each site having regard to its characteristics and those of the surrounding area.

The spatial character of the area is mixed. Generally higher densities and larger built form and footprints exist along the Corstorphine Road corridor particularly to the east of the site, the closer it gets to the city centre. To the north, lower densities prevail. The site, marks the gateway to this change in character and an opportunity exists to create a development which contributes to a greater sense of arrival. There is a strong urban design rationale for a high density development which reflects its sustainable location along an arterial route.

The density of the proposal is acceptable and it will not have a detrimental impact on the spatial character of the area.

The proposals are therefore acceptable in terms of scale, form, design and materials and will have no adverse effect on the character of the surrounding area.

The development complies with LDP policy Hou 4.

d) Flora and Fauna

The site is adjacent to a Local Nature Conservation Site as defined in the LDP. Policy Env 15 guards against development which is likely to have an adverse impact on the flora, fauna, landscape or geological features of the site.

Adjacent to the riverbank the site has been cleared of any vegetation which was to

accommodate the flood prevention works. The only vegetation and planting on the site is around the existing house and this has no restrictions on removal.

The proposed development is set back approximately 2.8 metres from the site boundary to the south and will have a row of terraces at the ground floor level. Outwith the site there is a natural river edge to the Water of Leith abutting the flood wall and this provides a reasonable set back.

The development will therefore have no adverse impact on flora or fauna, in compliance with LDP Policy Env 15.

e) Residential Amenity

LDP policy Des 5 states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity.

Environmental Protection has no objections to the proposed development subject to a condition relating to the provision of electric vehicle charging points in accordance with the requirements of the Edinburgh Design Guidance. Relevant conditions and informatives have been applied according to enforceability under planning legislation.

The internal floor area of each for the two-bedroom flats range from 79 square metres to 109 square metres and 109 square metres to 137 square metres for the three-bedroom flats which complies with the minimum standards as set out in the Edinburgh Design Guidance.

The development also complies with the daylighting, overshadowing and privacy standards in the Edinburgh Design Guidelines as there are no neighbouring residential properties in close proximity to the site.

Green open space will be provided by way of communal green space and terraces. The green areas in the north of the site provide a setting for the building, with the flats having private balconies facing south onto the Water of Leith and Roseburn Park. The main living apartments are also on the south side of the development so future occupiers of the flats will have a high level of amenity. Although the level of communal, useable greenspace does not meet the standards set out in Policy Hou 3, the location of the proposal, being in close proximity to Roseburn Park, ameliorates the level of provision within the scheme.

The development complies with LDP policy Des 5 and the minor infringement to Hou3 is acceptable in these circumstances.

f) Road Safety

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

The development is providing 18 parking spaces for the residential units, including 3 with electric charging points. The distribution of parking around the site, access routes to them and overall provision meets levels required in the Council's guidance and is

satisfactory. Cycle stores are to be located to the north of the site to provide secure cycle parking.

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

g) Affordable Housing

Policy Hou 6 Affordable Housing of the local plan states that sites consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units. For proposals above 20 or more units, the provision should normally be on site. Whenever practical, the affordable housing should be integrated with market housing.

The application is for 20 units and as such the policy requires 5 affordable units to be provided on site for affordable housing. It is only where the Council is satisfied that the affordable housing could not be viably delivered onsite by a housing association, that we consider alternative proposals.

Onsite RSL delivery was considered but discounted for the following two reasons:

1. High purchase costs - The properties are not financially viable for an RSL, as they have an average unit cost of £260,000.

Cost Plan

- The applicant has submitted a cost plan identifying the cost to build approximately at £240,000 per unit. This figure is not inclusive of fees (at approximately 10%). This raises the indicative cost plan figure to at least £260,000 per unit.
- CEC estates department asked independent surveyors Currie and Brown to carry out an appraisal of the development proposals. Currie and Brown ran their own appraisal using current standard development costs/assumptions and identified higher development cost than those submitted by the applicant. This figure is £260k per unit (inclusive of fees approximately £280k).
- The costs submitted have therefore been verified as being accurate.

Potential Cost Saving for RSL

The following development factors have been identified as potential areas from which to make cost savings to allow for an RSL to purchase from the developer:

- **Materials** The external finishes of stone / zinc are expensive. The planning department's view on these are they are not strictly required, as they are on the fringes of two conservation areas. However, as the finishes face these conservation areas the external finishes are desirable.
- **Internal specification** - The flats are of high spec, aimed at the upper end of the market. An estimated value on the reduction for an RSL are at circa £5,000 per unit.
- **Floor areas** - The flats have generous space standards but these are not excessive. There is potential to reduce floor areas by 15% to make a more compact/efficient build for an RSL build to reduce cost per flat by 15%.
- **Lift** - As the properties are 3 storey there is no requirement for lift. This could lead to a potential saving of circa £5k per flat.

Taking all these potential savings into account would bring the all in development cost to circa £228,000.

RSL Purchase

- RSLs secure properties from developers at approximately £130,000 per unit.
- If the costs were closer to £130,000 there would be the potential to look at the use of commuted sums to support the development to make on site delivery viable.
- However, as they stand the opportunity does not present value for money, either in terms of the RSL own resources, or with the associated grant/commuted sums funding for an RSL to purchase at approximately £228,000 per unit

2. Minority ownership within a communal stair - RSLs do not want to take on flats within a shared stairwell due to the ongoing responsibility for tenants and maintenance implications. There are two stairwells for this development of 20 units.

- Should the stairwells be reconfigured, to allow for an RSL to purchase a single block, this could have an impact on the overall numbers of units and potentially reduce the number of homes overall. If the project has under 20 units in total; the default policy position would be for a commuted sum payment

Both Places for People and Dunedin Canmore Housing Association have confirmed the project is not viable for them for these two reasons.

Where the developer has clearly established that the development would not be viable for a housing association then the affordable housing policy allows for alternative methods of delivery to be considered. The developer has submitted an indicative sales cost, which makes golden share an unviable delivery model.

The housing service considers that options for onsite delivery have been explored and that a commuted sum payment in lieu of onsite affordable housing is acceptable.

The developer will provide the commuted sum through a Section 75 agreement, paying the sum prior to the commencement of construction on the principal site. The sum will be used to support the delivery of affordable housing in the same or adjacent Ward of the city.

The instruction has not been provided to calculate the commuted sum figure. This will require to be independently assessed by the District Valuer. For information, based upon recent commuted sum payments, the sum is likely to be in the region of £40,000 to £50,000 per unit.

The developer will be required to enter into a Section 75 legal agreement to secure the affordable provision. An informative has been added requiring the conclusion of a legal agreement to secure financial contribution for this purpose.

h) Flooding

Policy Env 21 states that planning permission will not be granted for development that would increase a flood risk or be at a risk of flooding itself, impeded the flow of flood water or be prejudicial to existing or planned flood defence systems.

The proposal will provide adequate drainage. The Council's Flood Team has confirmed that sufficient information has been submitted to satisfy flooding arrangements.

SEPA has objected to the principle of residential development on this site on the grounds of flood risk.

The site is located adjacent to the Water of Leith and benefits from the Water of Leith Flood Protection Scheme (FPS). In August 2017, SEPA published a Planning Information Note 4 which sets out the position that it now takes for development behind a FPS. In summary, where a planning application will result in a land use change to a highly vulnerable use such as residential, SEPA requires the development to be protected to a 1:200 year standard including an appropriate allowance for climate change. However, SEPA is now concerned that this climate change allowance may not be sufficient and therefore objects to the principle of housing development on the site.

SEPA has a shared duty with Scottish Ministers and other responsible authorities under the Flood Risk Management (Scotland) Act 2009 to reduce flood risk and promote sustainable flood risk management. It states that the cornerstone of sustainable flood risk management is the avoidance of flood risk. It is SEPA's view that vulnerable uses such as a residential development should be directed to alternative locations rather than incorporating mitigation measures.

However, SEPA recognises that in determining applications, planning authorities have to consider a range of material considerations as well as flood risk. There may be circumstances where applications are granted planning permission despite an objection from SEPA.

In this instance, SEPA has stated that, should the Council be minded to approve the application, it recommends that:-

- finished floor levels are raised above the crest levels of the adjacent flood wall, including an adequate freeboard,
- flood resistant and resilient design and materials are included, and
- safe flood free access and egress can be provided during a flood.

The applicant has amended the proposals to meet these requirements and the Council's Flooding team is satisfied that the mitigation proposed is acceptable. Notwithstanding SEPA's objection to the principle of residential development, this proposal has been designed to mitigate potential flood risk and accords with LDP policy ENV 21 Flood Protection. As SEPA has objected to the application, if the Council is minded to grant planning permission, it must notify Scottish Ministers.

i) Other relevant material considerations

Archaeology

The site contains an unlisted Victorian Villa and occurs on the southern side of the historic medieval road linking Edinburgh and Glasgow and is therefore considered to be of archaeological interest. Although the site has been significantly affected by modern disturbances, ground breaking works associated with demolition and development may disturb evidence for this historic settlement. It is recommended that a programme of

archaeological work (excavation) is undertaken prior to/during development to fully excavate, record, analyse and publish any significant remains that may be disturbed. A condition has been added in respect of this

Education

Policy Del 1 requires proposals to contribute towards education provision.

This site falls within Sub-Area W-2 of the 'West Edinburgh Education Contribution Zone'. The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme. Appropriate education infrastructure actions to mitigate the cumulative impact of development now anticipated are identified. The required contribution will therefore be based on the established 'per house' rates for the appropriate part of the Zone.

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. Total infrastructure contribution required is £2,240 index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

A legal agreement is recommended to secure the required contribution.

j) Representations

Material Representations - Objection

- visual impact on the area - addressed in section 3.3 b)
- scale and impact on the river and walkway -addressed in section 3.3 b)
- lack of parking - addressed in section 3.3 e)
- traffic impact - addressed in section 3.3 e)
- loss of villa - addressed in section 3.3 b)
- height of the building - addressed in section 3.3 b)
- loss of privacy and overshadowing - addressed in section 3.3 d)
- no affordable housing - addressed in section 3.3 f)

Material Representations - Support

- good location for transport links
- address the housing shortage
- appropriate development
- good level of accommodation
- high quality residential development

Murrayfield Community Council

- The Murrayfield Community Council did not request to be a statutory consultee but it objected on the following grounds:
- The proposal is not sympathetic to its surroundings - addressed in paragraph 3.3 (b)
- Height of the proposed block is excessive - addressed in paragraph 3.3 (b)
- Proximity to the flood defence wall - addressed in paragraph 3.3 (c)
- limited green space - addressed in section 3.3 (b)

Conclusion

In conclusion, the proposal largely complies with the local development plan and the non-statutory guidance. The scale, form, design and materials are acceptable and will have no effect on the character of the surrounding area. The proposals will have no adverse impact on the neighbouring listed building or its setting. The development will have no detrimental impact on significant archaeological remains, flora or fauna, residential amenity or road safety.

A suitable legal agreement shall be entered into to ensure an appropriate contribution to the provision of affordable housing and education.

Flooding arrangements for the site are acceptable to CEC's Flood Team. However, SEPA are objecting on the grounds that there is a risk of flooding of the proposed buildings. In view of this outstanding objection, as SEPA are a statutory consultee, the Scottish Ministers will require to be notified should committee decide to grant the application. There are no material considerations that outweigh this conclusion.

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

3.1 Conditions/reasons/informatives

1. The application shall be notified to the Scottish Ministers prior to determination.
2. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.

Reasons:-

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard the interests of archaeological heritage.

Informatives

It should be noted that:

1. Permission should not be issued until the applicant has entered into a suitable legal agreement to ensure that affordable housing is provided in accordance with Council policy.

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

2. Consent shall not be issued until a suitable legal agreement has been concluded to make a financial contribution to Children and Families to alleviate accommodation pressures in the local catchment area.

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

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

4. 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.

5. 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.

6. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
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;

Any gate or doors must open inwards onto the property;

Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;

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;

The applicant should be advised that as the development is located in the extended Controlled Parking Zone, they will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category E - Sub divided, or converted);

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;

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 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

A total of 69 letters of representation has been received. 37 of these are objections and 32 letters are in support.

An objection was received from Murrayfield 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**

Edinburgh Local Development Plan - The site is designated as Urban Area.

Date registered

1 June 2018

Drawing numbers/Scheme

01-04,05A,06-14,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

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

Links - Policies

Relevant Policies:

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

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

Appendix 1

Application for Planning Permission 18/02404/FUL At 37 Corstorphine Road, Edinburgh, EH12 5QQ Demolition of existing house, erection of new building to form residential apartments with associated car parking and landscaping.

Consultations

Affordable Housing

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

Recommendation: Commuted Sum

- o The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*
- o This is consistent with Policy Hou 6 Affordable Housing in the Edinburgh Local Development Plan.*

2. Affordable Housing Provision

This application is for a development consisting of 20 homes and as such the AHP will apply, 5 units (25%) will be required to be provided as affordable housing.

In all instances for applications of 20 or more units, the Council expects the 25% affordable housing contribution to be delivered on-site, in a manner that is well-integrated. It is only in where the Council is satisfied that the affordable housing could not be viably delivered onsite by a housing association, that we consider alternative proposals.

Onsite RSL delivery was considered but discounted for the following two reasons:

- 1. High purchase costs - The properties are not financially viable for an RSL as have an average unit cost of £260,000 per unit*

Cost Plan

- The applicant has submitted cost plan identifying the cost to build approximately £240,000 per unit. This figure is not inclusive of fees (at approximately 10%). This raises the indicative cost plan figure to at least £260,000 per unit.*
- CEC estates department asked independent surveyors Currie and Brown to carry out an appraisal of the development proposals. Currie and Brown ran their own appraisal*

using current standard development costs/assumptions and identified higher development cost than those submitted by the applicant. This figure is £260k per unit (inclusive of fees approximately £280k).

- The costs submitted have therefore been verified as being accurate.

Potential Cost Saving for RSL

The following development factors have been identified as potential areas from which to make cost savings to allow for an RSL to purchase from the developer:

- *Materials* The external finishes of stone / zinc are expensive. The planning department's view on these are they are not strictly required, as they are on the fringes of two conservation areas. However, as the finishes face these conservation areas the external finishes are desirable.
- *Internal specification* - The flats are of high spec, aimed at the upper end of the market. An estimated value on the reduction for an RSL are at circa £5,000 per unit.
- *Floor areas* - The flats have generous space standards but these are not excessive. There is potential to reduce floor areas by 15% to make a more compact/efficient build for an RSL build to reduce cost per flat by 15%.
- *Lift* - As the properties are 3 storey there is no requirement for lift. This could lead to a potential saving of circa £5k per flat.
- Taking all these potential savings into account would bring the all in development cost to circa £228,000.

RSL Purchase

- *RSLs secure properties from developers at approximately £130,000 per unit.*
- *If the costs were closer to £130,000 there would be the potential to look at the use of commuted sums to support the development to make on site delivery viable.*
- *However, as they stand the opportunity does not present value for money, either in terms of the RSL own resources, or with the associated grant/commuted sums funding for an RSL to purchase at approximately £228,000 per unit*

2. Minority ownership within a communal stair - RSLs do not want to take on flats within a shared stairwell due to the ongoing responsibility for tenants and maintenance implications. There are two stairwells for this development of 20 units.

- *Should the stairwells be reconfigured, to allow for an RSL to purchase a single block, this could have an on the overall numbers of units and potentially reduce the number of homes overall. If the project has under 20 units in total; the default policy position would be for a commuted sum payment*

Both Places for People and Dunedin Canmore Housing Association have confirmed the project is not viable for them for these two reasons.

Where the developer has clearly established that the development would not be viable for a housing association then the affordable housing policy allows for alternative methods of delivery to be considered. The developer has submitted an indicative sales cost, which makes golden share an unviable delivery model.

Summary

The housing service considers that options for onsite delivery have been explored and that as a last resort will accept a commuted sum payment in lieu of onsite affordable housing.

The developer will provide the commuted sum through a Section 75 agreement, paying the sum prior to the commencement of construction on the principal site. The sum will be used to support the delivery of affordable housing in the same or adjacent Ward of the city.

The instruction has not been provided to calculate the commuted sum figure. This and will be required to be independently assessed by the District Valuer. For information, based upon recent commuted sum payments, the sum is likely to be in the region of £40,000 to £50,000 per unit.

The developer will be required to enter into a Section 75 legal agreement to secure the affordable provision. This should be included in the Informatives section of the report to committee.

Roads Authority

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

- 1. The applicant proposes 52 cycle parking provision and complies with the Council's 2017 Parking Standards which requires the applicant to provide a minimum 52 secure, quality and easy to use cycle parking provision for the proposed development (2 bedroom(8); 3bedroom(12)).*
- 2. The applicant proposes 3 electric charging parking spaces and complies with the Council's 2017 parking Standards which requires at least one in every six of the proposed parking spaces be ducted.*
- 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, to comply with 'Guidance for Householders' published in December 2012;*
- 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;*
- 8. The applicant should be advised that as the development is located in the extended Controlled Parking Zone, they will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category E - Sub divided, or converted);*
- 9. 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 applicants proposes 18 parking provision and complies with the Council's 2017 parking standards which allows a maximum of 36 parking provision for the proposed development in Zone 2.

SEPA

We object in principle to this planning application on the grounds of flood risk. Please note the advice provided below.

1. Flood Risk

Executive Summary Outlining Policy Context

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

1.2 Given the location of the proposed development within the functional floodplain we do not consider that it meets with the requirements of Scottish Planning Policy and our position is unlikely to change. We have a shared duty with Scottish Ministers and other responsible authorities under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk and promote sustainable flood risk management. The cornerstone of sustainable flood risk management is the avoidance of flood risk in the first instance. We recommend that alternative locations be considered.

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

1.4 Notwithstanding this position we have included our review of the information supplied. Provision of this review does not imply that we consider there to be a technical solution to managing flood risk at this site which meets with Scottish Planning Policy.

Technical Appendix

1.5 We have reviewed the information provided in this consultation and it is noted that 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.

1.6 The proposal is for the demolition of an existing house and an erection of residential apartments. A level 1 Flood Risk Assessment (FRA) undertaken by Terrenus Land & Water Ltd has been submitted in support of the application.

1.7 Review of the FRA section 3.3 states that the City of Edinburgh Council (CEC) provided modelled outputs from the works carried out on the Water of Leith. The consultant claims that a design flow provided to it by the Council represents its estimate

of the 1 in 200 year flood with a 20% uplift for global climate change. It is also stated within the FRA that the Standard of Protection for the existing flood defences scheme is "understood to be for the 1 in 200 year plus 20% GCC event." We would advise that we have received information from the council that the Standard of Protection of the Water of Leith varies depending on the area protected from 1:150 year to 1:200 year, including a 12% allowance for climate change. Within the documents reviewed there has been no account of a 20% climate change uplift applied within the model.

1.8 In August 2017, we published new guidance including Planning Information Note 4: SEPA Position on development protected by a Flood Protection Scheme (FPS). This sets out the position that SEPA now takes for development behind a FPS. Based on our guidance, we require the development to be protected to a 1:200 year standard of protection including an appropriate allowance for climate change, generally a minimum of 20% uplift. We would also advise that early indications from UKCP18 is that future climate change uplifts may be higher than this current allowance. To be confident in the standard of protection offered by the Water of Leith FPS for all current and future phases of the scheme, we undertook an extensive review of the Water of Leith FPS documentation, spanning the last 18 years

1.9 We have reviewed the FPS documentation held by SEPA, City of Edinburgh Council (CEC), and Scottish Government. We do not own these documents therefore should you wish to review these documents, please approach the council in the first instance. We have not included our entire review of the scheme in this response, but focused our response on the limitations of the scheme along this area of interest. Our position has been agreed with SEPA agency management teams and will thus be used to inform any future responses to proposed development along the Water of Leith that is offered some protection by the FPS.

1.10 The remaining uncertainties of the scheme after a review of all readily available documentation includes; flow estimates, storm durations, reservoir operation, urban assumption, climate change allowance, bridge blockage and sensitivity analysis, reliance on flood gates, and freeboard. These uncertainties are elaborated upon below.

1.11 Flow estimates only include the gauged record which is approximately 55 years long at Murrayfield gauging station. Two significant events of similar magnitude to 2000, which occurred in 1920 and 1948, are not included within the gauged record and therefore not included within the analysis undertaken by the council's consultant. Taking into account these events, the April 2000 flood event may be a 1:70 year return period flood or even more frequent, rather than a 1:100 year return period as estimated by the Council's consultant at that time.

1.12 Flow estimates are further complicated by uncertainties associated with the theoretical stage-discharge calibration at the upstream Colinton gauging station and the peak flow that the Murray Burn can generate, bearing in mind it is heavily culverted.

1.13 The storm duration used in the original study by the council's consultant is 10.5 hours at Colinton. We would highlight that the significant flood generating storms on the Water of Leith have been over 10.5 hours in the past, and closer to 24-48 hours in duration.

1.14 CEC have confirmed that the upstream reservoirs are not managed for flood reduction and are left "as be", i.e. not drawn down prior to a predicted storm and not used to lower water levels quicker after an event. This 'hands off' approach is in contrast to the documents produced as part of the scheme design and subsequent local inquiry. As such, there would appear to be greater uncertainty regarding the storage that the reservoirs might provide during extended wet periods or back-to-back storms.

1.15 The number of combined sewer overflows complicate the hydrology. Due to the assumption that the urban catchment would have a quicker response time than the arrival of the dominant rural flood peak, Babtie's initial study and continued in the Ove Arup & Partners Ltd Hydrological and Hydraulic Design Report Volume 1 (2003), reduced the contribution of the urban catchment area by 21km². It is assumed that these areas would drain to the combined sewer network.

1.16 The applied climate change allowance is only a 12% increase and this has been applied to a peak flow estimate reduced to take account of the reservoir operating as designed, i.e. drawn down prior to a storm, which is currently not done. The Ove Arup & Partners Ltd Response to Reporter's Report (2005) states that "If the current SE predictions prove correct, then the scheme will continue to provide a 1 in 200 Standard of Protection for up to 45 years." It is worth noting that the lifetime of the proposed residential development would likely be greater than the lifetime of the scheme, especially since this report was published 13 years ago.

1.17 Partial Bridge blockage is a risk that cannot be eliminated entirely, although continual maintenance will reduce this risk. It is worth noting that bridge blockage scenarios were not fully investigated as part of the sensitivity analysis. Additional sensitivity of the model to varying flows, Manning's 'n' values, reservoir operation, and urban assumption are not fully investigated within the documentation reviewed. John Riddell and CarlBro (February 2003) demonstrated that the Water of Leith model is sensitive to changes in model parameters. Therefore, it is not clear whether a sufficient freeboard has been incorporated into the scheme design to take account of these uncertainties.

1.18 Flood levels vary for this site and are dependent on the model used and whether climate change has been included and the operation of the reservoirs.

1.19 The FRA supplied in support of the application, identifies the minimum elevation of the FPS wall at this location is 42.09mAOD. The freeboard available will be dependent on the peak flood levels applied to the model, model set-up, operation of the reservoirs, the urban assumption, and whether the climate change allowance is appropriate.

1.20 Whilst we understand that the site is afforded some level of protection from the Water of Leith FPS there are uncertainties associated with the standard of protection the scheme affords. Therefore, we do not consider, based on best science, that the allowance for climate change is adequate to meet the projected increase in flood risk in the coming years. The proposed development will result in material increase in the number of persons and buildings at risk contrary to the Flood Risk Management (Scotland) Act as there is an increased risk to human health. As such, we object in principle to the current planning application. No detailed Flood Risk Assessment (FRA) has been undertaken as part of this application. However, based on the information provided above, without prejudice, a further FRA may only serve to show that the site is at risk of flooding and we would be unable to support development where there is an increase in the number of persons and buildings at risk.

1.21 Should the council be minded to approve the planning application, in spite of our advice to the contrary, and given all the uncertainties highlighted above, we would strongly recommend that finished floor levels are raised above the crest levels of the adjacent flood wall, including an adequate freeboard. We would also recommend that flood resistant and resilient design and materials are included as well as ensuring that safe, flood free access and egress can be provided during a flood.

Detailed advice for the applicant

2. Flood Risk

Caveats & Additional Information for Applicant

2.1 *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/>*

2.2 *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.*

2.3 *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 Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>*

Children and Families

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (January 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 draft Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (January 2018).

Assessment and Contribution Requirements

Assessment based on:

20 Flats

This site falls within Sub-Area W-2 of the 'West Edinburgh Education Contribution Zone'.

Using the pupil generation rates set out in the Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery', the development of 20 flats is expected to generate at least one additional primary school pupil but not at least one additional secondary school pupil.

The Supplementary Guidance states that if a development is expected to generate at least one primary school pupil but less than one secondary school pupil, only a contribution towards new primary school infrastructure may be required.

The Council has assessed the impact of the proposed development on the identified education primary school 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 primary school '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:

£2,240

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.

Environmental Protection

The planning application site is located at 37 Corstorphine Road. The site is bounded by the Water of Leith to the south and a neighbouring residential house to the west. Further west are located substantial detached and semi-detached residential properties, followed by a Medical Centre and large office building. To the south and south west are located cricket playing fields with Murrayfield Rugby Stadium further south. Approximately 80m to the west, is a vehicle tyre and exhaust centre. On the opposite side of the road to the north are substantial detached residential properties. To the north-west is located a church.

Due to the previous use of the land there are no concerns regarding contaminated land. The proposed development is located between two Air Quality Management Areas. It is approximately 275m from the western extent of the City Centre Air Quality Management Area (AQMA) at Roseburn Terrace. It is also approximately 2km from the eastern edge of the St John's Road AQMA. However, as it is a small development with 18 vehicle parking spaces, it will have a negligible impact on the AQMA.

It is highlighted in Edinburgh's Local Transport Strategy 2014-2019 that the Council seeks to support increased use of low emission vehicles and support the extension of the network of Electric Vehicle (EV) charging points. The Edinburgh Design Guidance now requires that one of every six spaces should include a fully connected and ready to use electric vehicle charging point. A condition has been recommended.

Environmental Protection has no objections to this application subject to the condition below.

Conditions

1. The three Electric Vehicle (EV) parking spaces marked on drawing L(PL)056 shall each be provided with a 7kw (Type 2 sockets) charging point, installed and fully operational prior to occupation.

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the demolition of existing house, erection of new building to form residential apartments with associated car parking and landscaping.

The site contains an unlisted Victorian Villa and occurs on the southern side of the historic medieval road linking Edinburgh and Glasgow and is therefore considered to be of archaeological interest. 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 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.

As stated the development will require the demolition of a 19th century villa possibly shown on the 1st Edition OS Map as Hawthornbank. Although its loss will have a significant impact, the loss of this locally important building is not regarded as being significant to warrant refusal of consent. However, it is recommended that a detailed historic building survey (phased internal and external elevations and plans, photographic and written survey and analysis) is undertaken prior to and demolition, in order to provide a permanent record of this historic buildings.

In addition, General Roy's 1750's military survey indicates the site may overly an unnamed row of buildings located, located either side of this historic road. Although the site has been significantly affected by modern disturbances ground breaking works associated with demolition and development may disturb evidence for this historic settlement. Accordingly, it is recommended therefore that in association with the historic building recording that a programme of archaeological work (excavation) is undertaken prior to/during development too fully excavate, record, analyse and publish any significant remains that may be disturbed.

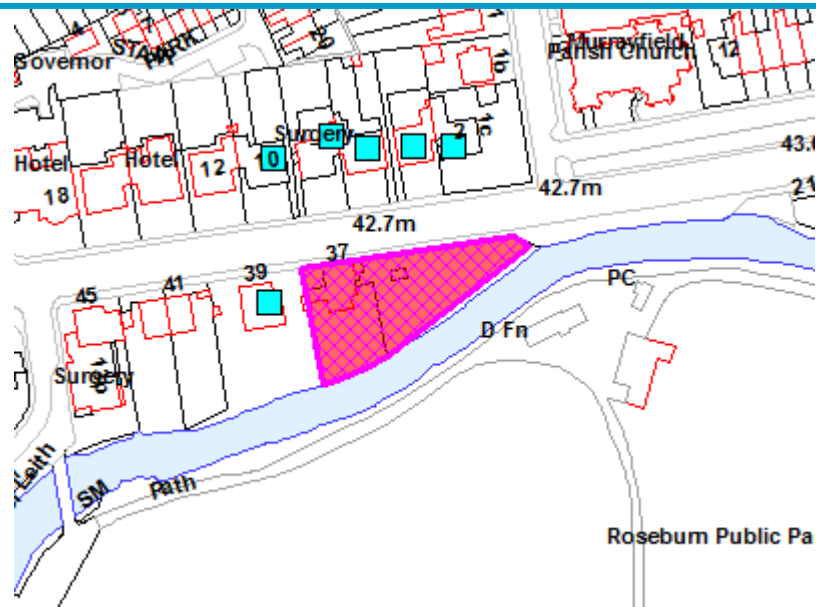
Such mitigation should be secured by the following condition;

'No demolition or 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, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work would be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and

resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

Location Plan



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END

Development Management Sub Committee

Wednesday 19 June 2019

**Application for Planning Permission 19/01149/FUL
At Land At 61 And 63, London Road, Edinburgh
Erection of mixed-use development including student
accommodation and ancillary uses, commercial unit, and
associated landscaping and infrastructure.**

Item number	7.3
Report number	
Wards	B14 - Craigtinny/Duddingston

Summary

The proposal complies with the development plan. The development is acceptable in this location and will not lead to an overconcentration of students in the area. The development is acceptable in terms of its scale, form and design. There will be no unacceptable impact on residential amenity, road safety or air quality. There are no outstanding matters relating to biodiversity. The proposal is acceptable and there are no material considerations that outweigh this conclusion and approval is recommended.

Links

<u>Policies and guidance for this application</u>	LDPP, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LHOU08, LEN16, LEN21, LTRA02, LTRA03, NSG, NSGD02, NSGSTU,
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Report

Application for Planning Permission 19/01149/FUL At Land At 61 and 63, London Road, Edinburgh Erection of mixed-use development including student accommodation and ancillary uses, commercial unit, and associated landscaping and infrastructure.

Recommendations

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

Background

2.1 Site description

The site is 0.29 hectares in size and is situated on the south side of London Road. The site is currently occupied by two separate single-storey buildings, one that previously operated as a Boots Opticians and the other operates as Ashley Ann interior showroom. Access to the site is from London Road.

To the north is the site of the recently demolished Meadowbank Stadium. Planning permission has been granted for a new sports centre immediately opposite the application site. To the east is an existing car wash where planning permission has been granted for a new residential development comprising 30 flats and rising up to 5 storeys. The narrow Clockmill Lane runs immediately to the south of the site with the East Coast mainline beyond. To the west is a free-standing McDonald's fast food restaurant with a drive thru that operates 24 hours.

The wider area has a mixture of residential and commercial uses with Meadowbank Stadium having previously served as a dominant landmark in the locality. The proposed Sports Centre will be of a similar scale, mass and position as the main stand of the stadium and will also be visually prominent within the local area, particularly in views along London Road.

2.2 Site History

There is no planning history for the site.

Adjacent Sites

65 London Road

15 November 2018 - Planning permission granted for the demolition of existing single storey car-wash unit and erection of new residential flatted development rising up to 5 storeys, comprising 30 flats, and including all associated landscaping, parking and ancillary facilities (as amended) (reference number - 17/03633/FUL).

Meadowbank Stadium

11 December 2018 - Planning permission in principle granted for the proposed redevelopment of existing Sports Centre site to provide new Sports Centre facilities and redevelopment of surplus land for mixed uses including residential, student accommodation, hotel and commercial uses, together with car parking, landscaping, drainage and ancillary works (reference number - 18/00154/PPP).

11 December 2018 - Planning permission granted for the re-development of Meadowbank Sports Centre. The detailed proposals include the development of a new sports centre facility, including a new sports centre building with offices for Edinburgh Leisure, the retained athletics track, new spectator stand, sports pitches and floodlighting, with associated access, roads, car parking, landscaping and ancillary works (reference number - 18/00181/FUL).

St Margaret's House

10 November 2016 - Planning permission in principle granted for up to 21,500sqm of mixed use development including Residential, Retail/Commercial, Hotel and Student accommodation (reference number - 14/05174/PPP).

Main report

3.1 Description Of The Proposal

The proposal is to demolish the existing buildings on the site and erect a six storey block of purpose-built student accommodation with commercial space at ground floor level. The student accommodation will comprise 198 student bedrooms provided in the form of 17 cluster flats containing five single bedrooms and a kitchen, 102 studio bedrooms and 11 accessible studio bedrooms. In addition there will be a communal laundry, lobbies and student amenity space for the use of all residents. The commercial unit will have a floorspace of 84 sq/m and will be located at the front of the building on the ground floor.

The proposed building is formed of two conjoined blocks orientated east-west with the western section set back to avoid the sewers that run beneath the site. The building will be six storeys in height and will be of a brick construction.

Cycle parking will be provided in two secure enclosures with capacity for 198 bicycles. In addition, two disabled parking spaces and two car club spaces will be provided within the development's curtilage.

Supporting Information

The following information was submitted in support of the application:

- Design and Access Statement;
- Planning Statement;
- Surface Water Management Plan;
- Flood Risk Assessment;
- Air Quality Impact Assessment;

- Archaeological Desk-Based Assessment;
- Economic Impact Statement;
- Noise and Vibration Assessment;
- Site Investigation Report;
- Transport Statement;
- Ecology Report, and;
- Pre-Application Consultation (PAC) report.

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

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The principle of the development complies with the Development Plan
- b) The proposals provide a development of appropriate scale, form and design;
- c) The proposals provide an acceptable level of amenity for residents;
- d) The transport and air quality impacts are acceptable;
- e) There are any ecological impacts; and
- f) The representations have been addressed.

a) Principle

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

The Council's Non-statutory Student Housing Guidance (SHG) re-enforces the requirements of policy Hou 8 and identifies that student accommodation needs should be met in well managed and regulated schemes where possible. The SHG also recommends that development should be designed to positively contribute to place through the location of alternative ground floor uses where this is characteristic of the street or area.

Location of Student Housing

In terms of criterion a) of policy Hou 8, the application site is in a central location on London Road with good connections to public transport, offering high frequency bus services to all parts of the city. Higher education campuses can also be accessed by bicycle and in some cases by walking.

The SHG sets out additional locational and design guidance to be applied for student housing. Criterion a) accepts student housing in locations within or sharing a boundary with a main university or college campus, or out with criterion a) student housing will generally be supported on sites with less than 0.25ha of developable area. Where the site area is larger than 0.25ha then the proposal should provide a proportion of housing as part of the development.

This site does not share a boundary with a university or college campus and the total site area is 0.29ha. However, the northern part of the site has two sewers running beneath it, both of which have an offset that Scottish Water has advised will preclude building over. This offset prevents any significant structures being built along the northern section and north-west corner of the site and in turn reduces the developable area to 0.21ha. This offset further reduces the site's suitability for the provision of mainstream housing by limiting onsite parking and, by pushing the building back in the plot, reducing the availability of external amenity space.

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

Concentration of Student Housing

Criterion b) of policy Hou 8 seeks to limit the concentration of student accommodation where it would have an adverse impact on the maintenance of balanced communities, or to the established character and residential amenity of the locality. The SHG advises that where the student population is dominant, exceeding 50% of the population, there will be a greater potential imbalance within the community.

Based on 2011 census data, approximately 10.7% of the residents in the immediate datazone are full time students aged above 16. Including the proposal, this figure would rise to 24.4%. Within the surrounding Meadowbank area the figure is currently approximately 14.6% and would rise to 17.5% if the proposed development is included. These figures have been adjusted to include consented developments in the area but does not include the former Meadowbank Stadium site as the quantum of student accommodation is not known at this stage.

This proportion, as proposed, would not lead to an over-concentrated student population in the area and meets criterion b) of policy Hou 8 and criterion b) of the SHG.

Commercial use

The SHG advises that development should contribute to place through the location of alternative ground floor uses where this is characteristic of the area. As two business units will be lost as a result of the development, it is proposed to provide new business space at ground floor level. If the application is granted, a local charity organisation has advised of its intention to move its headquarters to the commercial space within the building. The provision of a ground floor commercial use complies with the advice contained in the SHG and is acceptable.

Conclusion

Policies within the LDP aim to deliver a range of development types across the city. Policy Hou 8 Student Housing states that purpose-built student accommodation will be supported. The proposal includes a mix of uses at the site and would not result in an over-concentration of students in the area.

Overall, purpose-built student accommodation at this site is supported by the LDP and will ensure varying accommodation needs are met in the city. The proposal is acceptable in principle, subject to compliance with other policies in the LDP.

Despite not fully complying with the SHG due to the size of the site and the provision of housing, the presence of sewers under the site impacts on the developable area and nonconformity is justified in this instance. The site is a good location for student housing and the proposal is acceptable.

b) Scale, Form and Design

Policies Des 1 to Des 8 of the LDP set out the policy framework for the design of developments. These policies outline a requirement for proposals to be based on an overall design concept which draws on the positive characteristics of the surrounding area, with the need for high quality design which is appropriate in terms of height, scale and form, layout and materials.

Due to the history of this area, the built environment around the site varies broadly in terms of the age and uses of the buildings, with limited architectural uniformity. This has led to the creation of a piecemeal townscape made up of individual developments that do not relate to each other and lack integration. However, the recent grant of planning permission in principle for the redevelopment of Meadowbank Stadium and its subsequent demolition are demonstrative of the significant change taking place in the area. While details of the forthcoming developments across the wider Meadowbank site are still to be proposed, detailed planning permission has been granted for the new sports centre. The proposed development will be situated opposite the corner of the new sports centre and will be the closest building to it on the south side of London Road. In terms of its height, the building will be smaller than the sports centre and will be visually subservient to it in terms of its scale and mass.

The proposal will be marginally taller than the contemporary blue brick development further west on London Road and the approved residential development on the neighbouring site to the east. However, as it is set further back than those developments it will not have an overbearing appearance.

The site lies within the view cone of key view E8 London Road, Meadowbank - Calton Hill. However, it lies on the periphery of the view cone and does not impinge on the key view from the Meadowbank Terrace junction on London Road. Further into the city, along London Road, the proposal would screen views of Calton Hill from the section to the east of McDonalds. However, on balance, although some views of Calton Hill will be lost, the key view will be maintained and the proposed development is an appropriate incursion within the urban landscape. Overall the scale and massing conform with the existing tenemental townscape and are appropriate in this location.

The design and form is simple, utilising a limited palette of materials and rhythmic fenestration to give an ordered and clutter free appearance. The proposal demonstrates a clear design concept and the architecture includes modest contemporary elements that are appropriate in its context. The facade materials will be facing brick with horizontal detailing in pre-cast concrete and dark grey window frames. The brick detailing will be high quality and selected to complement the tone and colour of the nearby tenements. The proposed materials are appropriate for the area and are acceptable.

Criterion d) of the SHG requires that a mix of accommodation types is provided to meet varying needs of students. The application proposes the provision of 17 cluster flats comprising five single bedrooms and a kitchen, 102 studio bedrooms and 11 accessible studio bedrooms. In addition there will be a communal laundry, lobbies and student amenity space for the use of all residents. The rear of the building includes widows of habitable rooms overlooking Clockmill Lane. This is important in providing visual surveillance to a currently unwelcoming and underused local connection to the south.

The cycle parking will be provided in two secure enclosures at the front of the building. Landscaping, including trees along the frontage, are proposed to soften the impact of the cycle enclosures and parking at the front of the building.

Overall, the development is of an appropriate scale, form and design and is acceptable in this location.

c) Amenity

There are a number of noise sources in the area, including transport noise from vehicles on London Road and trains on the railway to the south. The McDonald's restaurant to the west, the car wash to the east and the substations within and adjacent to the site are also potential noise sources. As a result, a Noise and Vibration Assessment (NVA) has been submitted in support of the development. The NVA makes recommendations as to the overall facade sound insulation performance requirements and provides examples of glazing and ventilation strategies that will protect the amenity of occupiers. A condition will ensure that facade finishes are implemented in line with the recommendations of the report.

Environmental Protection requested confirmation to indicate that the plant machinery from McDonald's and from the substations will meet the expected criteria. The NVA identified both the McDonald's plant and existing substation as noise sources, however the dominant noise sources were road and rail traffic. The NVA has a recommended facade performance designed to meet the internal noise level criteria, given the existing noise climate and including all noise sources present. Given that the plant and substation noise are quieter than the dominant noise sources, this demonstrates that the design is providing adequate sound insulation.

Vibration levels were also measured and the report concludes that no railway vibration mitigation measures are considered necessary in relation to the human perception of tactile vibration.

The gable elevation of the proposed flats on the eastern side of the flats includes balconies. Although gable elevations are not normally protected in this situation, the set back of the proposed building from the street will prevent the balconies from abutting the gable of this building, thereby retaining their amenity value.

While there is no specific requirement to provide external amenity space for student accommodation, an area of approximately 690 square metres is provided for residents at the rear of the building. This area is south-facing and will provide an adequate outdoor space for the residents.

Overall, the proposal will provide adequate amenity for future and neighbouring residents.

d) Transport and Air Quality

Transport

The development proposes no general car parking spaces, two disabled car parking spaces and two car club spaces. In addition, 198 secure cycle parking spaces and 5 visitor cycle parking spaces will be provided.

A Transport Statement (TS) has been submitted in support of the application. The TS advises that the proposal is forecast to generate less vehicle trips than the existing development. Therefore, there would be a net reduction in traffic impact on the road network.

The site benefits from being on a main arterial route into the city and is well served by public transport, with bus stops on London Road offering services from large parts of Edinburgh and the wider region. In total, 41 buses per hour in each direction can be accessed within a five minute walk of the site.

The site is also within walking and cycling distance of local amenities, the city centre and some university campuses.

Overall, the proposed level of vehicle and cycle parking is acceptable. The development is well connected and will have no detrimental impact on traffic, road safety or parking.

Air Quality

This part of London Road is part of the Central Air Quality Management Area (CAQMA). Therefore, an Air Quality Impact Assessment (AQIA) has been submitted in support of the application. As part of the AQIA, detailed dispersion modelling was undertaken to predict the concentrations of NO₂, PM₁₀ and PM_{2.5} due to emissions from existing road traffic in conjunction with existing background concentrations at proposed future receptor locations within the Proposed Development site. The long-term and short-term average concentrations, which are relevant for the duration of exposure of members of public within the Proposed Development, comply with the relevant air quality objectives.

Mitigation measures have been embedded into the design, including efficient hot water and heating systems, that will reduce air pollution and minimise the potential exposure of future occupants to poor air quality.

e) Ecology

An Ecology Report has been submitted in support of the application. The report notes the presence of a peregrine falcon that has been seen foraging in the area and may be nesting nearby. However, given the built-up nature and urban situation of the site, it is unlikely that construction works would cause disturbance to a nearby nest site.

The report has identified the buildings as having a low roost potential for bats. However, it recommends that further survey work is carried out to fully ascertain the status of bats within the buildings. This work will be required to be carried out by way of an informative.

f) Public Comments

- Overpopulation of general area - assessed in section 3.3(a);
- Will generate additional traffic - assessed in section 3.3(d);
- Lack of parking for proposal - assessed in section 3.3(d);
- Local services, Doctor surgeries etc, are already at capacity - assessed in section 3.3(a);
- Excessive concentration of students in the area - assessed in section 3.3(a);
- The building is too high - assessed in section 3.3(b);
- The building should be finished in sandstone not brick - assessed in section 3.3(b);
- The proposal will impact on road safety - assessed in section 3.3(d);
- 50% should be residential - assessed in section 3.3(a);
- The development will lead to an increase in air pollution - assessed in section 3.3(d);
- The building will overshadow Clockmill Lane making it unwelcoming and dangerous - assessed in section 3.3(b);
- The design is poor - assessed in section 3.3(b);
- The proposed landscaping is poor - assessed in section 3.3(b); and
- The development may impact on the peregrine falcon that has been seen foraging in the area - assessed in section 3.3(e)

Conclusion

The proposal complies with the development plan. The development is acceptable in this location and will not lead to an overconcentration of students in the area. The development is acceptable in terms of its scale, form and design. There will be no unacceptable impact on residential amenity, road safety or air quality. There are no outstanding matters relating to biodiversity. The proposal is acceptable and there are no material considerations that outweigh this conclusion and approval is recommended.

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

3.4 Conditions/reasons/informatives

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
3. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
4. 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.
5. Notwithstanding the provisions of the Town and Country Planning Use Classes (Scotland) Order 1997, the property shall be used solely as class 1, class 2 or class 4 and for no other purpose.
6. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to ensure that the approved landscaping works are properly established on site.
4. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
5. In order to ensure that the nature of the use of the premises remains compatible with the character of the surrounding area, and that no activities or processes take place which may be detrimental to its amenities.
6. In order to safeguard the interests of archaeological heritage.

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. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development.
5. The works to close the existing redundant access 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 .
6. The applicant proposes to provide 2 car club spaces within the site. A contribution of £12,500 (£1,500 per order plus £5,500 per car) will be required but this does not require to form part of any legal agreement.

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

8. 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.

9. The Ecology Report by Direct Ecology Ltd dated 6 March 2019 has identified buildings as having a low roost potential for bats. Further survey work, as detailed in section 4.4 of the report is therefore required.

Surveys should be carried out in accordance with the Bat Conservation Trust, Bat Survey: Good Practice Guidelines, 3rd edition, Collins, J (2016).

This work should be undertaken during the 2019 survey season, optimum period May - August.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 18 March 2019 and 64 letters of representation were received. This comprised 63 letters of objection, and one letter offering general comments. These included comments from the local community council.

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

Background reading/external references

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

**Statutory Development
Plan Provision**

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

Date registered

6 March 2019

Drawing numbers/Scheme

01-03, 04A-10A, 11, 12A, 13-14, 15A-19A,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

Appendix 1

Application for Planning Permission 19/01149/FUL At Land At 61 and 63, London Road, Edinburgh Erection of mixed-use development including student accommodation and ancillary uses, commercial unit, and associated landscaping and infrastructure.

Consultations

Archaeology

Further to your consultation request, I would like to make the following comments and recommendations concerning the above planning application for the erection of a mixed-use development including student accommodation and ancillary uses, commercial unit and associated landscaping and infrastructure.

As described in AOC Archaeology's Desk-Based Assessment (Report 24603) accompanying this application, the site occurs to the east of Edinburgh's Old Town on the northern side of the mediaeval route (Clock Mill Lane) linking the Canongate and Restalrig. The DBA provides further information regarding ten post-medieval use of the site associated with water management.

I concur with the reports conclusion, that the site should be regarded as occurring within an area of archaeological potential. 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 ENV8 & ENV9.

Further I concur with AOC's conclusions that this development has a moderate-low potential to disturb significant remains, principally relating to the sites post-medieval uses. Accordingly, it is essential that a programme of archaeological work is undertaken prior to/ during development to fully excavate, record and analyse any surviving archaeological remains that may be affected.

It is recommended that the following condition is attached to ensure that this programme of archaeological works is undertaken.

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

The work would be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and

resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

Economic Development

The following are comments from the City of Edinburgh Council's Economic Development service relating to planning application 19/00149/FUL for the development of 198 student bedrooms and 84 sqm of community space at 61-63 London Road, Edinburgh.

Commentary on existing use

The application relates to 0.28 hectares of vacant land bounded by London Road to the north; 65 London Road (a car wash with planning consent for redevelopment into 30 flats) to the east; Clockmill Lane to the south; and 61 London Road (a McDonalds restaurant) to the west.

The site is currently occupied by three retail warehouse units: 61(A) London Road, 61(B) London Road, and 63 London Road. The combined net internal area of the three units is 726 sqm. The potential economic impact of the existing buildings 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 90 sqm (net). This suggests that the existing buildings could be expected to directly support approximately eight FTE jobs if fully occupied ($726 \div 90$). The Scottish Annual Business Statistics published by the Scottish Government state that the average gross value added (GVA) per job for the retail sector in Edinburgh is £29,484 per employee (2016 prices). This suggests that the existing buildings could be expected to add approximately £0.24 million of GVA to the economy of Edinburgh per annum (2016 prices) if fully occupied ($\pounds 29,484 \times 8$). Multiplier effects could be expected to support a further two FTE jobs and £0.11 million of GVA per annum, giving a total impact of 10 FTE jobs and £0.34 million of GVA per annum (2016 prices).

Commentary on proposed uses

The development as proposed would deliver 198 student bedrooms along with 84 sqm (gross) of community space.

Community space

The development as proposed would deliver 84 sqm (net) of community space. Due to the variable nature of community space, it is difficult to predict what level of economic activity this space would support. Taking the median figure for "co-working space" of one employee per 12.5 sqm would suggest that the space could, if fully occupied, directly support seven FTE jobs ($84 \div 12.5$). Using the mean GVA per annum for the "other services activities" sector (which includes "organisations supporting community and educational facilities") of £21,340 per employee would give an estimated GVA per annum of £0.15 million (2016 prices) ($\pounds 21,340 \times 7$). Multiplier effects could be expected to support a further two FTE jobs and £0.07 million of GVA per annum, giving a total impact of nine FTE jobs and £0.22 million of GVA per annum (2016 prices).

Class 8 - Residential institutions

The development as proposed would deliver 198 student bedrooms. These could be expected to support economic activity via the expenditure of their residents. Based on

average levels of student expenditure in the UK (adjusted to control for lower levels of household expenditure in Scotland) the residents of the 198 bedrooms could be expected to collectively spend approximately £3.75 million per annum (2016 prices). Of this £3.75 million, it is estimated that approximately £3.24 million could reasonably be expected to primarily be made within Edinburgh. This £3.24 million could be expected to directly support approximately 44 FTE jobs and £1.75 million of GVA per annum (2016 prices), primarily in the education and real estate sectors (i.e. jobs in higher education supported by fees and jobs within the student accommodation provider supported by rents). Multiplier effects could support a further 12 FTE jobs and £1.75 million of GVA per annum (2016 prices) for a total of 55 FTE jobs and £2.62 million of GVA per annum (2016 prices).

Total impacts

Overall, it is projected that the development could directly support 51 FTE jobs and £1.90 million of GVA per annum (2016 prices). Taking multiplier effects into account would increase this to 64 FTE jobs and £2.84 million of GVA per annum (2016 prices).

Other considerations

61 and 63 London Road form part of a stretch of single-storey commercial units on the southern side of London Road that have been identified as having potential for high-density redevelopment. It is noted that the windows on the western elevation of the proposed development are very close to the site boundary which could potentially constraint any future redevelopment of 65 London Road.

SUMMARY RESPONSE TO CONSULTATION

It is estimated that the proposed development could directly support approximately 51 FTE jobs and £1.90 million of GVA per annum (2016 prices). By comparison, it is estimated that the existing buildings could, if fully occupied, directly support approximately eight FTE jobs and £0.24 million of GVA per annum (2016 prices). This indicates that the development could be expected to support an additional 43 FTE jobs and an additional £1.66 million of GVA per annum (2016 prices).

This response is made on behalf of Economic Development.

Craigentiny and Meadowbank Community Council's

This letter offers comments on the application following participation in consultation with local communities and individual conversations with residents and businesses around the proposed development.

For this proposal, Summix reached out to the community council very early in the process, they have also participated in several community council meetings where they took comments and questions from the attendance, there were also two consultations which were well attended.

From the application we were able to see the efforts put into the bin management strategy and the access to cycle racks for the residents. We were disappointed to not see any provisions for carbon offset possibilities such as solar panels on the roof of the proposed build.

Local residents expressed their objections to the plans as they are concerned about the addition to the already excessive concentration of student accommodation in the area. The council would benefit from making updates to the Housing policies which relate to student accommodation and make the policy clearer for applicants and objectors.

If the application were to be granted the community council would urge the developers to encourage that the residents of the student accommodation nominated representatives to participate in the community council meetings and other local groups, this would ensure a better connection between local residents and the student population thus increasing the likelihood of students becoming part of the community.

Roads Authority

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

- 1. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;*
- 2. The works to close the existing redundant access 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*
- 3. The applicant proposes to provide 2 car club spaces within the site. A contribution of £12,500 (£1,500 per order plus £5,500 per car) will be required but this does not require to form part of any legal agreement;*
- 4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), 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 and realtime display within the building for local public transport;*
- 5. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.*

Note:

- o Parking is proposed at the following level and is considered acceptable:*
- o zero general car parking;*
- o 2 disabled car parking spaces;*
- o 2 car club spaces;*
- o 5 visitor cycle parking spaces;*
- o 198 secure cycle parking spaces*
- o The proposed development is not expected to generate more than single figure car trips;*
- o A draft travel plan has been submitted as part of the application.*

Flood Prevention

We have reviewed the documents and are happy for this application to be determined with no further comment from our department.

Police Scotland

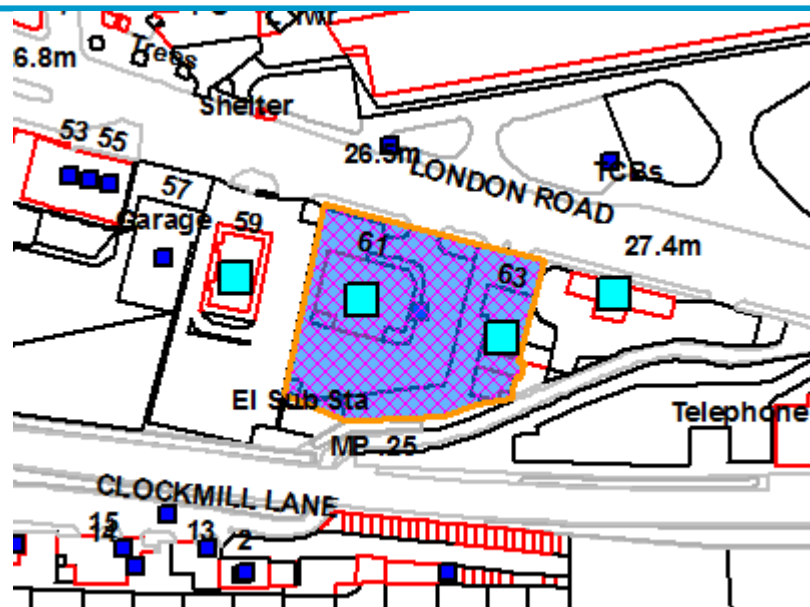
I write on behalf of Police Scotland regarding the above planning application.

We would welcome the opportunity for one of our Police Architectural Liaison Officers to meet with the architect to discuss Secured by Design principles and crime prevention through environmental design in relation to this development.

Environmental Assessment

- o We need confirmation / information to indicate that the plant machinery from McDonalds and from both the existing and proposed substation will meet expected criteria (we normally look for NR20 to be met for substations due to their tonal nature).*
- o In addition, an assessment would need to be made to demonstrate the proposed equipment within the development will meet NR25 when measured in any of the living apartments.*
- o We would also need to have a much clearer idea of what the community space would be used for (e.g. Class 10 or Class 11? And we would have issues with some of the options within those classes). Once there was a clearer idea of what the space might be used for, we would need the NIA to demonstrate that noise generated from the community space will meet NR15 in the rooms above.*

Location Plan



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