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Notice of meeting and agenda

Development Management Sub-Committee

10.00 am Wednesday, 9th October, 2019

Dean of Guild Court Room - City Chambers

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

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EDINBVRGH
THE CITY OF EDINBURGH COUNCIL

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 7 October 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	Minutes of Previous Meeting of Development Management Sub-Committee 25 September 2019 – circulated for approval as a correct record	9 - 16

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 <u>without debate</u> unless the Clerk to the meeting indicates otherwise during "Order of Business" at item 1.

4.1	Broughton Road, Edinburgh, (Bus Shelter Adjacent To Broughton Road Play Area) - Replacement of a non-advertising bus shelter with a Foster bus shelter with a double-sided back-lit LED advertising panel - application no 19/03996/ADV It is recommended that this application be **GRANTED**.	17 - 24
4.2	46 Broughton Road, Edinburgh, (Bus Shelter Adjacent To) - Replacement of non-advertising bus shelter with Foster advertising bus shelter including double-sided back-lit LED advertising panel - application no 19/04000/ADV It is recommended that this application be **GRANTED**.	25 - 32
4.3	Duke Street, Edinburgh (At Bus Shelters) - The replacement of a non-advertising bus shelter with a Foster bus shelter, including a double-sided back-lit LED advertising panel- application no 19/04001/ADV It is recommended that this application be **GRANTED**.	33 - 40
4.4	119 Easter Road, Edinburgh (Bus Shelter Adjacent To) - Replacement of a non-advertising bus shelter with a Foster bus shelter, including a double-sided back-lit LED advertising panel. - application no 19/04004/ADV It is recommended that this application be **GRANTED**.	41 - 48
4.5	225 Easter Road, Edinburgh (Bus Shelter Adjacent To) - The replacement of a non-advertising bus shelter with a Foster advertising bus shelter, including a double-sided back-lit LED advertising panel. - application no 19/04009/ADV	49 - 56

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

4.6	307 Easter Road, Edinburgh (Bus Shelter Adjacent To) - The replacement of a non-advertising bus shelter with a Foster advertising bus shelter, including a double-sided back-lit LED advertising panel - application no 19/04010/ADV It is recommended that this application be **GRANTED**.	57 - 64
4.7	348 Easter Road, Edinburgh (Bus Shelter Adjacent To) - The replacement of a non-advertising bus shelter with a Foster advertising bus shelter, including a double-sided back-lit LED advertising panel - application no 19/04012/ADV It is recommended that this application be **GRANTED**.	65 - 72
4.8	60 Glenbrook Road, Balerno, (Land 30 Metres West Of) - Change of Use from derelict farm steading to erection of 6x glamping pods and associated works inc. concrete bases, footpaths, refurbished barn and landscaping (as amended). - application no 19/01963/FUL It is recommended that this application be **REFUSED**.	73 - 92
4.9	Gogarburn Tram Stop, Glasgow Road, Edinburgh (Bus Shelter 163 Metres East of) - The removal of an advertising shelter with parallel ads to the road and the installation of a replacement upgraded Foster advertising shelter, with adverts facing drivers - application no 19/04160/ADV It is recommended that this application be **GRANTED**.	93 - 100

5. Returning Applications

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

5.1 None.

6. Applications for Hearing

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

6.1	GF, 7 IF, 8, 10, 10A & 10B Lower Gilmore Place, Edinburgh, - application no 19/00789/FUL - Protocol Note by the Head of Strategy and Communications.	101 - 104
6.2	GF, 7 IF, 8, 10, 10A & 10B Lower Gilmore Place, Edinburgh - Demolition of all buildings on site and erection of office (Class 4) and flatted residential development with associated car parking and landscaping - application no 19/00789/FUL It is recommended that this application be **GRANTED**.	105 - 138

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	24 Westfield Road, Edinburgh, EH11 2QB - Erection of purpose built student accommodation, ancillary uses and associated landscaping and infrastructure. - application no 19/01970/FUL It is recommended that this application be **REFUSED**.	139 - 166

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

Councillor Neil Gardiner (Convener), Councillor Maureen Child (Vice-Convener), Councillor Chas Booth, Councillor Mary Campbell, Councillor George Gordon, Councillor Joan Griffiths, Councillor Max Mitchell, Councillor Joanna Mowat, Councillor Hal Osler, Councillor Rob Munn and Councillor Cameron Rose

Information about the Development Management Sub-Committee

The Development Management Sub-Committee consists of 11 Councillors and is appointed by the City of Edinburgh Council. The Development Management Sub-Committee usually meets in the Dean of Guild Court 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

If you have any questions about the agenda or meeting arrangements, please contact Jamie Macrae, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 553 8242 / 0131 529 4237, email jamie.macrae@edinburgh.gov.uk / martin.scott@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/cpol.

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Minutes

Development Management Sub-Committee of the Planning Committee

10.00 am, Wednesday 25 September 2019

Present:

Councillors Gardiner (Convener), Child (Vice-Convener), Booth, Gordon, Griffiths, Mitchell, Mowat, Munn, Osler, Rose and Staniforth (substituting for Councillor Mary Campbell).

1. Minutes

To approve the minute of the Development Management Sub-Committee of 11 September 2019 as a correct record.

2. General Applications and Miscellaneous Business

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

Requests for Presentations

The Chief Planning Officer gave a presentation on agenda Item 4.1 – 14 Ashley Place, Edinburgh, EH6 5PX – Requested by Councillor Gardiner

The Chief Planning Officer gave a presentation on agenda Item 4.2 - 34 Fettes Row, 7,9,11,13 Eyre Terrace Edinburgh EH3 6RH - Requested by Councillor Gardiner

The Chief Planning Officer gave a presentation on agenda Item Item 4.3 - 48 - 50 Iona Street Edinburgh EH6 8SW - Requested by Councillor Gardiner

The Chief Planning Officer gave a presentation on agenda Item 4.4 - 57 Tower Street And 1 Bath Road Edinburgh EH6 7BB - Requested by Councillor Gardiner

The Chief Planning Officer gave a presentation on agenda Item 4.5 - 120 - 122 Colinton Road, Edinburgh EH14 1BY - Requested by Councillor Gardiner

The Chief Planning Officer gave a presentation on agenda Item 4.6 - 40 Drumbryden Road, Edinburgh (At Site 71 Metres Northwest Of) - Requested by Councillor Booth

The Chief Planning Officer gave a presentation on agenda Item 4.7 - 199 Fountainbridge, Edinburgh (At Site 60 Metres South Of) - Requested by Councillor Booth and Osler

Decision

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

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

3. 1 And 4 Gilmerton Station Road, Edinburgh, EH17 8RZ

Details were provided of proposals for planning permission in principle for a mixed-use development comprising - Class 1 retail, class 2 professional services, class 3 (inc Sui Generis) Food and Drink, class 4 to 6 Business/ Industrial, class 7 Hotel, class 11 Assembly and Leisure, Access, Car Parking, Servicing, Bridge, Demolition and Associated Works – application no 19/02122/PPP

Motion

To determine the application at the meeting of the Development Management Sub Committee of 25 September 2019.

- moved by Councillor Gardiner, seconded by Councillor Child.

Amendment

To continue the application for a site visit and a hearing at a future Development Management Sub-Committee.

- moved by Councillor Rose, seconded by Councillor Mowat.

Voting

For the motion: - 4 votes

(Councillors Booth, Child, Gardiner and Gordon)

For the amendment: - 7 votes

(Councillors Griffiths, Mitchell, Mowat, Munn, Osler, Rose and Staniforth)

Decision

To continue the application for a site visit and a hearing at a future Development Management Sub-Committee.

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

4. 199, Fountainbridge, Edinburgh (At Site 60 Metres South Of)

Details were provided an application for Approval of Matters Specified in Conditions 1, 2 (a-m) and (i)-(v), 3, 17, 18, and 20 relating to Plot W4 including residential/commercial units; detail of height, massing, ground floor levels, design of external features/materials including public realm, pedestrian/cycle access arrangements, treatment to adopted roads/footways, servicing, parking, surface water/drainage, street lighting, waste management, hard/soft landscaping details, active frontage – application no 19/02475/AMC.

Motion

To Approve Matters Specified in Conditions subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.

- moved by Councillor Gardiner, seconded by Councillor Child.

Amendment

To Approve Matters Specified in Conditions subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer with an additional condition that a minimum of 213 secure cycle parking spaces would be required for the proposed residential unit.

- moved by Councillor Booth, seconded by Councillor Staniforth.

Voting

For the motion: - 5 votes

(Councillors Child, Gardiner, Griffiths, Mitchell and Mowat)

For the amendment: - 4 votes

(Councillors Booth, Munn, Osler, and Staniforth)

Decision

To Approve Matters Specified in Conditions subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.

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

Appendix

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register.		
Item 4.1 - 14 Ashley Place Edinburgh EH6 5PX	Forthcoming application by Glenpop 4 LLP. for a Residential development comprising up to 63 apartments, associated infrastructure and landscaping – application no 19/03433/PAN	1) To note the key issues at this stage. 2) To take into account the following additional issues: • Applicant to consider connection through to Elizafield. • Amenity space within the block and the quality of that space and if there are other uses for the ground floor space. • Whether affordable housing can be accommodated on site.
Item 4.2 - 34 Fettes Row, 7,9,11,13 Eyre Terrace Edinburgh EH3 6RH	Forthcoming application by Izar V Lux S.a.r.l for Demolition of existing buildings and erection of mixed-use development comprising residential, hotel, office, student accommodation, senior living retirement housing and other commercial uses including food and drink and healthcare uses, with associated landscaping / public realm, car parking and access arrangements – application no 19/03803/PAN	1) To note the key issues at this stage. 2) To take into account the following additional issues: • Consider relationship with park including overshadowing • Active travel / connectivity • Opportunity for another north south connection rather than coming in from Scotland Street • Opportunity for east west connection • Affordable housing • Cycle parking provision

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
Item 4.3 -48 - 50 Iona Street Edinburgh EH6 8SW	Forthcoming application by Iona Street, Edinburgh Ltd And Walker Timber Ltd for Demolition of the existing warehouse and office building. Construction of general market flatted dwellings, affordable flatted dwellings and student accommodation – application no 19/03802/PAN	1) To note the key issues at this stage. 2) To take into account the following additional issues: • Opportunities for connections in to Albert Street • Quality of amenity space within the scheme • Concern about height proposed and impact on sunlight on Iona street • More information on parking • Ground condition investigation should be clarified
Item 4.4 - 57 Tower Street And 1 Bath Road Edinburgh EH6 7BB	Forthcoming application by BDW Training Limited for a Proposed mixed use development with associated landscape, drainage, roads and infrastructure – application no 19/03870/PAN	1) To note the key issues at this stage. 2) To take into account the following additional issues: • Connectivity
Item 4.5 - 120 - 122 Colinton Road, Edinburgh EH14 1BY	Erection of a new retail unit and 6 residential flats (as amended, reduced to 5 residential flats) – application no 19/01839/FUL	To **CONTINUE** the application to allow discussions to take place with applicant whether cycle parking could be provided at ground floor level instead of basement level.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
Item 4.6 - 40 Drumbryden Road, Edinburgh (At Site 71 Metres Northwest Of)	Residential development (49 dwellings) with associated car parking, access, open space, drainage infrastructure and other associated development – application no 19/01171/FUL	To **GRANT** Planning Permission subject to the conditions, reasons, informatives and a legal agreement set out in section 3 of the report by the Chief Planning Officer with an additional condition that the applicant is required to supply a minimum of 70 cycle parking spaces for the 35 flatted residential units.
Item 4.7 - 199 Fountainbridge, Edinburgh (At Site 60 Metres South Of)	Approval of matters specified in conditions 1, 2 (a-m) and (i)-(v), 3, 17, 18, and 20 relating to Plot W4 including residential/commercial units; detail of height, massing, ground floor levels, design of external features/materials including public realm, pedestrian/cycle access arrangements, treatment to adopted roads/footways, servicing, parking, surface water/drainage, street lighting, waste management, hard/soft landscaping details, active frontage – application no 19/02475/AMC	To **APPROVE** Matters Specified in Conditions subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer. (on a division)
Item 4.8 - 1 And 4 Gilmerton Station Road, Edinburgh EH17 8RZ	Mixed Use Development comprising - Class 1 retail, class 2 professional services, class 3 (inc Sui Generis) Food and Drink, class 4 to 6 Business/ Industrial, class 7 Hotel, class 11 Assembly and Leisure, Access, Car Parking, Servicing, Bridge, Demolition and Associated Works – application no 19/02122/PPP	To **CONTINUE** the application for a site visit and a hearing at a future Development Management Sub-Committee. (on a division)

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
Item 4.9 - 254 Leith Walk Edinburgh, EH6 5EL	Demolition of existing warehouse. Erection of residential development comprised of one and two bedroom flats, 10no. in total plus associated access and landscaping. Incorporating modern green roofs. (as amended) – application no 19/01810/FUL	To **GRANT** Planning Permission subject to the conditions, reasons, informatives and a legal agreement set out in section 3 of the report by the Chief Planning Officer.
Item 4.10 - 399 Old Dalkeith Road, Edinburgh (At Land 267 Metres Northeast Of)	Section 42 application for the amendment of conditions 1 & 3, and the deletion of conditions 7, 9 & 12 of planning permission in principle 13/05048/FUL - Centre for bio-medical research including educational, health and support facilities application no 19/03063/FUL	To **GRANT** Planning Permission subject to the conditions, reasons, informatives and a legal agreement set out in section 3 of the report by the Chief Planning Officer.
Item 4.11 - Stopping Up Order - Parts of Footway Ardmillan Terrace, Edinburgh	Stopping Up Order - Parts of Footway Ardmillan Terrace, Edinburgh – application no PO/19/01 –	To **CONFIRM** the Stopping Up Order.
Item 7.1 - 94 Ocean Drive, Edinburgh (At Land 143 Metres South East Of)	Residential development of 338 flats over 4 apartment buildings with heights of 10 storeys (Building A), 14 storeys (Building B), 12 storeys (Building C) and 10 storeys (Building D) with two commercial units (Class 1,2,3 and 4), car parking and associated landscaping (as amended) – application no 19/02778/FUL	To **GRANT** Planning Permission subject to the conditions, reasons, informatives and a legal agreement set out in section 3 of the report by the Chief Planning Officer.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
Item 7.2 - Western Harbour, Western Harbour Drive, Edinburgh	Approval of matters specified in condition 2 of planning permission 09/00165/OUT for residential and commercial development providing for Use Classes 1, 2, 3 and 4 and associated infrastructure – application no 19/00986/AMC	To **APPROVE** Matters Specified in Conditions subject to the conditions, reasons, informatives and a legal agreement set out in section 3 of the report by the Chief Planning Officer with an additional informative as part of condition 5 that energy conservation measures should be considered and an alternative wording to condition 10 to require a phasing plan.
Item 7.3 - Western Harbour, Western Harbour Drive, Edinburgh	Approval of Matters as Specified in Condition 2 of planning permission 09/00165/OUT for a proposed park application no 19/01040/AMC	To **APPROVE** Matters Specified in Conditions subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer with an additional informative that encourages community consultation including with representatives of Trinity Academy and Victoria Primary School.

Development Management Sub Committee

Wednesday 9 October 2019

Application for Advert Consent 19/03996/ADV
At Bus Shelter Adjacent To Broughton Road Play Area, Broughton Road, Edinburgh
Replacement of a non-advertising bus shelter with a Foster bus shelter with a double-sided back-lit LED advertising panel.

Item number	
Report number	
Wards	B12 - Leith Walk

Summary

The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), and non-statutory guidance on Outdoor Advertising and Sponsorship. It will have no impact on the amenity of the location or in terms of public safety. There are no other material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	NSG, NSADSP,

Report

Application for Advert Consent 19/03996/ADV
At Bus Shelter Adjacent To Broughton Road Play Area, Broughton Road, Edinburgh
Replacement of a non-advertising bus shelter with a Foster bus shelter with a 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 site is adjacent to Broughton Road Play Area, a designated area of open space. The surrounding built environment comprises of four storey tenement blocks, with some commercial uses on ground floors on the streets north elevation. The existing shelter sits on an extended pavement and serves buses heading from the Gyle Centre down to Ocean Terminal. Road side parallel car parking spaces are on both sides of the bus shelter.

Bus shelter reference: EDH0198AB.

2.2 Site History

There is no relevant site planning history.

Main report

3.1 Description Of The Proposal

The proposal seeks the replacement of a standard bus shelter with a double-sided (inward and outward) LED advertising bus shelter on one elevation. The advertising panel will be 1160mm x 1710mm on each side, lit with four LED strip lights to provide uniform back light distribution. The visible screen area would be 1.9 square metres.

The existing bus stop is being replaced with a new bus shelter as part of the Council's advertising contract with JC Decaux (the Applicant). This application relates to advertisement consent only, with the shelters being installed under the Council's permitted development rights.

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; and

c) any material representations have been addressed.

a) Amenity

The Council's guidance on Outdoor Advertising and Sponsorship does not allow advertising on items of street furniture other than bus shelters, and advertising on bus shelters would not be permitted in visually sensitive locations. However, this location is not deemed to be visually sensitive and therefore there is no detrimental impact on the amenity of the area.

The proposal seeks to introduce advertising and illumination as an integrated part of a new streamlined bus shelter. Although this area is predominantly residential and adjacent to an area of open space, the positioning and orientation of the advert ensures that there would be no adverse impact on amenity.

The proposals comply with the relevant Council Guidance.

b) Public Safety

The advert will not impact on road safety, nor will it present any issues for pedestrians on Broughton Road.

The Roads Authority have advised they have no objections in terms of road safety.

c) Material Representations

No representations were received.

Conclusion

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

The proposal will not have an impact on amenity or public safety and complies with the Councils Guidance on Outdoor Advertising and Sponsorship.

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives
Conditions:-

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

Reasons:-

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

Financial impact

4.1 The financial impact has been assessed as follows:

The Council has a contract with the applicant to provide outdoor advertising and street furniture, primarily bus shelters, in the city. The financial impacts to the Council were reported to Finance and Resources Committee on 5 June 2014.

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

No representations were 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	Urban Area.
Date registered	22 September 2019
Drawing numbers/Scheme	01-07,

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

Contact: Nicola Orr, Planning Officer
E-mail:nicola.orr@edinburgh.gov.uk Tel:0131 469 3712

Links - Policies

Relevant Policies:

Relevant Non-Statutory Guidelines

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

Appendix 1

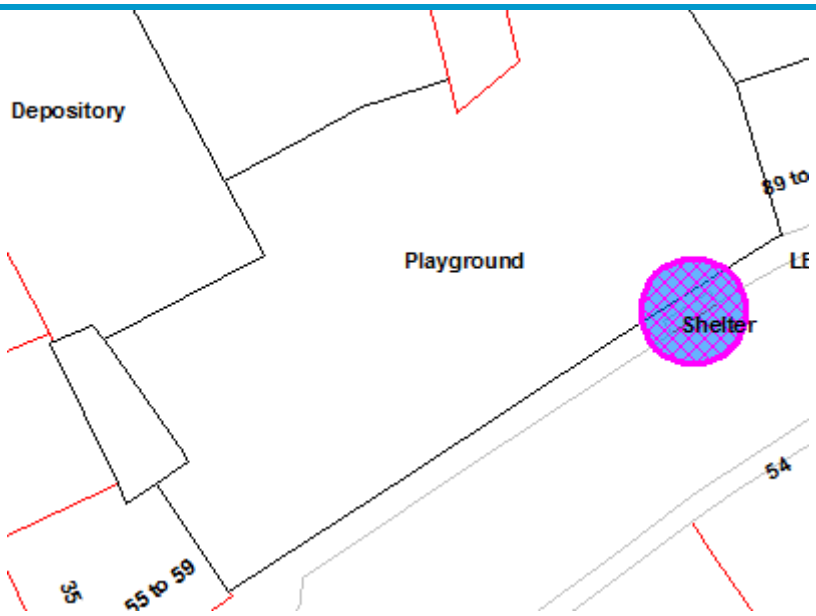
Application for Advert Consent 19/03996/ADV
At Bus Shelter Adjacent To Broughton Road Play Area, Broughton Road, Edinburgh
Replacement of a non-advertising bus shelter with a Foster bus shelter with a double-sided back-lit LED advertising panel.

Consultations

Transport

No Objections.

Location Plan



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Development Management Sub Committee

Wednesday 9 October 2019

Application for Advert Consent 19/04000/ADV
At Bus Shelter Adjacent To 46, Broughton Road, Edinburgh
Replacement of non-advertising bus shelter with Foster advertising bus shelter including double-sided back-lit LED advertising panel

Item number	
Report number	
Wards	B12 - Leith Walk

Summary

The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), and non-statutory guidance on Outdoor Advertising and Sponsorship. It will have no impact on the amenity of the location or in terms of public safety. There are no other material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	NSG, NSADSP,

Report

Application for Advert Consent 19/04000/ADV
At Bus Shelter Adjacent To 46, Broughton Road, Edinburgh
Replacement of non-advertising bus shelter with Foster advertising bus shelter including 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 site is largely surrounded by four storey residential tenement blocks, with some commercial uses on ground floors. The site is perpendicular to the junction with Beaverbank Place. The existing shelter sits on an extended pavement and serves buses heading from Ocean Terminal towards the Gyle Centre. Road side parallel car parking spaces is provided to either side of the bus shelter.

Bus shelter reference: EDH3359AB.

2.2 Site History

There is no relevant site planning history.

Main report

3.1 Description Of The Proposal

The proposal seeks the replacement of a standard bus shelter with a double-sided LED advertising bus shelter on one elevation. The advertising panel will be 1160mm x 1710mm on each side, lit with four LED strip lights to provide uniform back light distribution. The visible screen area would be 1.9 square metres.

The existing bus stop is being replaced with a new bus shelter as part of the Council's advertising contract with JC Decaux (the Applicant). This application relates to advertisement consent only, with the shelters being installed under the Council's permitted development rights.

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; and

c) any material representations have been addressed.

a) Amenity

The Council's guidance on Outdoor Advertising and Sponsorship does not allow advertising on items of street furniture other than bus shelters, and advertising on bus shelters would not be permitted in visually sensitive locations. However, this location is not deemed to be visually sensitive and therefore there is no detrimental impact on the amenity of the area.

The proposal seeks to introduce advertising and illumination as an integrated part of a new streamlined bus shelter. Due to the positioning and orientation of the advert, there would be no adverse impact on residential amenity.

The proposals comply with the relevant Council Guidance.

b) Public Safety

The proposed advert is in line with the Council's Guidance. The advert will not impact on road safety, nor will it present any issues for pedestrians on Broughton Road.

The Roads Authority have advised they have no objections in terms of road safety.

c) Material Representations

No representations were received.

Conclusion

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

The proposal will not have an impact on amenity or public safety and complies with the Councils Guidance on Outdoor Advertising and Sponsorship.

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives
Conditions:-

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

Reasons:-

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

Financial impact

4.1 The financial impact has been assessed as follows:

The Council has a contract with the applicant to provide outdoor advertising and street furniture, primarily bus shelters, in the city. The financial impacts to the Council were reported to Finance and Resources Committee on 5 June 2014.

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

No representations were 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	Urban Area.
Date registered	22 September 2019
Drawing numbers/Scheme	01-05,

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

Contact: Nicola Orr, Planning Officer
E-mail:nicola.orr@edinburgh.gov.uk Tel:0131 469 3712

Links - Policies

Relevant Policies:

Relevant Non-Statutory Guidelines

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

Appendix 1

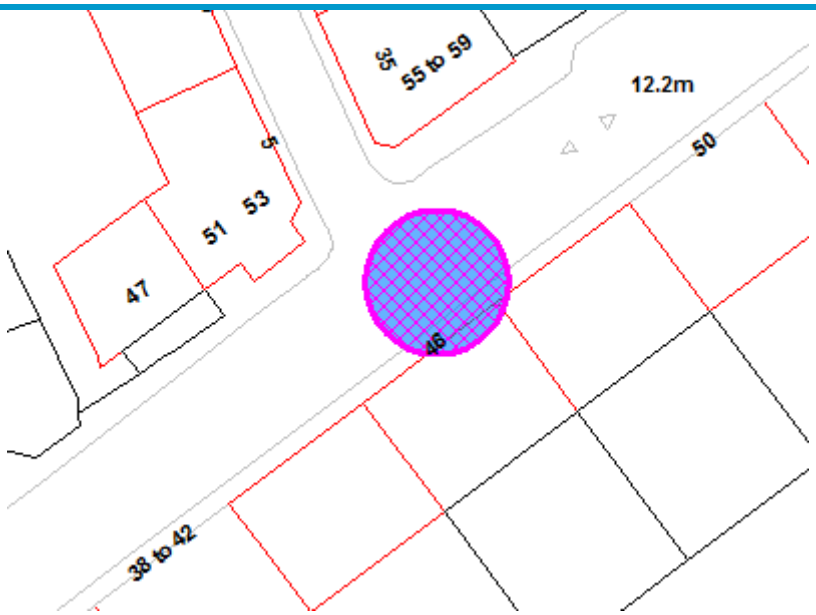
Application for Advert Consent 19/04000/ADV
At Bus Shelter Adjacent To 46, Broughton Road, Edinburgh
Replacement of non-advertising bus shelter with Foster advertising bus shelter including double-sided back-lit LED advertising panel

Consultations

Transport

No Objections.

Location Plan



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Development Management Sub Committee

Wednesday 9 October 2019

Application for Advert Consent 19/04001/ADV
At Bus Shelters, Duke Street, Edinburgh
The replacement of a non-advertising bus shelter with a Foster bus shelter, including a double-sided back-lit LED advertising panel.

Item number	
Report number	
Wards	B13 - Leith

Summary

The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), and non-statutory guidance on Outdoor Advertising and Sponsorship. It will have no impact on the amenity of the location or public safety. There are no other material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	NSG, NSADSP,

Report

Application for Advert Consent 19/04001/ADV
At Bus Shelters, Duke Street, Edinburgh
The replacement of a non-advertising bus shelter with a Foster bus shelter, including a 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 site is located centrally on Duke Street, with Tesco superstore to the back of the shelter. The street opposite the shelter is four storey tenements, with commercial uses on the ground floor and residential above. The site sits on the edge of the Leith Links area within Leith Conservation Area.

Bus shelter reference: EDH3319AB.

2.2 Site History

The Tesco Superstore adjacent to the site has recently been granted advertising consent for pole mounted signage (Ref: 17/06023/ADV) and updated signage and banners (Ref: 18/08407/ADV).

Main report

3.1 Description Of The Proposal

The proposal seeks the replacement of a standard bus shelter with a double-sided LED advertising bus shelter. The advertising panel will be 1160mm x 1710mm on each side, lit with four LED strip lights to provide uniform back light distribution. The visible screen area would be 1.9 square metres.

The existing bus stop is being replaced with a new bus shelter as part of the Council's advertising contract with JC Decaux (the Applicant). This application relates to advertisement consent only, with the shelters being installed under the Council's permitted development rights.

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; and

c) any representations received have been addressed.

a) Amenity

The Council's guidance on Outdoor Advertising and Sponsorship does not allow advertising on items of street furniture other than bus shelters, and advertising on bus shelters would not be permitted in visually sensitive locations. The principle for allowing on street advertising has already been set in this location with the granting of advert consent on the north elevation of the adjacent superstore. This location is not deemed to be visually sensitive and therefore there is no detrimental impact on the amenity of the area.

The proposal seeks to introduce advertising and illumination as an integrated part of a new streamlined bus shelter. Due to the positioning and orientation of the advert, there would be no adverse impact on residential amenity.

The proposals comply with the relevant Council Guidance.

b) Public Safety

The proposed advert is in line with the Council's Guidance. The advert will not impact on road safety, nor will it present any issues for pedestrians on Duke Street.

The Roads Authority have advised they have no objections in terms of road safety.

c) Material Representations

No representations were received.

Conclusion

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

The proposal will not have an impact on amenity or public safety and complies with the Councils Guidance on Outdoor Advertising and Sponsorship.

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

3.4 Conditions/reasons/informatives
Conditions:-

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

Reasons:-

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

Financial impact

4.1 The financial impact has been assessed as follows:

The Council has a contract with the applicant to provide outdoor advertising and street furniture, primarily bus shelters, in the city. The financial impacts to the Council were reported to Finance and Resources Committee on 5 June 2014.

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

No representations were 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	Urban Area.
Date registered	22 August 2019
Drawing numbers/Scheme	01-07,

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E-mail:nicola.orr@edinburgh.gov.uk Tel:0131 469 3712

Links - Policies

Relevant Policies:

Relevant Non-Statutory Guidelines

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

Appendix 1

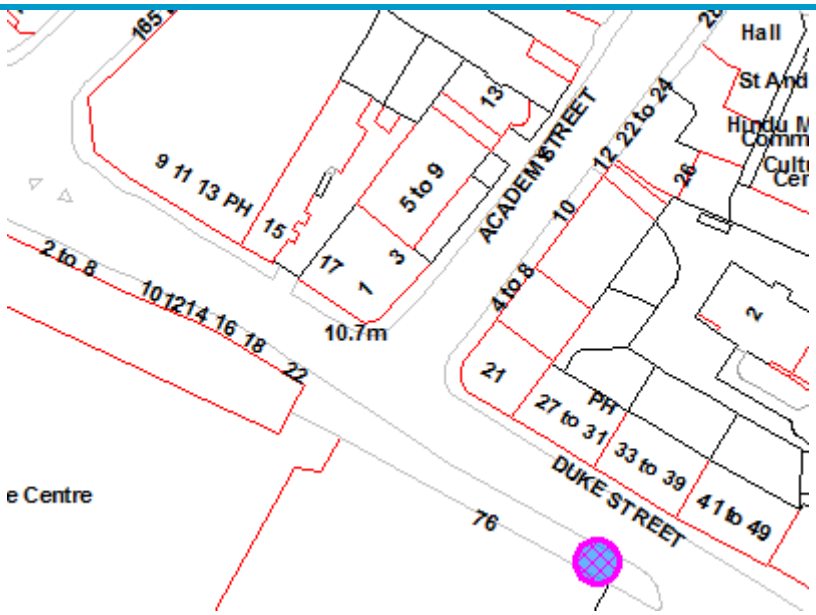
Application for Advert Consent 19/04001/ADV
At Bus Shelters, Duke Street, Edinburgh
The replacement of a non-advertising bus shelter with a Foster bus shelter, including a double-sided back-lit LED advertising panel.

Consultations

Transport

No Objections.

Location Plan



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Development Management Sub Committee

Wednesday 9 October 2019

Application for Advert Consent 19/04004/ADV
At Bus Shelter Adjacent To 119, Easter Road, Edinburgh
Replacement of a non-advertising bus shelter with a Foster bus shelter, including a double-sided back-lit LED advertising panel.

Item number	
Report number	
Wards	B12 - Leith Walk

Summary

The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), and non-statutory guidance on Outdoor Advertising and Sponsorship. It will have no impact on the amenity of the location or in terms of public safety. There are no other material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	NSG, NSADSP,

Report

Application for Advert Consent 19/04004/ADV
At Bus Shelter Adjacent To 119, Easter Road, Edinburgh
Replacement of a non-advertising bus shelter with a Foster bus shelter, including a 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 site is located to the south of the Easter Road/ Brunswick Road junction and serves buses heading north bound towards Ocean Terminal. The street has a mixture of uses, largely with residential on upper floors and commercial units on the ground floor of the four storey tenement blocks. The C Listed Former Guthrie Memorial Church (LB46112, 15 April 1999), now residential flats, sits opposite the bus shelter.

Bus shelter reference: EDH2682AB.

2.2 Site History

There is no relevant site planning history.

Main report

3.1 Description Of The Proposal

The proposal seeks the replacement of a standard bus shelter with a double-sided LED advertising bus shelter on one elevation. The advertising panel will be 1160mm x 1710mm on each side, lit with four LED strip lights to provide uniform back light distribution. The visible screen area would be 1.9 square metres.

The existing bus stop is being replaced with a new bus shelter as part of the Council's advertising contract with JC Decaux (the Applicant). This application relates to advertisement consent only, with the shelters being installed under the Council's permitted development rights.

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; and

c) any material representations have been addressed.

a) Amenity

The Council's guidance on Outdoor Advertising and Sponsorship does not allow advertising on items of street furniture other than bus shelters, and advertising on bus shelters would not be permitted in visually sensitive locations. However, this location is not deemed to be visually sensitive and therefore there is no detrimental impact on the amenity of the area.

The proposal seeks to introduce advertising and illumination as an integrated part of a new streamlined bus shelter. Due to the positioning and orientation of the advert, there would be no adverse impact on residential amenity.

The proposals comply with the relevant Council Guidance.

b) Public Safety

The proposed advert is in line with the Council's Guidance. The advert will not impact on road safety, nor will it present any issues for pedestrians on Easter Road.

The Roads Authority have advised they have no objections in terms of road safety.

c) Material Representations

No representations were received.

Conclusion

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

The proposal will not have an impact on amenity or public safety and complies with the Councils Guidance on Outdoor Advertising and Sponsorship.

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives
Conditions:-

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

Reasons:-

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

Financial impact

4.1 The financial impact has been assessed as follows:

The Council has a contract with the applicant to provide outdoor advertising and street furniture, primarily bus shelters, in the city. The financial impacts to the Council were reported to Finance and Resources Committee on 5 June 2014.

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

No representations were 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	Urban Area.
Date registered	23 August 2019
Drawing numbers/Scheme	01-07,

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E-mail:nicola.orr@edinburgh.gov.uk Tel:0131 469 3712

Links - Policies

Relevant Policies:

Relevant Non-Statutory Guidelines

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Appendix 1

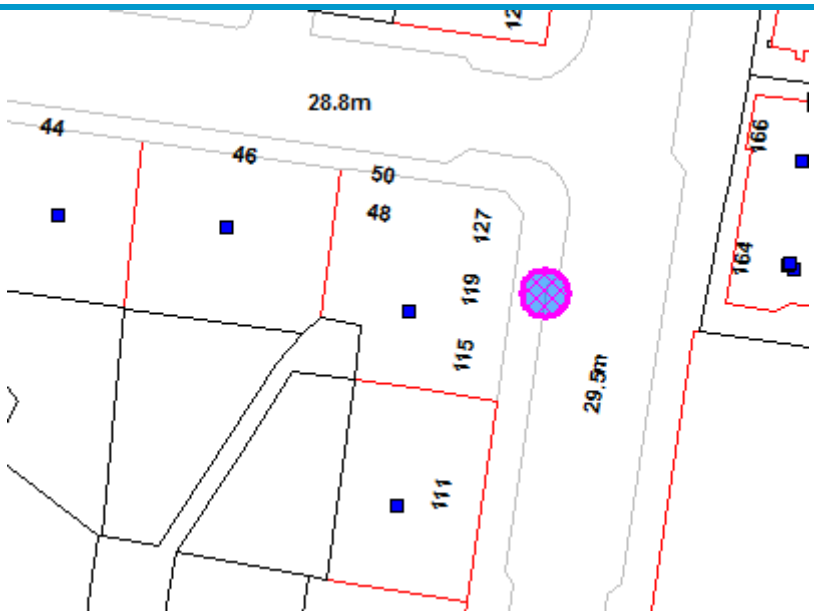
Application for Advert Consent 19/04004/ADV
At Bus Shelter Adjacent To 119, Easter Road, Edinburgh
Replacement of a non-advertising bus shelter with a Foster bus shelter, including a double-sided back-lit LED advertising panel.

Consultations

Transport

No Objections.

Location Plan



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Development Management Sub Committee

Wednesday 9 October 2019

Application for Advert Consent 19/04009/ADV
At Bus Shelter Adjacent To 225, Easter Road, Edinburgh
The replacement of a non-advertising bus shelter with a Foster advertising bus shelter, including a double-sided back-lit LED advertising panel.

Item number	
Report number	
Wards	B12 - Leith Walk

Summary

The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), and non-statutory guidance on Outdoor Advertising and Sponsorship. It will have no impact on the amenity of the location or on public safety. There are no other material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	NSG, NSADSP,

Report

Application for Advert Consent 19/04009/ADV
At Bus Shelter Adjacent To 225, Easter Road, Edinburgh
The replacement of a non-advertising bus shelter with a Foster advertising bus shelter, including a 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 site is located on Easter Road, prior to the junction with Dalmeny Street and St Clair Street. The bus stop serves the buses heading north towards Leith. The street is predominantly residential comprising largely of three storey tenement blocks. The bus shelter sits on an extended pavement.

Bus shelter reference: EDH2684AB.

2.2 Site History

There is no relevant site planning history.

Main report

3.1 Description Of The Proposal

The proposal seeks the replacement of a standard bus shelter with a double-sided LED advertising bus shelter on one elevation. The advertising panel will be 1160mm x 1710mm on each side (inward and outward facing), lit with four LED strip lights to provide uniform back light distribution. The visible screen area would be 1.9 square metres.

The existing bus stop is being replaced with a new bus shelter as part of the Council's advertising contract with JC Decaux (the Applicant). This application relates to advertisement consent only, with the shelters being installed under the Council's permitted development rights.

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 will have a detrimental impact on amenity;

b) The proposal will have an adverse impact on public safety; and

c) any material representations have been addressed.

a) Amenity

The Council's guidance on Outdoor Advertising and Sponsorship does not allow advertising on items of street furniture other than bus shelters, and advertising on bus shelters would not be permitted in visually sensitive locations. However, this location is not deemed to be visually sensitive and therefore there is no detrimental impact on the amenity of the area.

The proposal seeks to introduce advertising and illumination as an integrated part of a new streamlined bus shelter. Although this area is predominantly residential, the positioning and orientation of the advert ensures that there would be no adverse impact on residential amenity.

The proposals comply with the relevant Council Guidance.

b) Public Safety

The proposed advert is in line with the Council's Guidance. The advert will not impact on road safety, nor will it present any issues for pedestrians on Easter Road.

The Roads Authority have advised they have no objections in terms of road safety.

c) Material Representations

No representations were received.

Conclusion

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

The proposal will not have an impact on amenity or public safety and complies with the Councils Guidance on Outdoor Advertising and Sponsorship.

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives
Conditions:-

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

Reasons:-

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

Financial impact

4.1 The financial impact has been assessed as follows:

The Council has a contract with the applicant to provide outdoor advertising and street furniture, primarily bus shelters, in the city. The financial impacts to the Council were reported to Finance and Resources Committee on 5 June 2014.

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

No representations were 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	Urban Area.
Date registered	23 August 2019
Drawing numbers/Scheme	01-05,

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Links - Policies

Relevant Policies:

Relevant Non-Statutory Guidelines

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

Appendix 1

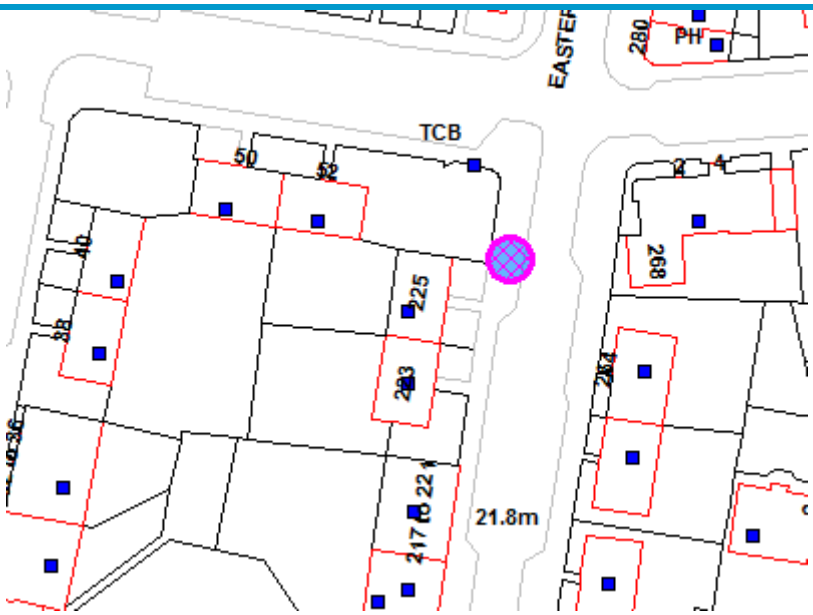
Application for Advert Consent 19/04009/ADV
At Bus Shelter Adjacent To 225, Easter Road, Edinburgh
The replacement of a non-advertising bus shelter with a Foster advertising bus shelter, including a double-sided back-lit LED advertising panel.

Consultations

Transport

No Objections.

Location Plan



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Development Management Sub Committee

Wednesday 9 October 2019

Application for Advert Consent 19/04010/ADV
At Bus Shelter Adjacent To 307, Easter Road, Edinburgh
The replacement of a non-advertising bus shelter with a Foster advertising bus shelter, including a double-sided back-lit LED advertising panel.

Item number	
Report number	
Wards	B12 - Leith Walk

Summary

The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), and non-statutory guidance on Outdoor Advertising and Sponsorship. It will have no impact on the amenity of the location or in terms of public safety. There are no other material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	NSG, NSADSP,

Report

Application for Advert Consent 19/04010/ADV
At Bus Shelter Adjacent To 307, Easter Road, Edinburgh
The replacement of a non-advertising bus shelter with a Foster advertising bus shelter, including a 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 site is located on the northern end of Easter Road. The bus stop serves the buses heading north towards Leith. The street is predominantly residential comprising largely of four storey tenement blocks. The bus shelter sits directly in front a Class 1 shop.

Bus shelter reference: EDH2686AB.

2.2 Site History

There is no relevant site planning history.

Main report

3.1 Description Of The Proposal

The proposal seeks the replacement of a standard bus shelter with a double-sided LED advertising bus shelter on one elevation. The advertising panel will be 1160mm x 1710mm on each side (inward and outward facing), lit with four LED strip lights to provide uniform back light distribution. The visible screen area would be square metres.

The existing bus stop is being replaced with a new bus shelter as part of the Council's advertising contract with JC Decaux (the Applicant). This application relates to advertisement consent only, with the shelters being installed under the Council's permitted development rights.

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 will have a detrimental impact on amenity;

b) The proposal will have an adverse impact on public safety; and

c) any material representations have been addressed.

a) Amenity

The Council's guidance on Outdoor Advertising and Sponsorship does not allow advertising on items of street furniture other than bus shelters, and advertising on bus shelters would not be permitted in visually sensitive locations. However, this location is not deemed to be visually sensitive and therefore there is no detrimental impact on the amenity of the area.

The proposal seeks to introduce advertising and illumination as an integrated part of a new streamlined bus shelter. Although this area is predominantly residential, the positioning and orientation of the advert ensures there would be no adverse impact on residential amenity.

The proposals comply with the relevant Council Guidance.

b) Public Safety

The proposed advert is in line with the Council's Guidance. The advert will not impact on road safety, nor will it present any issues for pedestrians on Easter Road.

The Roads Authority have advised they have no objections in terms of road safety.

c) Material Representations

No representations were received.

Conclusion

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

The proposal will not have an impact on amenity or public safety and complies with the Councils Guidance on Outdoor Advertising and Sponsorship.

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives
Conditions:-

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

Reasons:-

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

Financial impact

4.1 The financial impact has been assessed as follows:

The Council has a contract with the applicant to provide outdoor advertising and street furniture, primarily bus shelters, in the city. The financial impacts to the Council were reported to Finance and Resources Committee on 5 June 2014.

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

No representations were 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	Urban Area.
Date registered	23 August 2019
Drawing numbers/Scheme	01-05,

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The City of Edinburgh Council

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E-mail:nicola.orr@edinburgh.gov.uk Tel:0131 469 3712

Links - Policies

Relevant Policies:

Relevant Non-Statutory Guidelines

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Appendix 1

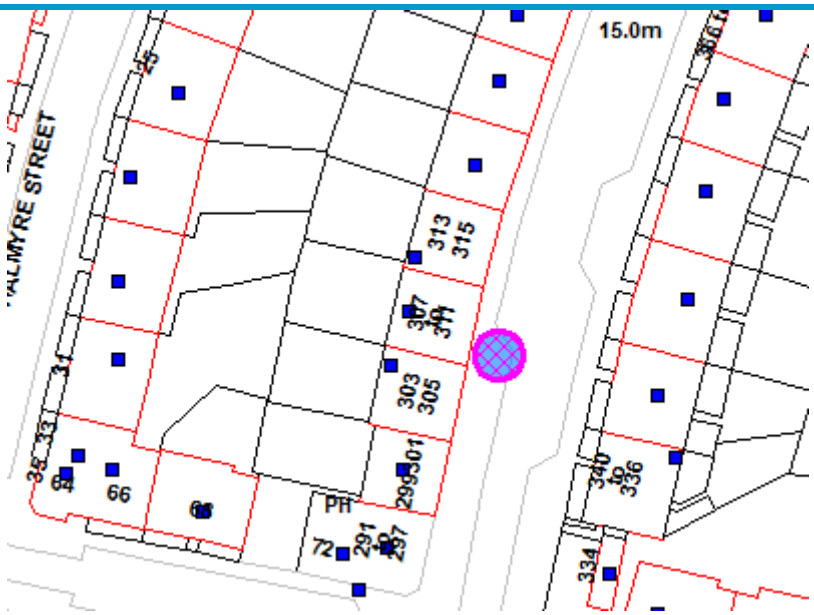
Application for Advert Consent 19/04010/ADV
At Bus Shelter Adjacent To 307, Easter Road, Edinburgh
The replacement of a non-advertising bus shelter with a Foster advertising bus shelter, including a double-sided back-lit LED advertising panel.

Consultations

Transport

No Objections.

Location Plan



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Development Management Sub Committee

Wednesday 9 October 2019

Application for Advert Consent 19/04012/ADV
At Bus Shelter Adjacent To 348, Easter Road, Edinburgh
The replacement of a non-advertising bus shelter with a Foster advertising bus shelter, including a double-sided back-lit LED advertising panel.

Item number	
Report number	
Wards	B12 - Leith Walk

Summary

The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), and non-statutory guidance on Outdoor Advertising and Sponsorship. It will have no impact on the amenity of the location or in terms of public safety. There are no other material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	NSG, NSADSP,

Report

Application for Advert Consent 19/04012/ADV
At Bus Shelter Adjacent To 348, Easter Road, Edinburgh
The replacement of a non-advertising bus shelter with a Foster advertising bus shelter, including a 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 site is on the northern end of Easter Road and the bus shelter serves buses heading south towards the city centre. The street is predominantly residential, comprising largely of four storey tenement blocks. The bus shelter sits on an extended pavement, with diagonal on-street parking at either side.

Bus shelter reference: EDH3321AB.

2.2 Site History

There is no relevant site planning history.

Main report

3.1 Description Of The Proposal

The proposal seeks the replacement of a standard bus shelter with a double-sided LED advertising bus shelter on one elevation. The advertising panel will be 1160mm x 1710mm on each side (inward and outward facing), lit with four LED strip lights to provide uniform back light distribution. The visible screen area would be 1.9 square metres.

The existing bus stop is being replaced with a new bus shelter as part of the Council's advertising contract with JC Decaux (the Applicant). This application relates to advertisement consent only, with the shelters being installed under the Council's permitted development rights.

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; and

c) any material representations have been addressed.

a) Amenity

The Council's guidance on Outdoor Advertising and Sponsorship does not allow advertising on items of street furniture other than bus shelters, and advertising on bus shelters would not be permitted in visually sensitive locations. However, this location is not deemed to be visually sensitive and therefore there is no detrimental impact on the amenity of the area.

The proposal seeks to introduce advertising and illumination as an integrated part of a new streamlined bus shelter. Although the surrounding buildings are predominantly residential, this street is on a busy bus route and due to the positioning and orientation of the advert, there would be no adverse impact on residential amenity.

The proposals comply with the relevant Council Guidance.

b) Public Safety

The proposed advert is in line with the Council's Guidance. The advert will not impact on road safety, nor will it present any issues for pedestrians on Easter Road.

The Roads Authority have advised they have no objections in terms of road safety.

c) Material Representations

No representations were received.

Conclusion

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

The proposal will have no impact on amenity or public safety and complies with the Councils Guidance on Outdoor Advertising and Sponsorship.

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives
Conditions:-

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

Reasons:-

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

Financial impact

4.1 The financial impact has been assessed as follows:

The Council has a contract with the applicant to provide outdoor advertising and street furniture, primarily bus shelters, in the city. The financial impacts to the Council were reported to Finance and Resources Committee on 5 June 2014.

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

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	Urban Area.
Date registered	23 August 2019
Drawing numbers/Scheme	01-05,

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

Contact: Nicola Orr, Planning Officer
E-mail:nicola.orr@edinburgh.gov.uk Tel:0131 469 3712

Links - Policies

Relevant Policies:

Relevant Non-Statutory Guidelines

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

Appendix 1

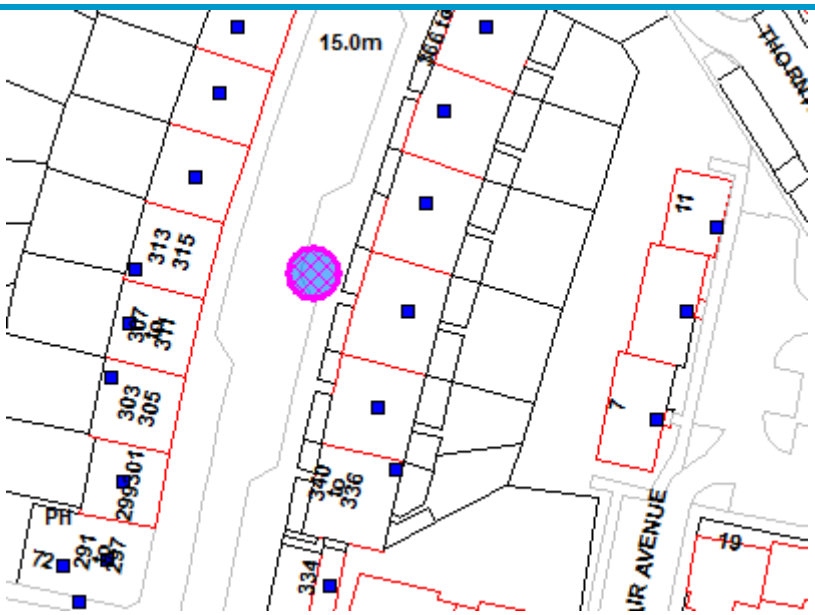
Application for Advert Consent 19/04012/ADV
At Bus Shelter Adjacent To 348, Easter Road, Edinburgh
The replacement of a non-advertising bus shelter with a Foster advertising bus shelter, including a double-sided back-lit LED advertising panel.

Consultations

Transport

No Objections.

Location Plan



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Development Management Sub Committee

Wednesday 9 October 2019

Application for Planning Permission 19/01963/FUL At Land 30 Metres West Of 60, Glenbrook Road, Balerno Change of Use from derelict farm steading to erection of 6x glamping pods and associated works inc. concrete bases, footpaths, refurbished barn and landscaping (as amended).

Item number	
Report number	
Wards	B02 - Pentland Hills

Summary

The proposal is an acceptable green belt use in principle. However, the design, form and layout of the proposed glamping pods would result in the introduction of incongruous features into a predominantly rural location, and would have an adverse impact on the rural character of the surrounding area and the special character of the Pentlands Special Landscape Area. In addition, the proposal would result in the introduction of a use which is likely to have a materially detrimental effect on the living conditions of nearby residents. The proposal is contrary to policies Env 10, Env 11 and Hou 7 of the adopted Edinburgh Local Development Plan (LDP) and the Council's Guidance for Development in the Green Belt and Countryside.

Links

Policies and guidance for this application	LDPP, LDES03, LEN03, LEN09, LEN10, LEN11, LEN21, LHOU07, LTRA02, LTRA03, LRS06, NSG, NSGCGB,

Report

Application for Planning Permission 19/01963/FUL At Land 30 Metres West Of 60, Glenbrook Road, Balerno Change of Use from derelict farm steading to erection of 6x glamping pods and associated works inc. concrete bases, footpaths, refurbished barn and landscaping (as amended).

Recommendations

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

Background

2.1 Site description

The site is a farm site consisting of an area of grassland and a barn, covering an area of 0.26 hectares, and located on the northern side of Glenbrook Road. The site is bordered by open fields to its north and west, and by converted former farm buildings which are now in use as residential properties to its east. The surrounding area is predominantly rural consisting of open farmland. Bankhead House is situated directly to the south east of the site and is a category B listed building (listing reference: LB26829, listing date: 26/10/1994

The site is designated as being within the Green Belt and Pentland Hills Special Landscape Area in the LDP.

2.2 Site History

14 February 2006 - Planning permission refused for the erection of four new dwellinghouses on the site (application reference: 05/03979/FUL).

30 January 2018 - Planning permission in principle refused for the erection of five residential units. Refusal subsequently upheld at appeal to the Local Review Body (LRB) (application reference: 17/02258/PPP).

Main report

3.1 Description Of The Proposal

The proposal seeks planning permission for the installation of six hexagonal timber glamping pods on the site. The pods will encompass timber walls and roofs and have a footprint of 23 square metres each. Each pod will measure 3.9 metres at their highest point and be sited on concrete bases. It is proposed to utilise the existing barn to provide six car parking spaces. A curved landscaping bund will be situated directly to the east of the pods.

Scheme One

The original proposal was amended to alter the proposed location of the pods on the site, change the application address, introduce a landscaped bund to the east of the pods and incorporate additional supporting documentation.

Supporting Documents

The applicant has submitted the following supporting documents which are available to view via planning and building standards online services.

- Planning Statement;
- Pod Specification;
- Materials Examples; and
- On Site Management Plan.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

a) The principle of the development is acceptable in the Green Belt;

b) The proposal raises any issues in respect of the impact on the setting of a listed building;

c) The proposal will detract from the landscape quality and/or rural character of the area, and will have a significant adverse impact on the special character of the Pentlands Special Landscape Area;

d) The proposal will have an adverse impact on the amenity of neighbouring residents;

e) The proposal raises any issues in respect of parking and road safety;

f) The proposal raises any issues regarding flood prevention;

g) The proposal raises any issues in respect of drainage, archaeology or aerodrome safeguarding, and

h) Any issues raised by objectors have been addressed.

a) Principle of the Proposal

Policy Env 10 of the adopted Edinburgh Local Development Plan (LDP) outlines the criteria by which development in the green belt and countryside will be permitted, provided that such development does not detract from the landscape quality and/or rural character of the area. Criteria a) of this policy states that development for the purposes of countryside recreation may be considered to form an acceptable countryside development. In addition, policy Env 11 states that permission will not be granted for development which would have a significant adverse impact on the special character or qualities of a Special Landscape Area.

The proposal would see the site operating in a manner similar to a touring caravan site or campsite, with the pods providing short term holiday accommodation in a rural location. The proposed use of the site for glamping pods can therefore be considered to be an appropriate countryside recreation use. The applicant has advised in their supporting documentation that the proposal would allow for the creation of three new part time positions. The proposed use is acceptable in principle subject to compliance with other policies of the LDP.

b) Setting of a Listed Building

The proposed development is separated from Bankhead House and its immediate garden by several steading buildings, and is a sufficient distance away to ensure that it would have no impact on the setting of the premises. The proposal complies with LDP policy Env 3.

c) Landscape quality and/or rural character of the area, special character of the Pentlands Special Landscape Area

Policy Env 10 also requires that new development does not detract from the landscape quality and/or rural character of the area. Notwithstanding the principle of the development being considered acceptable, the proposal would result development which would have a significant adverse impact on the rural character of the area. The site and the adjacent stone built farm steadings form a defined cluster of development situated within open countryside which retains a strong and distinctive rural character providing a link to the historic use of the site as a farm. The site contributes the change in character from built development to open countryside. The site is predominantly bordered by open fields separated by defined mature tree lines and hedgerows, further contributing to the distinct rural character of the surrounding area.

The site is screened from wider view to a limited extent when approaching from the south and west. However, the extent of such screening depends on whether the mature trees bordering the southern boundary of the site are in bloom. During autumn and winter in particular, the site is widely visible on both approaches. The design and height of the pods, which will be permanent structures, is such that they will therefore form notable features within the landscape which will significantly disrupt the established rural character of both the site and the surrounding area. The use of timber as the predominant external material will also contrast sharply with the appearance of the steading buildings which are largely characterised by stone or rendered exterior walls and slate roofs.

The Statement of Importance for the Pentland Hills Special Landscape Area (SLA) highlights that the west of the SLA is characterised by a regular layout of 18th - 19th century fields, enclosed by drystane dykes, hedgerows, tree lines and shelterbelt planting; and that the well managed agricultural landscape and reservoirs, backed by the hill range are of high scenic value and offer a sense of isolation.

As stated above, the proposal would result in the construction of an incongruous development which would significantly disrupt the established rural character of the surrounding area. The site has a managed rural and agricultural appearance and contributes to the special character and qualities of the SLA. The proposal would have a significant adverse impact on the special character and qualities of the SLA and is contrary to LDP policy Env 11.

The proposal would detract from the landscape quality and rural character of the area, and would have a significant adverse impact on the special character and qualities of the SLA. The proposal is contrary to LDP policies Env 10 and Env 11.

d) Amenity of Neighbouring Residents

The site is bordered to its east by several residential properties which are situated within the former steading buildings.

The site is intended to be used by individuals who are on holiday. Individuals on holiday may often behave in a different manner to permanent residents of a residential premises, and are more likely to utilise the areas outside the pods during the spring and summer months for long periods of time playing, eating, drinking and talking. The potential therefore exists for the proposal to cause noise disruption to neighbouring residents on a regular basis.

The original scheme was revised to move the pods further to the west of the site, and introduce a landscaped bund between the pods and the neighbouring properties. Details of an onsite management were also provided. Environmental Protection has examined the proposal and are of the opinion that, even having regards to the onsite management plan and proposed bund, the proposal still has the potential to have a detrimental impact on the amenity of neighbouring residents. Environmental Protection therefore raised an objection to the proposal.

The pods will not affect the level of daylight which is received by the neighbouring steading properties, or result in an increase in the level of overshadowing to these properties. The windows on the Pods are positioned so as to avoid any direct window to window views into the steading buildings and will all be sited further than 18 metres from the residential properties. The proposal does not raise any issues in respect of privacy, overshadowing or loss of daylight.

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

e) Parking and Road Safety

The Edinburgh Design Guidance does not contain any set vehicle or cycle parking standards for campsites. The proposal includes provision for six car parking spaces, for prospective guests, which will be situated within the barn. No cycle parking will be provided on the site.

The Roads Authority was consulted on the proposal and raised no objection either on the grounds of parking or road safety. The proposal does not raise any issues in respect of these matters and complies with LDP policy Tra 2.

f) Flood Prevention

Flood Prevention were consulted on the proposal and raised no objection. The proposal will not be at risk of flooding or increase the flood risk to the surrounding area and complies with LDP policy Env 21.

g) Additional Material Matters

Archaeology

The city archaeologist has examined the proposal and advised that the site is located in an area of archaeological potential. Therefore, in the event that any proposal is granted permission, it is recommended that a condition is attached requiring an archaeological survey to be undertaken before development is commenced. The proposal complies with LDP policy Env 9.

Sewage and Drainage Provision

Both Scottish Water and the Council's Flood Prevention Department have examined the proposed sewage and drainage arrangements for the site. Neither consultee has any objection to the proposed arrangements and the proposal does not raise any issues in respect of sewage and drainage provision. The proposal complies with LDP policy RS 6.

Aerodrome Safeguarding

Edinburgh Airport was consulted on the proposal and raised no objection. The proposal does not raise any issues in respect of aerodrome safeguarding.

h) Matters Raised in Representations

Objection Comments

Material Considerations

- Proposal is contrary to Scottish Planning Policy - There is no specific policy within Scottish Planning Policy which regulates the erection of glamping pods.

- Proposal is not an acceptable green belt use in principle - addressed in section 3.3 (a).

- Proposal will have an adverse impact on the setting of a listed building - addressed in section 3.3 (b).

- Proposal will have an adverse impact on the rural character and appearance of the surrounding area and the quality of the special landscape area - addressed in sections 3.3 (c).

- Proposal will have an adverse impact on the amenity of neighbouring residents by means of anti-social behaviour, privacy/overlooking and loss of daylight; and the proposal does not contain any details of how the site will be managed - addressed in section 3.3 (d).

- Proposal will have an adverse impact on parking and road safety and is not sustainable due to being car dependent and inaccessible to pedestrians- addressed in section 3.3 (e).

- Proposed sewage arrangements are not detailed on the approved drawings - addressed in section 3.3 (h).

- Proposal raises issues in respect of equalities and human rights - addressed within the 'Equalities and Human Rights' section of the report on handling.

Non-Material Considerations

- The numbers of neighbouring houses have been omitted from the submitted plans - The documents are sufficient to comply with the requirements of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

- The applicant has used an example of a similar scheme from another local authority in their supporting statement - The above order does not prohibit the use of examples of similar schemes from other local authorities being included in the supporting information for a planning application.

- Proposal will have an impact on local schools and doctors - The proposal is not for residential housing.

- Proposal will create issues regarding waste disposal from the site - The City of Edinburgh Council no longer provides waste provision for commercial operators. It will be the responsibility of the applicant to arrange for the storage and collection of waste with a private contractor.

- Proposal will have to utilise the mains sewer which is paid for by the occupants of the neighbouring residential properties - Scottish Water has outlined their requirements for sewage storage and disposal from the site in their consultation response. It will be the responsibility of the applicant to comply with Scottish Water's statutory and regulatory requirements.

- The proposed pods may be too close to oil tanks on the site contrary to Oil and Renewable Heating Technology (OFTEC) regulations - Matters relating to the proximity of the proposed pods to existing oil tanks on the site are not within the remit of the planning authority.

- Proposal will change the designation of the site in the LDP from Greenbelt - A grant of planning permission for development on this site will not constitute an alteration or amendment to the current LDP.

- Proposal involves development which will have an adverse impact on a site which is recorded in the Inventory of Gardens and Designed Landscapes - The site is situated within the City of Edinburgh Council's survey of Gardens and Designed Landscapes undertaken in October 2008 '264 Balerno Villas. However, it is not recorded in the National Inventory of Gardens and Designed Landscapes and is not subject to any formal designation in the LDP which would require an assessment under policy Env 7.

- Proposal will result in loss of trees - No trees are earmarked for removal on the submitted plans.

- Proposal raises issues in respect of personal security and may increase the risk of theft.

Support Comments

Material Considerations

- Proposal will create employment in the local economy and boost tourism - addressed in section 3.3 (a).

- Proposal represents an improvement on the appearance of the existing site and will have a positive impact on the character and appearance of the surrounding area - addressed in sections 3.3 (a) and (c).

- Proposal does not raise any issues in respect of road safety - addressed in section 3.3 (e).

Non-Material Considerations

- Proposal will create temporary employment during construction work - Matters relating to the construction process of a proposed development are not material to the determination of an application.

- The existing barn building on the site is structurally unsafe.

- The proposal will not create pressure on existing schools and medical facilities - The proposal is not for residential housing, Consequently, it is not identified within the Council's Supplementary Guidance for Developer Contributions and Infrastructure Delivery as being a form of development for which would required to make a financial contribution to either education capacity, or primary healthcare infrastructure capacity.

- Trees should be planted as part of any consent.

Community Council Comments

Balerno Community Council submitted a letter objecting to the proposal on the following grounds:

- Proposal is not an acceptable green belt use in principle - addressed in section 3.3 (a).

- Proposal will have an adverse impact on the setting of a listed building - addressed in section 3.3 (b).

- Proposal will have an adverse impact on the rural character and appearance of the surrounding area and the quality of the special landscape area - addressed in sections 3.3 (c).

- Proposal will have an adverse impact on the amenity of neighbouring residents by means of anti-social behaviour, privacy/overlooking and loss of daylight; and the proposal does not contain any details of how the site will be managed - addressed in section 3.3 (d).

<u>Conclusion</u>

The proposal is an acceptable green belt use in principle. However, the design, form and layout of the proposed glamping pods would result in the introduction of incongruous features into a predominantly rural location, and would have an adverse impact on the rural character of the surrounding area and the special character of the Pentlands Special Landscape Area. In addition, the proposal would result in the introduction of a use which is likely to have a materially detrimental effect on the living conditions of nearby residents. The proposal is contrary to policies Env 10, Env 11 and Hou 7 of the adopted Edinburgh Local Development Plan (LDP) and the Council's Guidance for Development in the Green Belt and Countryside.

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

3.4 Conditions/reasons/informatives
Conditions:-

Reason for Refusal:-

1. The proposal is contrary to policy Env 10 of the adopted Edinburgh Local Development Plan as it would detract from the rural character and appearance of the surrounding area.

2. The proposal is contrary to policy Env 11 of the adopted Edinburgh Local Development Plan as it would have a significant adverse impact on the special character of the Pentland Hills Special Landscape Area.

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

Two objectors have identified that a child living in close proximity to the application site suffers from a life limiting disability which has the potential to be impacted by anti-social behaviour and vehicle movements associated with the proposal. The recommendation of the planning authority is that planning permission be refused for this proposal for the reasons stated in the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

84 letters of objection, 74 letters of support and one neutral comment were received in respect of the proposal.

Balerno Community submitted a letter of objection to the proposal on June 7 2019.

A full summary of the matters raised in these representations can be found in section 3.3 (f) of the main report.

Background reading/external references

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

Statutory Development Plan Provision	The site is designated as being within the Green Belt and Pentland Hills Special Landscape Area in the LDP.
Date registered	17 May 2019
Drawing numbers/Scheme	01 - 02, 03A, 04A, 05, Scheme 2

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

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

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

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

LDP Policy Env 11 (Special Landscape Areas) establishes a presumption against development that would adversely affect Special Landscape Areas.

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

Appendix 1

Application for Planning Permission 19/01963/FUL
At Land 30 Metres West Of 60, Glenbrook Road, Balerno
Change of Use from derelict farm steading to erection of 6x glamping pods and associated works inc. concrete bases, footpaths, refurbished barn and landscaping (as amended).

Consultations

City Archaeologist

The site occurs across the northern site of the historic Bankhead Farm Steading, situated c 1mile due west of Balerno. Although much of the current farm-steading was built during the period of agricultural improvement of the 18th and early-19th centuries, a farm on this site is first shown on Laurie's Map of the Lothians dated to 1766. The proposed development site is occupied by a mid-20th century metal framed barn.

This application must be considered under the terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy, CEC's Edinburgh Local Development Plan (2016) Policies ENV 8 & ENV 9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

As stated the site forms part of the historic Glenbrook Farm dating back to at least the mid-18th century. As such the site should be regarded as occurring within an area of archaeological interest with the potential for containing important remains regarding the early development of this historic farm. Ground breaking activities undertaken as part of this development (e.g. construction, landscaping and service works) therefore are likely to have an archaeological impact, though one which is considered to be low-moderate. Nevertheless, it is considered essential that a programme of archaeological works is undertaken prior to/during development in order that any significant archaeological remains are fully excavated and recorded where preservation in situ is not possible.

Further, it is welcomed that the mid-20th century barn will be refurbished and retained. However, it is recommended that a basic archaeological historic building survey is undertaken (photographic and written survey plus annotated plan) prior to its refurbishment as part of the overall archaeological programme of works. This is in order to provide a permeant record of this farm building.

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

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

The work 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.

Edinburgh Airport

The proposed development has been fully examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria.

We therefore have no objection to this proposal.

Environmental Protection

Environmental Protection does not support this application and recommends that it is refused.

The application site is in a rural location approximately 400m from the edge of Balerno village. The site comprises a hardstanding, a derelict barn building, sheep pen and scrub land. The site is bound by fencing to the north/ west, mature trees to the north-east, a residential building to the east and a steading conversion to residential use to the south-east. Glenbrook Road is located to the south.

The principal concern relates to noise from users of the glamping pods, primarily in the evening/night. This type of holiday accommodation encourages users to sit outside and will invariably mean noise from talking and laughing etc.

The scheme has been revised with the glamping pods moved slightly further away from neighbouring residential accommodation. A landscaped bund has also been introduced. An onsite management statement was also provided in support of the application.

It is considered that the relocation of the glamping pods will have a limited effect on noise levels experienced by neighbours, due to the close proximity and change in distance. Bunds can be used to act as a noise barrier. However, for a noise barrier to have any effect, the line of sight between the noise source and the receiver must be broken. No information has been provided on the height of the bund, and there is no reference in the management statement to a noise barrier. It appears its purpose is for visual amenity rather than noise mitigation.

The management arrangements proposed do not provide sufficient comfort that noise issues won't arise due to the nature of this type of accommodation where users may spend long periods outside rather than inside the accommodation.

Due to the rural location, it is a very quiet area. There will be only sporadic noise from passing traffic. The surrounding land is used for agriculture purposes; currently sheep farming. Therefore, due to the close location to residential accommodation, it is considered that noise from the glamping pod users with significantly affect the amenity of existing neighbours. Therefore, Environmental Protection cannot support this application.

Flood Prevention

Thanks for the consultation request. I've had a look at the documents on the portal and have the following comments.

The proposed private drain shown in purple leading to the watercourse from the septic tank and the surface water network is outwith the red line application boundary. It is assumed that this would be classed as permitted development and that the applicant is either the land owner or has approval from the land owner for the land where this pipe crosses.

Flood prevention has no further comments on this applicant and are content that it should proceed to determination.

Roads Authority

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

1. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
2. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;
3. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future;
4. Secure and covered cycle parking should be considered for this development, including spaces for non-standard bikes;

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

o There is currently sufficient capacity in the Marchbank 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.

o The nearest public water main is approx. 350m from the proposed site.

Foul

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

o The nearest public sewer main is approx. 350m from the proposed site.

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

Surface Water

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

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

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

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

Site Investigation Services (UK) Ltd
Tel: 0333 123 1223
Email: sw@sisplan.co.uk
www.sisplan.co.uk

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

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

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

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

Please find all of our application forms on our website at the following link https://www.scottishwater.co.uk/Business-and-Developers/Connecting-to-Our-Network

Next Steps:

o Single Property/Less than 10 dwellings

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

o 10 or more domestic dwellings:

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

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

o Non Domestic/Commercial Property:

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

o Trade Effluent Discharge from Non Dom Property:

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants. If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following linkhttps://www.scottishwater.co.uk/business/ourservices/ compliance/trade-effluent/trade-effluent-documents/trade-effluent-noticeform-h

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

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

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at planningconsultations@scottishwater.co.uk

Location Plan

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Development Management Sub Committee

Wednesday 9 October 2019

Application for Advert Consent 19/04160/ADV
At Bus Shelter 163 Metres East Of Gogarburn Tram Stop, Glasgow Road, Edinburgh
The removal of an advertising shelter with parallel ads to the road and the installation of a replacement upgraded Foster advertising shelter, with adverts facing drivers.

Item number	
Report number	
Wards	B01 - Almond

Summary

The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), and non-statutory guidance on Outdoor Advertising and Sponsorship. It will have no impact on the amenity of the location or public safety. There are no other material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	NSG, NSADSP,

Report

Application for Advert Consent 19/04160/ADV
At Bus Shelter 163 Metres East Of Gogarburn Tram Stop, Glasgow Road, Edinburgh
The removal of an advertising shelter with parallel ads to the road and the installation of a replacement upgraded Foster advertising shelter, with adverts facing drivers.

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 city bound side of Glasgow Road (A8) to the east of Gogarburn Tram Stop. The tram line runs behind the bus shelter, screened by landscaping and a stone wall. The bus shelter is located to the northern end of the recessed bus layby. International Business Gateway is located to the north of the site, and RBS Gogarburn is to the south.

Bus shelter reference: EDH0269AB.

2.2 Site History

There is no relevant site planning history.

Main report

3.1 Description Of The Proposal

The site currently has an existing advertising bus shelter with parallel adverts to the road. The proposal seeks a replacement advertising bus shelter with a double-sided LED advertising bus shelter on one side elevation, facing drivers. The advertising panel will be 1160mm x 1710mm on each side (inward and outward facing), lit with four LED strip lights to provide uniform back light distribution. The visible screen area would be 1.9 square metres.

The existing bus stop is being replaced with a new bus shelter as part of the Council's advertising contract with JC Decaux (the Applicant). This application relates to advertisement consent only, with the shelters being installed under the Council's permitted development rights.

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 will have a detrimental impact on amenity;

b) The proposal will have an adverse impact on public safety; and

c) any material representations have been addressed.

a) Amenity

The Council's guidance on Outdoor Advertising and Sponsorship does not allow advertising on items of street furniture other than bus shelters, and advertising on bus shelters would not be permitted in visually sensitive locations. However, this location is not deemed to be visually sensitive and therefore there is no detrimental impact on the amenity of the area.

The proposal seeks to introduce advertising and illumination as an integrated part of a new streamlined bus shelter. Due to the positioning and orientation of the advert, there would be no adverse impact on residential amenity.

The proposals comply with the relevant Council Guidance.

b) Public Safety

The proposed advert is in line with the Council's Guidance. The advert will not impact on road safety, nor will it present any issues for pedestrians on Glasgow Road.

The Roads Authority have advised they have no objections in terms of road safety.

c) Material Representations

No representations were received.

Conclusion

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

The proposal will not have an impact on amenity or public safety and complies with the Councils Guidance on Outdoor Advertising and Sponsorship.

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives
Conditions:-

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

Reasons:-

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

Financial impact

4.1 The financial impact has been assessed as follows:

The Council has a contract with the applicant to provide outdoor advertising and street furniture, primarily bus shelters, in the city. The financial impacts to the Council were reported to Finance and Resources Committee on 5 June 2014.

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

No representations were 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	Urban Area.
Date registered	2 September 2019
Drawing numbers/Scheme	01-05,

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

Contact: Nicola Orr, Planning Officer
E-mail:nicola.orr@edinburgh.gov.uk Tel:0131 469 3712

Links - Policies

Relevant Policies:

Relevant Non-Statutory Guidelines

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

Appendix 1

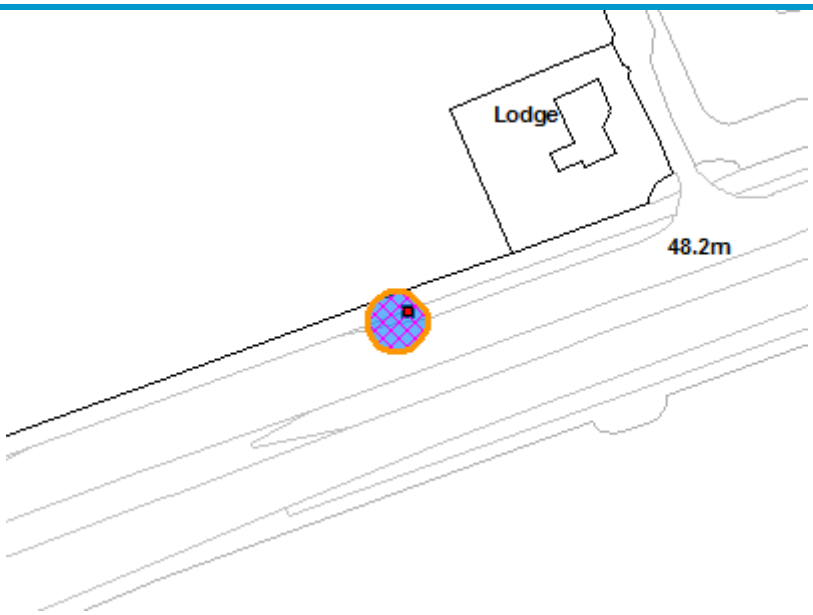
Application for Advert Consent 19/04160/ADV
At Bus Shelter 163 Metres East Of Gogarburn Tram Stop, Glasgow Road, Edinburgh
The removal of an advertising shelter with parallel ads to the road and the installation of a replacement upgraded Foster advertising shelter, with adverts facing drivers.

Consultations

Transport

No Objections.

Location Plan



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Development Management Sub-Committee

10.00am, Wednesday 9 October 2019

Protocol Note for Hearing

Planning Application No 19/00789/FUL
7 GF, 7 IF, 8, 10, 10A & 10B Lower Gilmore Place, Edinburgh

Report number	
Ward	

Laurence Rockey

Head of Strategy and Communications

Contacts: Jamie Macrae

Email: jamie.macrae@edinburgh.gov.uk

Tel: 0131 553 8242

Summary

Protocol Note for Hearing

Summary

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

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

Committee Protocol for Hearings

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

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

Order of Speakers for this Hearing

1	**Chief Planning Officer -** presentation of report	10.15 -10.35
2	**Representors or Consultees** Ishbel McFarlane, Gilmore Place and Lochrin Residents Association	10.40 -10.45
3	**Ward Councillors** Councillor Alasdair Rankin Councillor Claire Miller	10.50 -10.55 10.55 -11.00
4	**Break**	11.00 -11.10
5	**Applicant and Applicant's Agent** Kerry Nicol (ISA Architects)	11.10 –11.30
6	**Debate and Decision on Application by Sub-Committee**	11.30 – 12.00
7	**Break for Lunch**	12.00

Scheduled times are approximate but within this the time limits for speakers will be enforced – speakers will be reminded when they have 1 minute remaining. Speakers should keep to "material planning matters" that the Sub-Committee can take into account. Any visual material must be submitted to Committee Services at least 24 hours before the meeting. Decisions will generally be to approve or refuse. Conditions of approval or reasons for refusal may be considered at a subsequent meeting. If the application is continued for further information, the Hearing will not be re-opened at a later stage and contributors will not be invited to speak again. In such cases, the public can attend the meeting to observe the discussion from the gallery.

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Development Management Sub Committee

Wednesday 9 October 2019

Application for Planning Permission 19/00789/FUL At 7 GF, 7 IF, 8, 10, 10A & 10B Lower Gilmore Place, Edinburgh, Demolition of all buildings on site and erection of office (Class 4) and flatted residential development with associated car parking and landscaping.

Item number	
Report number	
Wards	B11 - City Centre

Summary

The proposed residential development of the site, incorporating a commercial unit, is supported by the adopted Edinburgh Local Development Plan and is acceptable in principle. The proposal is acceptable in terms of form, scale, choice of materials and positioning, and there will be no detrimental impact on the character of the surrounding area. There will be no detrimental impact on the amenity of neighbouring residents and the proposal will provide sufficient amenity to meet the needs of future residents. There are no issues regarding road safety or parking.

The proposal is acceptable subject to a suitable legal agreement being entered into related to affordable housing, education, transport and healthcare.

Links

Policies and guidance for this application	LDPP, LDES01, LDES03, LDES05, LDES10, LTRA02, LTRA03, LDEL01, LHOU01, LHOU02, LHOU06, LEN12, LEN09, LEN16, NSGD02,

Report

Application for Planning Permission 19/00789/FUL At 7 GF, 7 IF, 8, 10, 10A & 10B Lower Gilmore Place, Edinburgh, Demolition of all buildings on site and erection of office (Class 4) and flatted residential development 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 application site comprises a mix of low rise commercial workshops, a martial arts school and the Pregnancy and Parents Centre. To the north, the site faces Lower Gilmour Place beyond which is the brick boundary wall of the Union Canal. To the east is a three storey brick tenement. To the west lies a three-storey office building, other, generally low rise, commercial buildings and sheds culminating in the four storey tenement terrace of Leamington Road. To the south lie the gardens of the terrace of residential properties in Gilmour Place, and these are within the Marchmont, Meadows and Bruntsfield Conservation Area.

This application site is located within the Marchmont, Meadows and Bruntsfield Conservation Area.

2.2 Site History

07.12.2017 - Application withdrawn: Demolition of all buildings on site and erection of office (Class 4) and flatted residential development with associated car parking, landscaping and public realm (application reference: 17/04234/FUL).

23.01.2018 - Application withdrawn: Complete Demolition in a Conservation Area (application reference: 17/04462/CON).

05.07.2018 – Non-determination: Demolition of all buildings on site and erection of office (Class 4) and flatted residential development with associated car parking, landscaping and public realm (application reference: 18/00722/FUL).

20.08.2018 - Appeal dismissed: Demolition of all buildings on site and erection of office (Class 4) and flatted residential development with associated car parking, landscaping and public realm (appeal reference: 18/00086/NONDET).

Main report

3.1 Description Of The Proposal

Planning permission is sought for the erection of a 20 flat residential building with a class 4 office to the ground floor. The flats comprise 5 no. one bedroom, 11 no. two bedroom, and 4 no. three bedroom. The proposal would involve the demolition of all the buildings currently on site. The proposed building would be four storey and would be finished in dark brick with a zinc roof. The proposal would provide 6 no. parking spaces and 1 no. accessible parking space to the rear that would be accessed through a pend. An area of communal garden space would be to the rear. Forty-five cycle spaces are also proposed.

Supporting Documents

As part of this application the following documents have been submitted:

- Planning Statement;
- Design Statement;
- Transport Statement;
- Noise Assessment;
- Flood Risk and Surface water Assessment;
- Air Quality Assessment;
- Archaeology Statement;
- Site investigation Report;
- Bat Survey;
- Sustainability Statement; and
- 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.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

a) the principle of the proposed development is acceptable;

b) the scale and design of the proposed development is acceptable;

c) the proposed development raises any road safety implications;

d) the proposed development offers an acceptable living environment for future residents and existing neighbouring residents;

e) there are any other material considerations;

f) any impacts on equalities or human rights are acceptable; and

g) comments raised have been addressed.

a) Principle

The application site is located within the Urban Area and within the City Centre Proposal Area: CC3 Fountainbridge, as designated by the Edinburgh Local Development Plan (LDP). Proposal CC3 is for mixed use development incorporating a range of uses. This site falls within an area identified for housing-led mixed-use development.

Housing is supported within the urban area by LDP Policy Hou 1 where it is compatible with other policies in the local plan. The same policy supports housing in sites identified in the LDP.

The proposal accords with LDP policy Emp 9 as it will not prejudice the activities of any nearly employment use and will contribute to the regeneration of the wider area.

Commercial unit

The commercial unit is located within the ground floor of the block. Under LDP Policy Emp 1 and in accordance with Proposal CC3, office development is acceptable in this location.

Demolition

A small portion of the south west of the site falls within the conservation area and the buildings are not listed. Aside from this small section, the buildings are afforded no protection and demolition could be undertaken as permitted development. The buildings are of no architectural value and their loss is acceptable.

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

b) Scale and design

Edinburgh Local Development Plan policies Des 1 and Des 3 state 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 Des 10 requires the proposal to provide an attractive frontage to the Union Canal.

The development principles set out in the LDP for Proposal CC3 seek attractive frontages to the canal.

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.

Fountainbridge Development Brief

The Fountainbridge Development Brief was first approved in November 2004 and amended in December 2005. It relates to the whole of Fountainbridge, with Lower Gilmore Place being identified as Site 3. Within the development brief the main planning requirements for Site 3 are:

- Public realm improvement to enable creation of pedestrian priority environment within Lower Gilmore Place;
- Visual permeability between Lower Gilmore Place and the waterspace;
- Creation of high quality development to the southern side of Lower Gilmore Place, as a frontage to the canal; and
- Enhancement of the view corridor from Gilmore Place.

In terms of massing/layout, the brief states that *"Development should not exceed 10m at eaves and 13m at ridge to reflect the relatively modest established building form within this urban block. Perimeter development, with amenity space to the rear, is encouraged. Buildings should be linear, with frontages to Lower Gilmore Place and amenity space to the rear. Any building located on the west most section should be designed to protect neighbouring residential amenity."*

Edinburgh Urban Design Panel

The site was presented to the Edinburgh Urban Design Panel at pre application stage in July 2017. No definitive scheme was presented, although some sketches were shown. The Panel was supportive of the redevelopment of the site and agreed that a creative and coherent proposal will represent a significant improvement to the existing site in addition to guiding future patterns for development along the canal. The panel was supportive of limited parking and that the relationship between pedestrian/cycle movement and car access/parking needs to be explored so that conflict is avoided. The Panel noted that the creation of a welcoming canal-side environment needs to be carefully balanced with protecting the amenity of canal residents and the need for both visual and physical connectivity at the interface of the development and the canal side.

The Panel's report is included within Appendix 1 of this report and is available to view on the Planning & Building Standards online portal.

The proposed building would be four storeys in height and sit no higher than 10.5 metres at eaves and 13.5 metres at ridge at the highest point from the pavement; this is due to the gradient of the street. This is broadly consistent with the Fountainbridge Development Brief as stated above and constitutes a very minor infringement of the aspirations set out in the development brief.

It is proposed that the building will be finished in a dark brick with a zinc roof. The palette of materials and the modern design of the building, equal ridged with Juliette balconies, will provide a high quality and attractive frontage to the canal.

The overall design will make a positive contribution to the site with an appropriately scaled and designed building. The building will harmonise with the modern buildings around the canal basin.

Subject to consideration of public realm (addressed in section (e) below), the development complies with LDP policies Des 1, Des 3, Des 10, the Edinburgh Design Guidance and the Fountainbridge Development Brief.

c) Road safety

Seven car parking spaces and one disabled car parking space are proposed. This complies with the Council's 2017 Parking Standards which would allow for a maximum of 20 spaces. Forty-five cycle parking spaces have also been proposed which meets the cycle parking requirement. The cycle parking will be secure and internal. Transport has raised no objections to the proposal.

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

d) Amenity

Amenity of future occupiers

The internal floor area of each flat complies with the minimum standards as set out in the Edinburgh Design Guidance and the proposed communal greenspace provision exceeds the 10 square metres per dwelling and exceeds the 20% minimum as set out by LDP policy Hou 3. The minimum Average Daylight Factor has been met for the ground floor properties which would indicate that it would also be achieved for the rest of the site.

The proposal would provide acceptable levels of amenity for future occupiers.

Neighbouring Amenity

Daylight

Information has been submitted showing that the vertical sky component (VSC) of the housing block to the east will be 80% or greater of the current VSC and therefore in compliance with the requirements of the Edinburgh Design Guidance.

Sunlight to existing garden and spaces

The removal of the existing buildings, that are currently hard to the boundary, would facilitate an improvement to sunlight to the rear gardens of Gilmore Place when using the 45 degree line method.

Privacy

The closest potential window to window distance is over 22 metres, so the proposal would not raise any issues regarding privacy in relation to neighbouring windows. The proposal is also acceptable in relation to the neighbouring gardens.

e) Other considerations

Affordable Housing

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

The proposal is for 20 units and therefore five affordable homes are required. The applicant has an agreement with a registered social landlord to provide nine homes for mid-market rent housing on site. The affordable housing policy provision will be secured by a Section 75 Legal Agreement.

The proposal complies with LDP policy Hou 6.

Education and Infrastructure

The sites lies within a number of contribution zones as identified in the Finalised Developer Contributions and Infrastructure Supplementary Guidance, August 2018.

The site falls within the 'Boroughmuir James Gillespie's Education Contribution Zone'. Based on the assessment of 15 flats (the five one bedroomed properties are excluded), a total infrastructure contribution of £14,700 (index linked) would be required. Subject to the conclusion of a legal agreement, the proposal complies with LDP policy Del 1.

The site falls within the Roseburn to Union Canal transport contribution zone. Actions include upgrading and extending the cycle/footpath and improvements to Dalry Community Park. Based on a rate of £277 per dwelling, the required contribution for this proposal is £5,540.

The site lies within the Polwarth healthcare contributions zone. A contribution of £71.40 per dwelling (total £1,428) is required towards the expansion of Polwarth medical practice.

Impact on the character and appearance of the Conservation Area

A small area of the south west of the site falls within the Marchmont, Meadows and Bruntsfield Conservation Area. The buildings that are currently onsite are of no architectural value and are to be replaced with a building of a high quality design. The regeneration of the site will have a positive impact on the wider area and therefore the proposal will enhance the character and appearance of the conservation area.

Trees

There are no trees on the site, although there are trees in the adjacent land that may be affected by the development. The applicant has submitted details of root protection plans. A condition has been attached to ensure that any part of the trees falling within the site are adequately protected.

The proposal accords with LDP policy Env 12.

Protected Species

No objection has been raised with regards to protected species. Impacts on protected species are acceptable.

Environmental Protection

Following consultation, Environmental Protection has offered no objection to the proposal. Conditions have been requested regarding a contaminated land survey and electric charging points at parking spaces. A condition requiring a site survey and potential remedial work is proposed. An informative has been included in respect of the provision of electric charging points.

Scheduled Monument

Historic Environment Scotland made no comment with regards to the proposals impact on the Union Canal Scheduled Monument. Impacts on the scheduled monument are acceptable.

Archaeology

The Council's Archaeologist has recommended a condition is attached requiring an archaeological programme of works is undertaken prior to work commencing on site.

The proposal accords with LDP policy Env 9.

Canals/Public Realm

Scottish Canals are supportive of the application and the high quality mixed-use regeneration.

In terms of public realm, the streetscape along Lower Gilmore Place is not included within the application boundary.

The Fountainbridge Development Brief envisages public realm improvement along Lower Gilmore Place specifically to enable the creation of a pedestrian priority environment. The LDP requires proposals to create streetscape in accordance with the Fountainbridge Public Realm Strategy. However, this strategy doesn't cover sites to the south of the Canal.

Lower Gilmore Place is part of the National Cycle Network and the Council's Active Travel team now considers that it has potential to become a cycle priority street. It has drafted an initial cycle priority design but the proposal has not been sufficiently worked up to calculate costs. Furthermore, it is not included in the LDP, LDP Action Programme, the Fountainbridge Development Brief or the Fountainbridge Public Realm Strategy and there has been no community consultation on the proposal. There is therefore no basis on which to require the applicant to make a contribution towards this - to do so would be contrary to the tests set out in Scottish Planning Circular 3/2012 Planning Obligations and Good Neighbour Agreements.

Economic Development

Economic Development has concluded that the gross value added by the current use would exceed that of the proposed use. However, the benefits of the proposed development and the regeneration of the site outweigh the economic impacts.

f) Equalities and Human Rights

This application was assessed in terms of potential impacts on human rights and equalities. No impacts were identified.

g) Public comments

Ninety letters of representation have been received: 61 objecting to the proposal, 28 in support and 1 neutral comment.

Material considerations

Objections:

- Design: this has been addressed in section 3.3(b).
- Height and massing: this has been addressed in section 3.3(b).
- Transport/traffic: this has been addressed in section 3.3(c).
- Public realm: this has been addressed in section 3.3(e).
- Office not needed: this has been addressed in section 3.3(a).
- Privacy: this has been addressed in section 3.3(d).
- Overshadowing: this has been addressed in section 3.3(d).
- Overdevelopment: this has been addressed in section 3.3(a).
- Loss of businesses: this has been addressed in section 3.3(e).
- Bat survey: this has been addressed in section 3.3(e).
- Boundary wall materials: a condition has been attached to cover this.

Supporting Representations:

- Redeveloping brownfield site: this has been addressed in section 3.3(a).
- Improving frontage of canal: this has been addressed in section 3.3(b).
- Provision of affordable housing: this has been addressed in section 3.3(e).
- Providing housing: this has been addressed in section 3.3(a).

Community Council

Tollcross Community Council did not request to be a statutory consultee but has written in support of the application.

Non-material considerations

- Construction noise.
- Loss of view.
- Clothes drying provision.
- Location of people making representations.
- Choice of trees for the landscaping.
- Potential for short-term lets.
- Child protectio

Conclusion

The proposed residential development of the site, incorporating a commercial unit, is supported by the adopted Edinburgh Local Development Plan and is acceptable in principle. The proposal is acceptable in terms of form, scale, choice of materials and positioning, and there will be no detrimental impact on the character of the surrounding area. There will be no detrimental impact on the amenity of neighbouring residents and the proposal will provide sufficient amenity to meet the needs of future residents. There are no issues regarding road safety or parking.

The proposal is acceptable subject to a suitable legal agreement being entered into related to affordable housing, transport, education and healthcare.

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

3.4 Conditions/reasons/informatives
Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.

2. Prior to the commencement of work on site, details of the materials to be used in the boundary wall shall be submitted to the Planning Authority for written approval.

3. 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.

c) 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.

4. 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.

5. Any part of trees falling within the development 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".

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.

2. In order to enable the planning authority to consider this/these matter/s in detail.

3. In order to safeguard public safety.

4. In order to safeguard the interests of archaeological heritage.

5. 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.

4. Permission should not be issued until the applicant has entered into a suitable legal agreement to cover the following requirements:

   – the affordable housing policy provision of five units.

- £14,700 (index linked based on the increase in the BCIA Forecast All- In Tender Price Index from Q4 2017 to date of payment) towards education actions in the relevant contribution zone.
- £5,450 towards transport and related greenspace actions within the Roseburn to Union Canal transport contribution zone.
- £1,428 towards the expansion of Polwarth medical practice.

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.

5. a) 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;
b) Applicant to provide 45 cycle parking spaces and complies with the Council's minimum cycle parking requirement (45) for the proposed development.
c) Raised junction to be provided for the site access junction on Lower Gilmore Place to provide pedestrian priority.
d) The applicant is required to reinstate full height kerb and footway at all dropped kerb areas of the footway fronting the proposed development.
e) The applicant should be advised that as the development is located in Zones 1 to 8, they will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category A - New Build);
f) 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;
g) 1 electric vehicle charging outlet to be provided 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.

6. The residential parking space highlighted on drawing number Level 00 Plan 1703 (PL) 201 dated February 2019shall be served by 7Kw (32amp) Type 2 electric vehicle charging sockets and shall be installed and operational in full prior to the development being occupied.

7. The bat survey data is valid for 18 months. An update is therefore recommended if works on site have not been undertaken by December 2020 in order to ensure that bats have not started using the potential roosting features in the interim period.

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

Following statutory neighbour notification and advertisement in the Edinburgh Evening News on 15 March 2019, 90 letters of representation have 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	The site is located in the Urban Area as defined by the adopted Edinburgh Local Development Plan.
Date registered	19 February 2019
Drawing numbers/Scheme	01-04, 05A, 6-14,

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

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

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

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

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

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

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

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

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

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

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

Appendix 1

Application for Planning Permission 19/00789/FUL
At 7 GF, 7 IF, 8, 10, 10A & 10B Lower Gilmore Place, Edinburgh,
Demolition of all buildings on site and erection of office (Class 4) and flatted residential development with associated car parking and landscaping.

Consultations

Transportation

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

1. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
2. Applicant to provide 45 cycle parking spaces and complies with the Council's minimum cycle parking requirement (45) for the proposed development.
3. Raised junction to be provided for the site access junction on Lower Gilmore Place to provide pedestrian priority.
4. The applicant is required to reinstate full height kerb and footway at all dropped kerb areas of the footway fronting the proposed development.
5. The applicant should be advised that as the development is located in Zones 1 to 8, they will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category A - New Build);
6. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;
7. 1 electric vehicle charging outlet to be provided 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

a) 7 car parking spaces including 1 disabled parking space being provide complies with the Council's 2017 Parking Standards which could allow a maximum of 20 spaces. The site has good public transport accessibility.

b) Refuse collection per existing arrangement on Lower Gilmore Place.

c) Most of the estimated trips for the proposed development are by sustainable transport with an estimated 3 two-way vehicular trips for each of the AM and PM peak.

d) The Council have produced preliminary design for cycle Priority Street on Lower Gilmore Place. The proposal include widening of the footways on each side of Lower Gilmore Place to 2.2m, raised crossings on both ends of Lower Gilmore Place and road markings and signs to improve walking and cycling. The Council do not have a cost estimate for the improvements to this street and therefore cannot reasonably require contributions from this development.

Scottish Canals

We offer our continued support for the proposed high quality, mixed use regeneration of this canalside development site, which coupled with the development sites opposite the canal, will help to create a vibrant new quarter in the City's fabric. Integration of residential accommodation will help bring life to the street outside business hours and will help in creating a community on this important part of the canal.

The application relates specifically to the building envelope and immediate pavement area. We appreciate that the developer is keen to address the wider street frontage and we would welcome this approach, which should be encouraged by the Council. It is a street which is not welcoming and suffers from graffiti. Together with the current surface treatment, unsatifactory parking and bin arrangements, it does not feel like a safe place to cycle and walk - and it is part of the NCN link across to the Meadows from the canal towpath. We would encourage the applicant and Council to engage in plans to transform the street into a shared surface and completing the sustrans cycle path from the Meadows to the Union Canal. It is important that this compliments the public realm improvements proposed for the canalside towpath areas in the vicinity and significant development sites opposite to create a unified sense of place over time that celebrates its canalside location. We would further note that with the progression of a number of planning applications within the Fountainbridge area, that the Local Authority would benefit from a cohesive strategy in relation to delivery of previously required section 75 terms in order to create a joined up public realm across the land parcels.

The canal offers the site a unique waterside setting which we are keen to see celebrated and enhanced with treatment appropriate to its heritage and character. This will help to ensure that the Union Canal, a Scheduled Monument, continues to thrive and be enjoyed by future generations to come. Scottish Canals seeks to work in partnership with the Council with a view to ensuring delivery of the canalside improvements which are strongly supported by local planning policy and the Edinburgh Union Canal Strategy.

For any work occurring adjacent or on Scottish Canals Land, the developer is obliged to seek our Third Party Works Approval through our official process to ensure the integrity of the canal structure. This can be found at: https://www.scottishcanals.co.uk/corporate/our-estate-works-planning/third-party-works/

Environmental Protection

Environmental Protection have previously comment on a similar proposal for this application site (17/04234/FUL & 18/00722/FUL). However, the first application was withdrawn and the other deemed refusal. It is also noted that this current full planning application being considered is for 7-11 Lower Gilmore Place, with a planning permission in principle application having already been submitted for 12-22 Lower Gilmore Place (17/04235/PPP).

The site is currently occupied by a mixture of residential properties, businesses (mainly garages), and derelict warehouses. To the south of the site is the Union Canal with mooring for pleasure craft, houseboats and boats used for commercial purposes, including a small floating café. Lower Gilmore Place and the canal are busy pedestrian thoroughfares and designated cycle paths. Beyond the canal is a derelict site, occupied during the Edinburgh Fringe festival as a venue, and currently subject to a planning application for development into residential dwellings and a hotel.

To the north of the site are private gardens, which are enclosed by properties along Gilmore Place and Lower Gilmore Place. Properties on the northern side of this quadrant comprise residential flats, a children's day nursery and a small vehicle repairs and servicing garage. There are several residential properties and hotels (holiday lets) to the east and west of the site.

The proposal includes 20 residential units with 7 parking spaces according to the application, the application site as advised by the applicant is located within the Fountainbridge Proposal area of the Local Development Plan and shown as sites for housing led mixed use development in the Fountainbridge Development Brief. The applicant has provided supporting documents regarding noise, local air quality and contaminated land. This previously included confirmation of the use of the existing garage under the office currently used by the parking wardens. This garage is only used for parking and of vehicles that are used by the office workers and no servicing takes place in this garage.

The applicant has submitted a supporting Noise Impact Assessment which has investigated the proposal and the predicted noise generated from the development and demonstrated how it will be acceptable in terms of residential amenity. The number of existing industrial uses which would be removed if this development is consented resulting in the removal of more problematic noise generating sources and replacing them with mostly residential uses. The noise impact assessment has also assessed the potential noise impacts on the proposed residential properties. The applicant has identified that there may be minor exceedances of the required internal noise criteria set by Environmental Protection. However, it is accepted that there were confounding factors during the noise measurements taken that could not have been avoided such as construction noise from neighbouring development sites. Therefore, noise levels will reduce when construction noise ends. It is also accepted that residential use in the area is established already.

No specific formal noise mitigation measures are required for the detailed application.

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

The applicant has submitted a supporting air quality impact assessment due to the site proximity to the city centre air quality management area. The applicant was provided advice during the pre-planning stage to ensure emissions were kept to a minimum. It is welcomed that the applicant has reduced the number of car parking spaces from that of previous planning applications. The applicant also includes the provision of photovoltaic panels which is a good mitigation measure to reduce energy demand and emissions.

The air quality impact assessment has highlighted that there may be adverse impacts during the construction phase. The assessment has highlighted construction phase mitigation measures that Environmental Protection recommend are attached as an informative. Air quality mitigation for the operational phase can be limited however the applicant must ensure that as a minimum they install electric vehicle charging points in accordance with the Edinburgh Design Standards and install low NOX boiler to the residential properties.

The applicant has included the installation of an electric vehicle charging point which is highlighted in drawing number (Level 00 Plan 1703 (PL) 201 dated February 2019). It should be highlighted that this meets the minimum requirements stipulated in the Edinburgh Design Guidance. Edinburgh has made huge progress in encouraging the adoption of electric/hybrid plug-in vehicles, through deployment of extensive charging infrastructure. As plug-in vehicles make up an increasing percentage of the vehicles on our roads, their lack of emissions will contribute to improving air quality. This site is located near an AQMA therefore the applicant should consider installing charging points for all spaces. This will ensure all vehicle users will have easy access to charging facilities.

As a minimum Environmental Protection would recommend that 7Kw (32amp) Type 2 charging sockets are installed for all parking spaces. Information on chargers is detailed in the Edinburgh Design Standards Technical Information Design Standards.

Therefore, on balance Environmental Protection offer no objection subject to the following condition

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

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

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

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

2. The residential parking space highlighted on drawing number Level 00 Plan 1703 (PL) 201 dated February 2019shall be served by 7Kw (32amp) Type 2 electric vehicle charging sockets and shall be installed and operational in full prior to the development being occupied.

Informative

1. All remaining residential parking spaces shall be served by a minimum 3 Kw (16-amp three pin plug) with an optional upgrade to 7Kw (32amp) Type 2 electric vehicle charging sockets. These should be installed and operational in full prior to the development being occupied.

Construction Mitigation

a) All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.

b) The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.

c) Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.

d) Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.

e) All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.

f) Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.

g) This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.

h) No bonfires shall be permitted.

Economic Development

Commentary on existing use
The application relates to a 0.12 hectare site bound by Lower Gilmore Place to the north, 6 Lower Gilmore Place to the east, gardens of the residential properties on Gilmore Place to the south, and 12 Lower Gilmore Place to the south. The site is currently occupied by the following properties:

- 7 Lower Gilmore Place: a ~525 sqm derelict industrial building;
- 8 Lower Gilmore Place: a 329 sqm 1960s store;
- 10 Lower Gilmore Place: a 202 sqm 1970s office (Pregnancy and Parents Centre);
- 10A Lower Gilmore Place: a 218 sqm 1990s warehouse (garage);
- 10B Lower Gilmore Place: a 205 sqm 1990s warehouse (martial arts school).

The economic impact of the units in question if fully occupied can be estimated:

- 7, 8, 10A, and 10B Lower Gilmore Place (1,277 sqm): the Employment Densities Guide (3rd edition) quotes a mean employment density for light industrial properties of one FTE employee per 47 sqm. This gives an estimated direct employment impact for the units if fully occupied at this density of 27 FTE employees (1,277 ÷ 47). Per the Scottish Annual Business Statistics, the mean GVA per annum for the manufacturing and transport and storage sectors in Edinburgh is £62,525 (2016 prices). This gives an estimated direct gross value added (GVA) impact for the units if fully occupied of £1.69 million per annum (2016 prices) (27 × £62,525).
- 10 Lower Gilmore Place (202 sqm): this office has most recently been used by the third sector; the Employment Densities Guide (3rd edition) quotes a mean employment density for third sector office properties of one FTE employee per 12 sqm. This gives an estimated direct employment impact for the unit if fully occupied at this density of 17 FTE employees (202 ÷ 12). Per the Scottish Annual Business Statistics, the mean GVA per annum for the information and communication; professional, scientific and technical activities; and administrative and support service activities sectors (the major sources of office demand) in Edinburgh is £68,845 (2016 prices). This gives an estimated direct GVA impact for the unit if fully occupied of £1.17 million per annum (2016 prices) (17 × £68,845).

This gives a total estimated economic impact for the existing units if fully occupied of 44 FTE jobs (27 + 17) and £3.86 million of GVA per annum (2016 prices) (£1.69 million + £1.17 million). It is recognised however that the poor condition of 7 Lower Gilmore Place means achieving full occupancy may be unrealistic.

As the site is below one hectare, the clause of policy EMP 9 of the Edinburgh Local Development Plan (requiring the incorporation of "floorspace designed to provide for a range of business users" does not apply).

The commercial needs study of Edinburgh's industrial property market commissioned by the Council in 2018 found that there are pressures on the supply of industrial space in Edinburgh with a low vacancy rate (4.9%) and most of the existing stock being over 40 years old and approaching obsolescence. Around two-thirds of demand is for units of less than 464 sqm (such as the units in question). The loss of existing industrial capacity is therefore unfortunate. However, the study recognises that demand for industrial space is increasingly focused on well-connected locations on the outskirts of Edinburgh. Given its central location coupled with the surrounding residential uses, it is recognised that 7-10 Lower Gilmore Place is unlikely to be suited to continued industrial use.

Commentary on proposed uses

Class 4 - Business
The development as proposed would deliver 216 sqm (gross) / 186 sqm (net) of class 4 space in the form of ground floor unit to the east of the pend. Based on the mean employment density of one FTE employee per 12 sqm quoted above, this gives an estimated direct employment impact for the unit if fully occupied at this density of 16 FTE employees (186 ÷ 12). Based on the mean GVA per annum figure quoted above of £68,845 (2016 prices), this gives an estimated direct GVA impact for the unit if fully occupied of £1.10 million per annum (2016 prices) (16 × £68,845).

There is a growing shortage of office space in Edinburgh due to a combination of strong demand, a weak development pipeline, and the loss of existing spaces to other uses. The office space provided within the new development will largely offset the loss of existing space while replacing a 1970s office building with modern space on a single storey. Providing modern office space in this location will help reinforce Fountainbridge as an office hub, complementing the larger floor-plate offices to the north of the Union Canal.

The design of the office space incorporates floor-to-ceiling glazing fronting onto Lower Gilmore Place. Full height ground floor windows immediately adjacent to a footway are in some cases unpopular with office occupiers due to the "fishbowl" effect this creates; this design could potentially be revisited to increase the attractiveness to occupiers.

Sui generis - Flats
The development as proposed would deliver 20 flats (five one-bedroom, 11 two-bedroom and four three-bedroom). These would not be expected to directly support any economic activity. However, the units could be expected to support economic activity via the expenditure of their residents. Based on average levels of household expenditure in Scotland, the residents of the 20 flats could be expected to collectively spend approximately £0.51 million per annum (2016 prices). Of this £0.51 million, it is estimated that approximately £0.26 million could reasonably be expected to primarily be made within Edinburgh. This £0.26 million could be expected to directly support approximately 2 FTE jobs and £0.10 million of GVA per annum (2016 prices), primarily in the retail, transport, and hospitality sectors.

Other considerations
The Edinburgh Canal Strategy approved by the Council's Planning Committee on 8 December 2011 identifies Lower Gilmore Place as an area for "possible improvement for waterside frontage". The Canal Development Principles within the strategy identify that developments should "be orientated so that of buildings optimise views of the water, generate natural surveillance of water space, and encourage and improve access to, along and from the water."

Lower Gilmore Place is currently characterised by narrow pavements (below 2m wide). The Edinburgh Street Design Guidance indicates that the minimum footway width for a local high-density residential street is 2m (with a desirable width of 2.5m+). The development as proposed retains the existing building line meaning the footway is below the 2m minimum. This may represent a missed opportunity to extend the pavement width to the minimum standard.

SUMMARY RESPONSE TO CONSULTATION

It is estimated that the office space within proposed development could, if fully occupied, be expected to directly support approximately 16 FTE jobs and £1.10m of GVA per annum (2016 prices). Expenditure by residents of the new dwellings could potentially support a further 2 FTE jobs and £0.10 million of GVA per annum (2016 prices), giving a total economic impact associated with the development of 18 FTE jobs and £1.20m of GVA per annum (2016 prices).

By comparison, it is estimated that the existing buildings could, if fully occupied, be expected to directly support approximately 44 FTE jobs and £3.86m of GVA per annum (2016 prices).

Communities and Families

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

In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2019).

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

Assessment and Contribution Requirements

Assessment based on:
15 Flats (5 one bedroom flats excluded)

A PPP application is currently being considered for a later phase of the development which also proposes new flats, although the exact number has not been confirmed (17/04235/PPP).

This site falls within Sub-Area BJ-1 of the 'Boroughmuir James Gillespie's Education Contribution Zone'.

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

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

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

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

Total infrastructure contribution required:
£14,700

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.

Historic Environment Scotland

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the demolition of all buildings on site and the erection of office (Class 4) and flatted residential development with associated car parking and landscaping.

The site adjacent to the southern bank of the Union Canal, a Scheduled Ancient Monument, close to the site of the canal's former Lochrin Basin. The Canal was constructed between 1818 and 1822 under the auspices of the engineer Hugh Baird. Kirkwood's 1821 Plan of Edinburgh shows the site as primarily overly the rear gardens for town houses fronting onto Gilmore Place, though a range of possible industrial/commercial buildings may be seen occupying the eastern corner plot of Lower Gilmore Place (now occupied by modern residential flats). The redevelopment of these gardens happens between the OS maps of 1876 &1893, with remains of these buildings likely to be incorporated within the current range of industrial/commercial units occupying the site.

Archaeological evidence for significant medieval occupation in this area was uncovered from Headland Archaeology's 2012 excavations at the nearby Lochrin Basin, in the form of pits, large boundary ditch and artefacts suggesting the location of an unknown settlement close by.

Therefore, the application site is regarded as occurring within an area of archaeological potential and containing locally important historic industrial buildings. Accordingly, this application must be considered under the terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and CEC's Edinburgh Local Development Plan (2016) Policies ENV4, ENV8 & ENV9.

The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Historic Buildings
The modern residential development on the corner of Lower Gilmore Place is not considered to be of archaeological interest. However, although unlisted, the range of late 19th and 20th century industrial buildings located across this site to the west of this building are considered to be of local significance in terms of Fountainbridge and the Canal's former industrial heritage. As such the demolition of the industrial/commercial units must be regarded is having a significant adverse impact, however not significant enough to warrant their retention.

That said it is recommended that a historic building survey (phased internal and external elevations and plans, photographic and written survey and analysis) of all these surviving buildings is undertaken prior to and during their demolition. This is required to provide permanent records of these industrial/commercial buildings.

In addition, demolition shall be limited in the first instance to above ground works only, with no grubbing up of wall foundations nor ground floor surfaces. This is in order to avoid any impacts upon the site's potential significant buried remains until the results of the phase 1 archaeological works outlined below have been undertaken.

Buried Archaeology
This site is regarded as being of archaeological significance primarily in terms of its later industrial heritage. However, given the results from Headland's work in 2012 the site also has a low-moderate potential for containing earlier medieval/post-medieval remains.

The proposed development will require extensive excavations in terms of demolition, construction, landscaping, utilities etc which will adversely impact upon any surviving remains. However, I agree with AOC's assessment in their updated DBA, that the significance of such impacts is likely to be low-moderate. It is recommended however that if consent is granted, that as part of the overall archaeological mitigation a phased programme of archaeological excavation is undertaken prior to development.

The initial phase of this work will require the undertaking of an archaeological evaluation (up to a maximum of 10% of the site) post demolition. The results of which would allow the production and agreement off more detailed mitigation strategies to ensure the preservation and full excavation, recording and analysis of any further surviving archaeological remains.

Archaeological Public Engagement
Given the potential importance of these remains it is essential that the excavations contain provision for a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) the scope of which will be agreed with CECAS.

It is recommended that these programmes of works be secured using a condition based upon the model condition stated in PAN 42 Planning and Archaeology (para 34), as follows;

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

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

<u>Affordable Housing</u>

1. Introduction

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

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

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

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

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

2. Affordable Housing Provision

This application is for a development consisting of 20 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (five) homes of approved affordable tenures.

The delivery of affordable housing on this site is achieved through allocation of commuted sums funding to Dunedin Canmore Housing (a Registered Social Landlord). The sum required is approximately £37,000 per flat for the nine affordable homes that will be provided. Dunedin Canmore will deliver these nine homes for social and mid-market rent on site.

This will mean that Dunedin Canmore have complete ownership of a block within the development, and it represents 45% of the homes on site - significantly above the AHP requirement of 25%. The proposal will deliver a mix of one, two and three bedroom flats which will be representative of the wider provision of housing on site. This is welcomed by this department.

Without the commuted sums funding to help supplement the project shortfall arising from the purchase of four additional homes, it is highly unlikely that any onsite affordable housing could be provided. Without complete ownership of a block, Registered Social Landlords are likely to encounter mixed tenure ownership issues which hinder management and maintenance of the affordable homes. Strategic targeting of commuted sums in this instance will result in nine affordable homes being delivered onsite in the City Centre Ward.

The affordable homes are required to be tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.

In terms of accessibility, the affordable homes are situated within close proximity (within 400 metres) of regular public transport links and are located next to local amenities. It is important that an equitable and fair share of parking for affordable housing, consistent with the parking requirements set out in the Edinburgh Design Guidance, is provided.

The affordable housing policy provision for this application (5 homes) will be secured by a S75 Legal Agreement.

3. Summary

The applicant has an agreement with a Registered Social landlord to provide nine homes for mid-market rent housing and this is welcomed by the department. The affordable housing policy provision will be secured by a Section 75 Legal Agreement. This department welcomes this approach which will assist in the delivery of a mixed sustainable community as well providing additional affordable homes for rent above the 25% AHP requirement.

- The delivery of affordable housing on this site is dependent on the provision of a commuted sum
- The affordable homes will be a mix of social rent and mid-market rent flats.
- All the affordable homes must meet the Edinburgh Design Guidance and also meet the relevant Housing Association Deign Guidance size and space standards
- In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be expected to be identical in appearance to the market housing units, an approach often described as "tenure blind"
- The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.

Flooding

No objection to the proposal.

Edinburgh Urban Design Panel

1 Recommendations
1.1 The Panel was supportive of the redevelopment of the site and agreed that a creative and coherent proposal will represent a significant improvement to the existing site in addition to guiding future patterns for development along the canal. The Panel noted that the development has the potential to be unique and special.
1.2 In developing the proposals the Panel suggests the following matters should be addressed:
o Relationship with the Union Canal and the wider redevelopment of Fountainbridge
o Strong and active development frontages
o Street and canal edge as an active space as well as a movement corridor
o Creation of responsive and coherent built form
o High quality amenity spaces
o Improved security

2 Introduction
2.1 The application site is located on the south of the Union Canal and south west of Lochrin Basin and incorporates the length of Lower Gilmore Place. To the north across the canal is the cleared site of the former Scottish and Newcastle Brewery and the Edinburgh Quay development. Immediately to the west is the Leamington Lift Bridge. The Union Canal is a scheduled monument.

2.2 The application site forms part of the wider Fountainbridge area and is identified in the Edinburgh Local Development Plan (LDP) as Strategic Development Area CC3. This sets out seven development principles which reinforce the approved development brief in relation to the comprehensive redevelopment of the site. Policies support the development of the site for housing led, mixed use development.
2.3 The site also falls within the area covered by the Fountainbridge Development Brief, approved on 3rd November 2004, and amended 1st December 2005. The brief seeks to ensure development proposals within this area introduce an appropriate mix of uses with vibrant building frontages, a hierarchy of routes and spaces with a high degree of permeability offering high quality public realm for pedestrians and cyclists.

2.4 An application for planning permission will be submitted for residential development with associated landscaping and parking. No details have been submitted regarding design, access arrangements, unit numbers or type. A Proposal of Application Notice has been submitted.
2.5 This is the first time that these proposals have been reviewed.
2.6 No declarations of interest were made by any Panel members in relation to this review.
2.7 This report should be read in conjunction with the pre meeting papers which provide a project and planning overview, local context plans with photos, site analysis, indicative framework and a concept proposal.
2.8 This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations who are represented at the Panel forming a differing view about the proposals at a later stage.

3 Relationship with the Union Canal and the wider redevelopment of Fountainbridge
3.1 The Panel supported the redevelopment of the site as part of the wider Fountainbridge development and noted that the creation of a coherent, well-articulated proposal will set a good precedent for future development in the area.
3.2 The Panel acknowledged that whilst the canal and its immediate edge sits outwith the site boundary, it is critical that its relationship with the development and Lower Gilmore Place is considered and illustrated as part of the proposals to ensure a coordinated and inclusive urban design solution. The Panel emphasised the need for both visual and physical connectivity at the interface of the development and the canal side.
3.3 The Panel noted that the creation of a welcoming canal-side environment needs to be carefully balanced with protecting the amenity of canal residents.
3.4 The Panel stated that in order to address both the above and a well-designed public realm the developer should engage in early discussion with the City of Edinburgh Council and Scottish Canals as landowners of Lower Gilmore Place and the canal.

4 Development Footprint and Use
4.1 The Panel was supportive of the illustrative development footprint and agreed that creating a strong built frontage will be an improvement to the existing piecemeal building placement.
4.2 The Panel welcomed the mix of residential and business uses and noted that there is a shortage of small businesses premises. Studio space on the ground floor should be considered as part of this offer to support local businesses, along with the potential for licensed premises.

5 Movement and Parking
5.1 The Panel welcomed the principle of improving the environment of Lower Gilmore Place and agreed that the focus should be on pedestrians with good provision for cyclists.
5.2 The Panel emphasised that the street should not be treated solely as a movement corridor but also as a space which provides amenity and encourages activity. Soft landscaping should be explored to reduce the hardness of the street.
5.3 The Panel supported the proposal for limited car parking provision to reflect the accessibility of the location and to maximise amenity space. If provision is to be made for on-street car parking its management should be carefully considered to prevent solid areas of parking which would detract from the quality of the public realm.
5.4 The Panel noted that secure cycle parking should be incorporated into the proposals.

5.5 The Panel considered that the relationship between pedestrian/cycle movement and car access/parking needs to be explored so that conflict is avoided.
5.6 The Panel noted reference to a new pedestrian bridge in the Fountainbridge Development Brief from Lower Gilmore Place across the canal, and agreed that further clarity on this should be included in the submission.

6 Amenity
6.1 The Panel raised concern regarding the quantity and quality of amenity space, and noted that the provision appeared to be overly fragmented.
6.2 The Panel stated that the rear gardens appear to be too small to be of value and the impact of the proposed and surrounding buildings needs to be carefully considered in terms of overshadowing.
6.3 The Panel supported the principle of roof gardens however noted that their design needs to be explored further to avoid a series of uninspiring grassed areas. The Panel advised that the design and location of PVs should not detract from the usability or amenity of the roof gardens. The Panel also stated that the impact of the development on privacy of surrounding occupiers should be assessed to avoid adverse impacts.
6.4 The Panel were supportive of the provision of the majority of the flats as dual aspect. Daylighting analysis needs to be undertaken to demonstrate that acceptable levels of internal amenity will be achieved.

7 Scale and Design
7.1 The Panel considered that there is great potential to deliver a unique and special development if handled well architecturally and creativity is encouraged. The Panel noted a preference for the design sketches issued prior to the meeting.
7.2 The Panel noted that presently there is a general lack of cohesiveness in the built form on the site and along the canal in general, and that this should not be a template for future development.
7.3 The Panel was supportive that the indicative proposals comprised a building spanning the length of the site with a general unity it its form and design. The linearity of the built form reflects the linearity of the canal which is positive. The Panel stated that careful consideration is needed in relation to how the building is articulated and references to its industrial context should be authentic.

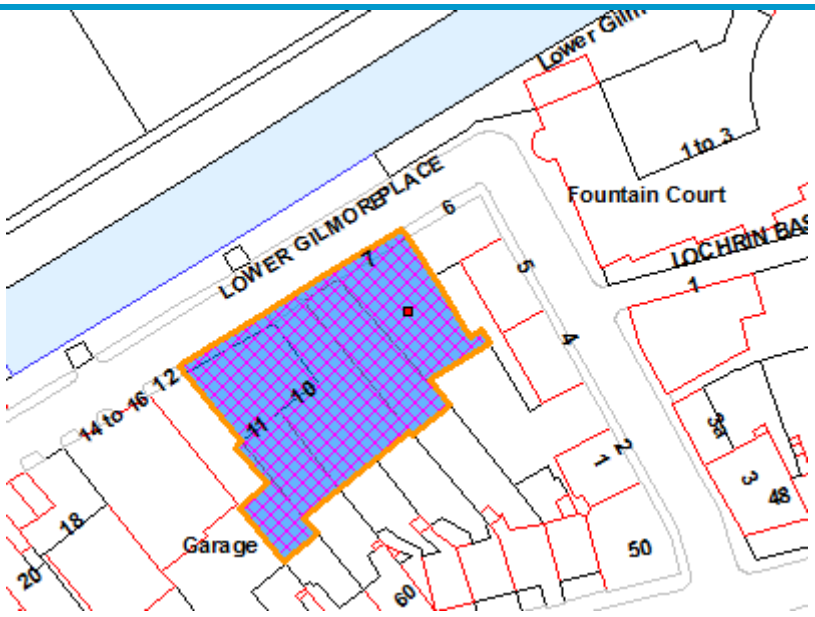
7.4 The Panel raised concern that the scale and massing of the initial sketch proposal is too large and careful consideration is needed to avoid dominating the setting and resulting in poor quality amenity space, particularly in terms overshadowing. The Panel suggested that the proposal should acknowledge the village like character of Lower Gilmore Place rather than trying to respond to the new canal side buildings proposed opposite.
7.5 The Panel noted that precedent images which explored roof articulation based on a warehouse-style architecture could be an interesting response but design innovation need not be constrained by historical referencing particularly if it is not directly relevant. The Panel stated that the area did not have a particular link to warehouses and historical references therefore need to be explored further if this is to inform the design.
7.6 The Panel stated that focal points at the edges of the proposed building should be explored to add interest. The Panel noted that there is a prospect that architectural interest and activation will be restricted to the building's Lower Gilmore Place frontage, which should not be the case.

7.7 The Panel noted that the design of the sides and rear elevations are important and therefore also require to be of a high design quality. It was also noted that the scale of the building relative to properties to the north needs to be carefully considered.
7.8 The Panel considered that a simple palette of materials should be used and were supportive of the use of brick. Concern was raised with the use of materials such as bronze. The Panel noted that the use of contrasting bricks could be used to help break up and add rhythm to the elevations, and that the rhythm could be designed in the horizontal rather than the vertical to emphasis the site's linearity.

8 Sustainability
8.1 The Panel supported the proposed use of PVs and encouraged the use of creative designs such as PV roof tiles to enhance the proposal and maximise roof garden space.

9 Security
9.1 The Panel noted that currently the canal wall opposite the site, which is likely to be part of the scheduled monument status of the Union Canal, has become a canvas for graffiti as well as preventing a positive relationship and allowing mutual overlooking between the canal, Lower Gilmore Place and the development site.
9.2 The Panel suggested there would be significant merit in either reducing the height of the canal wall to its original cope or removing it completely to assist with this issue, however early engagement with Historic Environment Scotland was recommended to determine if Scheduled Ancient Monument consent would be required.
9.3 The Panel noted that high metal fencing along the canal also detracts from the amenity of the area and solutions to this should also be explored.
9.4 The Panel suggested that lighting options should be explored to enhance security particularly along Lower Gilmore Place.
9.5 The Panel acknowledged that whilst street lighting and boundary treatment along the canal relates to land outwith the site, early engagement with Scottish Canals, Historic Environment Scotland and Police Scotland should be undertaken to explore how these issues may be tackled as they will have significant impact on the site.
9.6 The Panel stated that walking and cycling along Lower Gilmore Place feels unsafe, and the creation of an active frontage in the development particularly at ground level is critical.

Location Plan



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Development Management Sub Committee

Wednesday 9 October 2019

Application for Planning Permission 19/01970/FUL
At 24 Westfield Road, Edinburgh, EH11 2QB
Erection of purpose built student accommodation, ancillary uses and associated landscaping and infrastructure.

Item number	
Report number	
Wards	B07 - Sighthill/Gorgie

Summary

The proposal is appropriate in design, will provide adequate amenity to future occupiers and will not be to the detriment of neighbouring amenity, in accordance with Local Development Plan policies Des 1, Des 4, Des 5, Hou 4 and the Edinburgh Design Guidance. The proposed development will not result in increased flood risk nor will it have road safety implications. The proposal accords with Hou 8 and Emp 9 of the Local Development Plan.

However the proposal is contrary to Local Development Plan policies Hou 1 and the Council's non-statutory Student Housing Guidance (February 2016) and on balance are considered to be unacceptable.

Links

Policies and guidance for this application	LDPP, LHOU08, LHOU04, LDES01, LDES04, LDES05, LTRA02, LTRA03, LEN21, LEN22, NSG, NSGSTU, NSGD02, LEMP09, LHOU01,

Report

Application for Planning Permission 19/01970/FUL
At 24 Westfield Road, Edinburgh, EH11 2QB
Erection of purpose built student accommodation, ancillary uses and associated landscaping and infrastructure.

Recommendations

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

Background

2.1 Site description

The site is within the Gorgie/Dalry area of Edinburgh west of the City Centre. The site is currently occupied by a furniture showroom which has ceased trading, an office building and a car park associated with the showroom. The site covers approximately 0.31 hectares and is located on the corner of Westfield Avenue and Westfield Road.

The surrounding area is mixed use in nature. The site is bound to the north by a showroom and factory. There is a residential flatted development to the north west of the site on Westfield Avenue. The site is currently accessed via the shared vehicular access with Sainsbury's filling station which bounds the site to the north-east. A Wickes Store is situated to the south-west of the site and to the south-east lies a row of traditional tenements and Sainsbury's carpark.

The Water of Leith is west of the site and can be accessed via the Westfield Avenue housing development.

2.2 Site History

25 October 2018 - Change of Use from Class 1 Retail to Class 11 Performing Arts School (Ref: 18/02387/FUL).

22 October 2018 - Planning Permission for Erection and installation of temporary modular dance studio facility (Ref: 18/03398/FUL).

22 October 2018 - Planning Permission for External alterations forming a new link corridor and new FE exit doorway (Ref:18/03828/FUL).

Main report

3.1 Description Of The Proposal

The application proposes to demolish the existing single storey furniture showroom and erect purpose built student accommodation with associated landscaping and infrastructure on the site.

The proposal provides for 394 bedrooms. Accommodation comprises of shared flats with a mixture ranging from 6-10 bed spaces, and self-contained studio accommodation with common areas, a gym, games room and study spaces.

The proposed building will be an urban block with a flat roof. It will be 6 storeys in height at the corner of Westfield Road and Westfield Avenue, rising to 7 storeys towards the rear of the building. Proposed materials include grey brick, glazing, aluminium framed grey panels, render and precast concrete coursing.

The applicant proposes indoor secure cycle parking for 360 cycles, and 40 external spaces in covered facility. Vehicular parking within the site will be limited to 4 disabled car parking spaces. The applicant also proposes the installation of an energy centre. External amenity space is provided within the site through a courtyard and landscaped areas.

Car parking, cycling parking and refuse facilities are located to the rear of the property, accessed by a vehicular access along Westfield road. Refuse collection is proposed from Westfield Avenue from the internally located refuse store.

The proposal was revised to address flood risk and drainage concerns raised by SEPA. Revised plans were submitted to reflect the changes.

Supporting Statement

The applicant the following information in support of the application:

- Design & Access Statement;
- Planning Policy Statement;
- Pre-application Consultation Report;
- Daylight and Sunlight Report;
- Transport Statement;
- Archaeological Written Scheme of Investigation;
- Viewpoint Assessment;
- Noise Impact Assessment and Air Quality Impact Assessment with addendum;
- Flood Risk Assessment, Drainage Strategy and self-certification forms; and
- Sustainability Statement and Form S1; and
- Economic Impact Assessment.

The above supporting information is available to view on the Planning & Building Standards Online Services.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

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

b) the proposed design, scale, layout and materials are acceptable;

c) the proposal raises any issues relating to neighbouring amenity;

d) the amenity of future residents is protected;

e) the proposal is acceptable in terms of transport, traffic or road safety;

f) the proposed development will not adversely impact upon air quality;

g) the proposed development will not result in increased flood risk;

h) there are any other material considerations;

i) the proposal meets sustainability criteria;

j) there are any impacts on equalities or human rights; and

k) issues raised in material representations have been addressed.

a) <u>Principle</u>

The application site is located in the urban area as designated in the Local Development Plan (LDP). Proposals in the urban area must accord with relevant policies in the LDP and guidance.

Local Development Plan policies Hou 1, Hou 8 and Emp 9 must be considered as well as the Council's non-statutory Student Housing Guidance (February 2016).

Housing

Policy Hou 1 d) prioritises the delivery of housing on sites identified in the LDP, but also on other suitable sites in the urban area in recognition that windfall sites can contribute to land supply. To comply with Hou 1 d), proposals on sites suitable for housing should give consideration to how they might deliver housing as part of any proposals. This policy is intended to apply to all suitable sites in the urban area, including the application site which is vacant and relatively unconstrained for development. Housing has not been considered as part of the application and is not proposed on any part of the site. The application does not accord with LDP policy Hou 1 d).

Student Accommodation

LDP Policy Hou 8 has two requirements for assessing student accommodation. Part a) specifies that 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. Part b) states that development must not lead to an excessive concentration of student accommodation or transient population in the locality to an extent that would adversely affect the area and its established residential amenity or character.

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

Location of student housing

The application site is in a location with good connections to public transport. The site is located on Westfield Road which offers high frequency bus and tram connections to the city and west Edinburgh. Bus stops are located on Westfield Road, 140 metres from the site, and on Stevenson Road, 125 metres from the site. The Murrayfield Stadium Tram and Balgreen Tram Stations are both within walking distance from the site, being located 480 metres and 640 metres from the site. Campuses including Edinburgh Napier, University of Edinburgh and Heriot Watt can also be accessed by bicycle. Furthermore, these campuses can all be reached by walking from the site.

The application therefore accords with LDP policy Hou 8 a).

Concentration of student housing

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

The nearest operational student accommodation developments to the site is located at The Mill House, Napier University Student Accommodation at Slateford Road, and Wireworks Student Accommodation.

Based on census data for the site and its immediate surrounding area, the local student population consists equates to 11% of the population. This proportion would not lead to an over-concentrated student population in the area and satisfies part b) of the policy.

Overall, the erection of student accommodation would not result in an excessive concentration of student housing in the area, and is accessible to the university and college facilities.

The proposal accords with LDP policy Hou 8 parts a) and b) however the supporting text of the policy refers applicants to further material considerations in Council guidance that must also be considered.

Student Housing Guidance

The student housing guidance sets out the locational and design guidance to be applied for student housing. Part a) accepts student housing in locations within or sharing a boundary with a main university, or outwith criteria b) student housing will generally be supported on sites with less than 0.25ha of developable area. The application site is greater than 0.25 hectares. The proposals do not accord with criteria a) or b) of the guidance.

Criteria c) of the guidance requires sites with a developable area of over 0.25 hectares to include 50% of the gross student accommodation floor area as residential housing. The application site measures 0.31 hectares and has a developable area of 0.31 hectares. No housing is included as part of the application and the proposal does not accord with criteria c).

Criteria d) of the guidance states that student accommodation should comprise a mixture of accommodation types including clusters. The proposal provides for a mix of studio and cluster accommodation. The application therefore accords with this requirement.

The applicants have submitted an Impact Statement which examines the implications of delivering a 50/50 (student/residential) on the site. The report argues that the delivery of both student and residential development on a size of the application site (0.33ha) would not be viable: financially, socially, or from a point of view of management and land use efficiency. It is further argued that the provision of 50% housing on site would reduce the total number of people accommodated on site from 394 students to 50 students and 58 non- students. The applicants consider that the proposed development would make a far greater contribution to meeting housing demand by freeing up general housing stock than a site which was to be split with residential.

The LDP and the Council's guidance seek to find a balanced approach to delivering housing and other types of accommodation across the city, and large mono-use developments on sites over 0.25 hectares are not encouraged. The application site does not include housing and therefore does accord with the Council's guidance. It is not considered that the information submitted by the applicant justifies setting aside the provision of mainstream housing on the site.

Employment Land

LDP Policy Emp 9 Employment Sites and Premises applies to sites and premises in the urban area currently or last in use for employment purposes. Proposals to redevelop employment sites or premises in the urban area for uses other than business, industry or storage will be permitted provided:

a) The introduction of non-employment uses will not prejudice or inhibit the activities of any nearby employment use;

b) The proposal will contribute to the comprehensive regeneration and improvement of the wider area; and

c) Criteria c) applies to sites larger than one hectare.

The site is surrounded by existing residential properties and other mixed use development. The proposal will redevelop the employment site and introduce non-employment use but the new use will not prejudice or inhibit the activities of any nearby employment use. The site is less than one hectare so there is no requirement for the proposed floorspace to provide for a range of business users.

As such, it is considered that the re-development of this site would comply with criteria a) and b). Criteria c) does not apply in this case.

Policy conclusion

The applicant has demonstrated compliance with LDP policies Hou 8 parts a) and b) and Emp 9. The proposal does not accord with Policy Hou 1 which prioritises delivery of housing on suitable sites in the urban area, and non-statutory guidance which requires that this site provides 50% housing and seeks to avoid large mono-use developments.

In light of this the application does not deliver housing or a mix of uses and on balance is contrary to the aims of the LDP and guidance.

b) <u>Design, Scale, Layout and Materials</u>

LDP Policy Des 1 supports new development whose design reflects the positive characteristics of the area. LDP Policy Des 4 requires new development proposals to have similar characteristics to the surrounding urban grain, paying close attention to scale, height and positioning of buildings, whilst incorporating the wider landscape and view corridors.

The surrounding area is characterised by a mix of heights and form. The immediately adjacent commercial buildings range from 1 to 3 storeys in height. Surrounding residential properties include 4 storey tenements to the south of the site and the neighbouring residential development on Westfield Avenue which rise up to 7 storeys. As such, there is no prevailing height in the area.

The proposal provides for a 6 storey flat roof building at the corner of Westfield Road and Westfield Avenue, rising to 7 storeys the rear of the building which is at its highest on the western side. The urban block is appropriate in the context of the suburban area with reference to height and the layout contributes towards the urban form by creating a strong frontage along Westfield Road. Whilst the proposal will introduce a significant building on the corner site, the approach to massing and the use of materials to articulate the storeys is successful in reducing the overall massing of the building.

LDP Hou 4 Density seeks an appropriate density of development having regard to its characteristics and those of the surrounding area. The new development occupies the majority of the site with an area of external open space in the centre of the urban block. This is in keeping with density of the residential flatted development to the west on Westfield Avenue. The site is located in the urban area and close to the city centre where there are higher densities and good public transport. As such, the proposal accords with this policy.

The design is high density development resulting in a building that is will remain in keeping with the surrounding urban pattern, massing and building height, broadly in compliance with policies Des 1 and Des 4 and Section 2 of the Edinburgh Design Guidance (Designing places: buildings).

The proposed site layout provides various green spaces and the concept landscape plan illustrates areas of grass, amenity areas and footpaths. Boundary treatment proposal include soft landscaping and shrubbery along Westfield Avenue, as well as soft landscaping as a barrier between the development site and the adjacent petrol station. A 2.4m steel security fence with visibility will be erected between the development and the petrol station and the factory to the north.

The primary entrance into the building with be on the corner of Westfield Avenue and Westfield Road, with both a pedestrian and maintenance vehicle access to the landscaped courtyard being accessed on Westfield Road. The use of ground floor common areas and the office/reception will create an active frontage.

The surrounding built environment is urban with a mix of building materials and styles. The proposal provides for a mix of contextual materials such as off white render, grey and mid grey buff facing brick, sandstone, concrete and a mixture of bronze and silver aluminium cladding panels, with the colours intended to complement the existing tenement properties opposite. Curtain walling glazing along the ground floor will provide an activated frontage.

The materiality is appropriate in the context of the site. The surrounding area comprises a wide range of materials and the applicant's proposal would not be an incongruous addition to the street scene.

Overall, the proposed design, scale, layout, and materials proposal are acceptable within the context of the site and its locality and comply with LDP policies Des 1, Des 4 and Hou 4.

c) <u>Neighbouring Amenity</u>

LDP Policy Des 5 supports proposals that have no adverse impact on neighbouring developments. The property will not impact upon the outlook of neighbouring properties and will not result in any privacy concerns. The proposed windows are in compliance with Edinburgh Design Guidance.

The proposal will not adversely impact upon daylight into neighbouring residential properties, nor will be proposal result in harmful overshadowing to the detriment of neighbouring amenity. Neighbours have raised concern with regards to noise from future residents. Students residing in manage accommodation is not incompatible with the area's surrounding residential use.

A letter of representation has been received which specifically references the impact of the proposed development of the site on the operations of the commercial business to the north. These comments relate to disturbance during construction of the development and specific implications of vibrations. These matters are not considered to be material to the determination of the application.

d) Amenity of Future Occupiers

There are no minimum room size standards for student accommodation in the Edinburgh Design Guidance. However, the cluster rooms measure 12.5 sqm. and the studios measure 20 sq.m. These sizes are in line with other student accommodation developments in the city. Communal areas are proposed on the ground floor with outdoor amenity open space in the centre of the complex. The proposal is within walking distance to public open space. However, the proposal will provide a satisfactory level of amenity for future occupiers.

A noise impact assessment was submitted as part of the application addressing the potential impact of noise impacts from Westfield Road and the adjacent commercial and industrial uses. The site is adjacent to an existing petrol station and as such the occupiers of the proposed site will be exposed to noise sources.

The Noise Impact Assessment raised concerns with noise levels for amenity space in close proximity to the operations at the Petrol Station to the east. Environmental Protection has recommended conditions to ensure the noise levels are met for the communal open space at the flatted blocks to safeguard these as pleasant and useable spaces. Mitigation is proposed in the form on an acoustic barrier to protect the external amenity space and ground floor rooms, with acoustic glazing to protect the upper floor windows.

The applicant proposes all living accommodation being provided with mechanical ventilation with heat recovery allowing windows to remain closed with no loss of ventilation. However, Environmental Protection does not accept a closed window standard to protect the bedroom and living areas from commercial/industrial noise. In addition, the Noise Impact Assessment fails to account for the cumulative impact of activities at the petrol station and the potential impact of deliveries upon future resident's amenity. As such, further assessment was requested to be carried out and submitted to address these matters.

Notwithstanding the above, the area is characterised by a mix of existing commercial uses and residential development. As such, it is considered that the operations of the neighbouring commercial uses will not be to the detriment of future occupiers amenity given the context of the site.

The proposal is therefore is in compliance with policy Des 5 Development Design - Amenity and the Edinburgh Design Guidance.

e) Traffic, Road Safety and Active Travel

The applicant submitted a Transport Statement which was assessed by the Roads Authority.

The applicant proposes 4 parking spaces to be provided within the proposed development, two of which are reserved for disabled users, and two parking spaces for the operator of the proposed development, accessed from Westfield Avenue. The applicant proposes zero parking spaces for on -site residents, with time slot arrangements made to allow residents to move their belongings in and out of the building. There are no minimum parking standards for student housing and the Roads Authority is satisfied with this approach due to the site's location along a well- served road for public transport.

The proposal will provide for 360 indoor cycle parking spaces and 40 spaces external spaces, within a covered and secured facility. This provision is minimum standards of the Edinburgh Design Guidance.

Having reviewed the transport statement and supporting information, the Roads Authority is satisfied that the proposed transport infrastructure will be able to accommodate the impact of the proposed development subject to the conditions/informatives attached. The site is well served by existing public transport links. Bus stops are located along Westfield Road and Stevenson Road, 140m and 125m from the site. The Murrayfield Stadium Tram and Balgreen Tram Stations are located 480 metres and 640 metres from the site, respectively, with Haymarket Tram and Rail Station located 2400 metres away.

Contributions are sought towards the Roseburn to Union Canal Contribution Zone in line with the 2018 Developer Contributions Report, along with a contribution towards the Edinburgh Tram Line in line with the approved Tram Line Developer Contributions report. These monies will be secured by condition/section 75 legal agreement if the planning application is granted.

f) Air Quality

LDP Policy Env 22 aims to ensure that no development will result in significant adverse effects for health, environment or air quality and appropriate mitigation measures can be provided to minimise adverse impacts. Reducing the need to travel and promoting the use of sustainable modes of transport are key principles identified in the LDP.

An Air Quality Impact Assessment was submitted as part of the application. The site does not fall within a designated Air Quality Management Area. The proposal will have no adverse impact upon any neighbouring AQMA.

The development will generate negligible vehicle movements. The development is designed to mitigate operational impacts through the provision of cycling spaces and limited car parking which is good practice.

SEPA have raised no objection to the proposal in relation to its impact upon air quality.

g) Flood Risk and Drainage

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.

SEPA is a statutory consultee and in this instance has objected to the proposal on the grounds that the site is located within the functional floodplain of the Water of Leith.

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 student 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. The applicant has amended the proposals in order to address the comments raised in SEPA consultee response. However, the consultation response has not been amended.

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. The Council's Flooding team is satisfied that the mitigation proposed is acceptable.

As SEPA has objected to the application, if the Council is minded to grant planning permission, it must refer the application to Scottish Ministers prior to the determination of the application.

h) <u>Other Material Considerations</u>

Archaeology

The site is identified as being of archaeological potential. Accordingly, the aim should be to preserve archaeological remains in situ as a first option. If Committee is minded to approve this application, then a condition is recommended that programme of archaeological work is undertaken during the demolition/development of this area to fully excavate, record and analysis any significant remains that may be uncovered.

Waste

Waste storage provision is proposed internally, with access to refuse vehicles located off Westfield Avenue. This will include provision for residual and segregated recycling bins. Waste Services were consulted on the proposed development and the information submitted is acceptable.

i) Sustainability

The applicant submitted a sustainability statement in support of the application. The proposal accords with LDP Policy Des 6.

j) Equalities

The applicant confirms that 5% accessible rooms will feature as part of the proposal. Matters relating to internal building design such as hand rails and access will be addressed through Scottish Building Regulation requirements and compliance with the provisions of the Equality Act 2010. Two accessible parking spaces are also provided at the site.

There are no impacts relating to equalities.

k) Issues raised in representations

The application attracted 30 comments which consisted of 24 objections, 5 letters of support and 1 neutral comment.

Material objections

- over-provision of student accommodation in the area; addressed in Section 3 a).
- opposition to student accommodation rather than providing affordable housing; addressed in Section 3 a).
- conflicting surrounding land uses; addressed in Section 3 d).
- potential litter and anti-social behaviour from students; addressed in Section 3 c).
- height and scale of building; addressed in Section 3 b).
- impact on daylight and amenity; addressed in Section 3 c).
- loss of privacy; addressed in Section 3 c).
- impact on parking in surrounding streets; disruption from noise and increased traffic/taxis; addressed in Section 3.e and Section 3 c).
- impact upon public transport; addressed in Section 3 e).

Non- Material objections

- the impact of construction works upon neighbouring properties.
- impact of vibration upon neighbouring commercial uses.

Support

- inclusion of new green space/courtyard.

- trees and soft landscaping,
- positive impact upon Air Quality Management Area.
- inclusion of community meeting space.
- contribution to public art.
- promotion of an active streetscape.

Conclusion

The proposal is appropriate in design, will provide adequate amenity to future occupiers and will not be to the detriment of neighbouring amenity, in accordance with Local Development Plan policies Des 1, Des 4, Des 5, Hou 4 and the Edinburgh Design Guidance. The proposed development will not result in increased flood risk nor will it have road safety implications. The proposal accords with Hou 8 and Emp 9 of the Local Development Plan.

However the proposal is contrary to Local Development Plan policies Hou 1 and the Council's non-statutory Student Housing Guidance (February 2016) and on balance are considered to be unacceptable.

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to Local Development Plan Policies Hou 1 and non-statutory Student Housing Guidance as the proposals fail to deliver any mainstream housing on the site.

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

There have been 30 representations received in relation to the proposal, 1 of which was a late representation. 24 objections were received along with 5 letters of support and 1 neutral representation.

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 Adopted Edinburgh Local Development Plan
Date registered	23 April 2019
Drawing numbers/Scheme	01,02,03,04B,05,06,07,08A,09A,10A,11A,12A,13A, Scheme 2

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

Contact: Sonia Macdonald, Planning Officer
E-mail:Sonia.Macdonald@edinburgh.gov.uk Tel:0131 529 4279

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

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

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

Relevant Non-Statutory Guidelines

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.

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

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

Appendix 1

Application for Planning Permission 19/01970/FUL
At 24 Westfield Road, Edinburgh, EH11 2QB
Erection of purpose built student accommodation, ancillary uses and associated landscaping and infrastructure.

Consultations

SEPA comment

Advice for the planning authority

We object to this planning application on the grounds of lack of information on flood risk. We will review this objection if the issues detailed in Section 1 below are adequately addressed.

1. Flood Risk

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

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

Technical Review

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

1.4 A Flood Risk Assessment (FRA) has been submitted in support of the application undertaken by Curtins. Curtins contacted the City of Edinburgh Council (CEC), who provided the 1D hydraulic Model undertaken by Arup in 2003, for the Water of Leith (WOL) Flood Protection Scheme (FPS). This also included the inflow values used for the WOL model. We would advise that the flow estimates applied in the CEC FPS model are based on the gauging station flow record up to the early 2000s. Two significant events in 1920 and 1948 are not included within the gauged record and are, therefore, not included within the analysis. Single site analysis is dependent on the length of the gauged record and the flood events that are captured within the record. Some further analysis was undertaken by SEPA using the historical information function available in WINFAP-FEH version 4, which we would advise should be accounted for in the FRA. Preliminary analysis has indicated that the April 2000 flood event may be closer to a 1:70 year return period, rather than a 1:100 year return period. FRA undertaken further upstream of the proposed development, and from the in-house analysis undertaken by SEPA at the Muarryfield gauging station located downstream of the proposed development, have indicated estimated design flows higher than proposed within the Curtin's FRA. We therefore advise that an independent hydrological analysis be undertaken for the WOL and the design flows not taken from the CEC FPS model. Any hydrological analysis undertaken along the WOL should not rely upon the flow record for the Colinton gauging station which is located upstream of the proposed site as there are uncertainties associated with the theoretical stage-discharge calibration. The flow record for the Murrayfield gauging station, located downstream of the proposed site, is more reliable and may be included within any hydrological analysis. Please note that the peak flows that the Murray Burn can discharge into the WOL are particularly difficult to estimate with any certainty as the watercourse is extensively culverted.

1.5 In section 4.2.12 of the FRA report, it is stated that a 1D-2D linked modelling has been undertaken. No information on the 1D domain has been provided. We assume that the CEC FPS model has been used within this 1D domain. Confirmation of this is needed. We would also advise on the need for further information on; Manning's n roughness values used, the upstream and downstream cross sections used, any additional cross sectional used in addition to the CEC FPS model cross sections, and if these are an appropriate distance upstream/downstream of the applicant site, structures included within the model and full modelled tabular output provided. Further information is also needed on the cross sectional data used and if these were taken from the CEC FPS model and checked to determine if these are still appropriate for use.

1.6 Further information is needed on the 2D domain including; the mass balance error, how the buildings have been modelled in the domain and Manning's n roughness value used for areas that are not developed. Details are given for the cross reference check of the LiDAR data against topographic survey information for the site and from the CEC FPS model cross sections, which we accept.

1.7 Appendix D of the FRA gives cross sectional profiles for cross sections 560 and 555 from the CEC FPS model. All cross sectional profiles, and long sectional profiles should be provided in future correspondence. We would also highlight that cross sections provided for the 1 in 200 year + 20% climate change section 555 is the same as 560. These should be amended within any updated FRA.

1.8 Sensitivity analysis has been undertaken in section 4.2.20. A 25% blockage scenario has been applied to the downstream bridge and the new pedestrian bridge. Justification should be given for the use of 25% blockage scenarios as no further information has been provided on these structures. Downstream boundary sensitivity analysis should also be undertaken.

1.9 As highlighted above, two significant flooding events occurred in 1920 and 1948. This has not been included within the historical flooding section 4.8 within the FRA and the FRA should be updated to include these events.

1.10 Results from the 1D-2D linked hydraulic modelling undertaken within the FRA indicates that flood levels are predicted to reach 43.510mAOD. We would note that we are not supportive of taking an average flood level between cross sections without any justification. Finished floor levels are proposed to be 400mm above the predicted flood level. We would strongly recommend that a minimum freeboard allowance of 600mm is applied. We believe these flood levels are underestimated due to the design flows being underestimated as described above. However, based on the flood levels provided within this FRA and review of the topographic level information provided we conclude that the site will be inundated during a 1 in 200 year flood event. We are therefore, unable to support this development within the functional floodplain as the proposed development would be an increase in vulnerability from least vulnerable to highly vulnerable, as defined within our Land Use Vulnerability Guidance. Therefore we request, the hydraulic model is updated, with additional hydrological analysis, and that all built development is located outwith the functional floodplain of the WOL. Demonstration that safe, flood free access/egress can be achieved. We would strongly recommend that the site remains at or a less vulnerable use than existing.

1.11 For information, CEC is currently investigating options to carry out a review of the previous flood study for the WOL and the FPS. Should information from any updated report indicate that the site is at risk of flooding then SEPA reserve the right to object to any future applications based on information we hold at that time.

1.12 If it is deemed that the proposed development is located within the functional floodplain of the WOL then we would object in principle to the proposed development due to an increase in vulnerability.

Summary

1. In summary, clarification on the following points before we can review our objection to the proposed development:

o An independent hydrological check be undertaken for the WOL and design flows not taken from the CEC FPS model.
o Confirmation that the CEC FPS model has been used for the 1D domain
o Further information on the 1D domain including;
o Manning's n roughness values used
o Upstream and downstream cross sections used and if these are appropriately distanced upstream/downstream of the application site
o If the cross sections taken from the CEC FPS model are still appropriate
o Structures included within the model
o Full modelled tabular output

- Further information on the 2D domain including;
- Manning's n roughness values used for areas not developed
- Mass balance error
- How the buildings have been modelled
- All cross sectional profiles and long section profile
- Justification for the 25% bridge blockage
- Downstream sensitivity analysis
- Section 4.8 to include the 1920 and 1948 flood events
- Once the hydrological analysis and hydraulic model is updated all built development should be located outwith the functional floodplain of the WOL
- Demonstration that safe flood free access/egress can be achieved

Caveats & Additional Information for Applicant

1.13 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km2 using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit http://www.sepa.org.uk/environment/water/flooding/flood-maps/

1.14 We refer the applicant to the document "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/. Please note that this document should be read in conjunction Policy 41 (Part 2).

1.15 Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process. It can be downloaded from http://www.sepa.org.uk/media/159170/flood-risk-assessment-checklist.xls.

1.16 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

1.17 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to the City of Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/

2. Air Quality

2.1 The Air Quality Impact Assessment indicates that the proposed site is suitable for residential development.

2.2 The development itself will generate negligible vehicle movements. The development is designed to mitigate operational impacts through the provision of cycling spaces and limited car parking which is good practice. The energy centre has been assessed in accordance with the provisions of the Clean Air Act to determine an appropriate stack height to mitigate the impact of emissions.

Flood Prevention comment

We are happy for this application to be determined with no further comment from our department.

Environmental Protection comment

The applicant proposed developing a 394 bedroom student accommodation block with 4 parking spaces with 360 indoor bike spaces. The applicant also proposes the installation of an energy centre with power output of 663Kw. The sites most recent use was a retain furniture store.

The development is located on a former commercial site adjacent to the Westfield Road. The site is bounded to the south by Westfield Road, to the west, by Westfield Avenue beyond which are residential flats and Wickes, to the north by Grant Westfield and the east by Murrayfield Petrol Filling Station.

The applicant has submitted a supporting noise and air quality impact assessment. This has investigated the potential for noise and air quality impacts from the neighbour road and commercial/industrial uses on the proposed student residential properties. The development site will be exposed to various noise sources. The applicants noise impact assessment has identified that this may adversely impact the amenity of the students unless mitigated. The applicant has confirmed that by providing an acoustic barrier with a surface density of at least 20 kg/m2 will reduce the noise affecting the external amenity space and ground floor rooms.

The upper floors will not be protected by the acoustic barrier therefore the applicant proposes using the acoustic glazing units to mitigate the noise impacting the upper-floors

It is noted that the developer proposes all living accommodation being provided with mechanical ventilation with heat recovery (MVHR) allowing windows to remain closed with no loss of ventilation. It should be noted that Environmental Protection do not accept a closed window standard to protect all the bedroom and living areas from commercial/industrial noise. Environmental Protection are also of the opinion that the worst-case scenario has not been measured and fully consider in the noise impact assessment. The assessment has considered most of the noise elements from the petrol Filling Station but has not considered their cumulative impacts for example if the hoover and car wash were being used simultaneously. The Petrol Filling Station has around 4-5 deliveries of fuel by articulated tanker per week (limited to 1 in 24 hours). Each takes between 40-60 minutes. These deliveries are always out of hours mostly between 00:00-05:00. The noise impact assessment has not covered this operation which has the potential to regularly disturb the sleep of any future tenants.

The proposed end use may require a Houses in Multiple Occupation Licence (HMO). The applicant should contact the HMO team to ensure that what they are proposing would comply with the Housing (Scotland) Act 2006. The application site is well located with regards sustainable transport and it is noted that they propose a low level of car parking which is welcomed, however the applicant should install electric vehicle charging points for the use of staff, residents, service vehicles and taxis.

The applicant has submitted a chimney height calculation within the submitted air quality impact assessment.

Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning & Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent (except where it is inappropriate to do so, for example where remediation of severe contamination might not be achievable). The applicant has submitted site investigation reports. They are being assessed by Environmental Protection separately and until completed we recommend a condition is attached to any consent regarding land contamination.

Therefore, Environmental Protection recommend that the application is refused due to the poor levels of amenity that will be afforded to the future students.

Network Rail comment

After examining the proposal Network Rail considers that it will have no impact on railway infrastructure and therefore have no comments/objections to this application.

Scottish Water comment

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

Water

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

Foul

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

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

Surface Water

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

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

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

Non Domestic/Commercial Property

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

Trade Effluent Discharge from Non Dom Property

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

Archaeology comment

The archaeological DBA by AOC Archaeology, accompanying this application, identified that in 1907 the site was developed for an early motor-engineering works for Donaldson, A & Co Ltd. As such the area was identified as being of archaeological potential and an archaeological evaluation was undertaken in March 2019 by AOC. Although the results had demonstrated that late 20th century redeveloped has had a significant impact not all the area occupied by the former works was open to investigation.

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

The proposed scheme will also require significant ground-breaking works relating to construction and demolition. Although the evaluation results indicate that the construction of the present building has shad significant affect, it is possible that elements of this early Edwardian motor-engineering works could survive below the current offices. It is therefore recommended that a programme of archaeological work (watching brief) is undertaken during the demolition/development of this area to fully excavate, record and analysis any significant remains that may be uncovered.

It is recommended that the following condition is attached to ensure that undertaking of the above archaeological work;

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

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

Waster Services comment

Compliance with Waste Strategy (Domestic Waste Only)

The provision of a full recycling service is mandatory in Scotland, so developers must make provision for the full range of bins (either individual containers for each property, or communal bins for multiple properties). These must be stored off street at all times, except on the day of collection (in the case of individual bins).

The waste collection teams will require safe and efficient access to these from the earliest occupation, and therefore cognisance must be taken of my comments below in relation to operational viability. Should these drawings substantially change, please let me know.

For high density properties such as these flats, we recommend communal waste containers for landfill waste, mixed recycling for paper and packaging, glass, and food. The number of bins required is calculated on the number of properties within the development. For 394 bedrooms in a student development, this would require 19 residual bins, 15 mixed recycling bins, 4 food waste and 3 glass bins. However, it should be noted that due to changes within the service over the next three years, the bin requirements will change, and you should review these with us prior to starting work.

It is important to consider the British standards BS5906:2005, which states that an occupier should not be required to carry waste a distance of more than 30m from their door.

Developers can either source their own bins in line with our requirements, or can arrange for us to do so and recharge the cost - this will probably be most convenient for them.

We will also require the bin store to be within 10m of the vehicle.

We require a swept path analysis showing the 12m refuse collection vehicle pulling in safely and not obstructing traffic, and turning without any overhang.

Waste Management Responsibilities

The Waste and Cleansing Services will be responsible for managing the waste from households and any Council premises only. I am assuming this would include this development.

Regarding the commercial aspect, it would be the responsibility of any third party commercial organisations using the site to source their own trade waste uplifts. Architects should however note the requirement for trade waste producers to comply with legislation, in particular the Waste (Scotland) Regulations which require the segregation of defined waste types to allow their recycling. This means there would need to be storage space off street for segregated waste streams arising from commercial activities. This would have to be separate from the residential bin storage area.

Any appointed waste collection contractors, appointed to manage commercial waste, could be expected to have similar requirements to the Council in terms of their need to be able to safely access waste for collection.

Operational Viability

Developers need to ensure that services are accessible so that our collection crews can provide the service in a safe and efficient manner, taking account of turning circles, length and width of vehicles, distance bins must be pulled, surfaces, slopes and so on.

Obviously sufficient capacity must also be provided to allow successful collection of each segregated waste stream. Initial information on the requirements for waste services is available in the Architect and Developers Instructions, which can be provided for reference.

I would recommend further contact with me to ensure adequate provision of segregated household waste bins include all of the above and suitable access for the refuse collectors is arranged.

Roads Authority Issues

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

1. The applicant will be required to:

a. Contribute the sum of £109,138 to the Roseburn to Union Canal Contribution Zone in line with the 2018 Developer Contributions Report;
b. Contribute the sum of £1,003,910 (based on 394 bedrooms in Zone 1 minus the previous use) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment.

2. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area;

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

4. 11 motorcycle parking spaces to be provided;

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

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

7. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.

Note for information:

The application has been assessed under the 2017 parking standards. These permit;
For Zone 2 Student Accomodation;
Car Parking Spaces - A maximum of 1 per 6 beds (394 rooms = 66 spaces) 4 spaces proposed.
Cycle Parking Spaces - A minimum of 1 per bed (= 349 spaces) 400 spaces proposed.
Motorcycle Parking Spaces - A minimum of 1 per 25 beds(= 16 spaces) 11 spaces proposed.

Transport Statement;

A transport statement has been submitted in support of the application. This has been assessed by transport officers and is considered to be a reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network.

The submitted document is generally in line with the published guidelines on transport assessments.

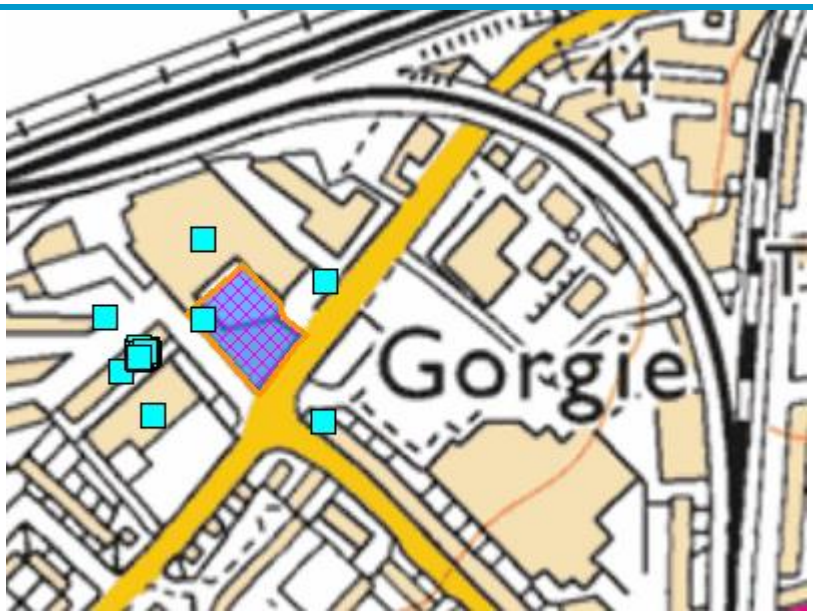
Tram Contributiion

This has been calculated as follows;
The development is approximately 190m from the tramline (zone 1).
For a 394 bedroom student accommodation block (a major development), this would attract a gross tram contribution of £1,185,426.
From this amount, the previous use is to be deducted, as follows;
Previous retail (1385 sq.m GFA) = £127,420
Previous office (588 sq.m GFA) = £54,096
Therefore the nett tram contribution is (£1,185,426 - £127,420 - £54,096) = £1,003,910

Roseburn to Union Canal Contribution Zone

The amount per student bed is £277 (x 394 beds) = £109,138

Location Plan



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