

Notice of meeting and agenda

Development Management Sub-Committee

10.00 am Wednesday, 28th August, 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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1. Order of business

1.1 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 26 August 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

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| 3.1 | Minutes of Previous Meeting of Development Management Sub-Committee 19 June 2019 – circulated for approval as a correct record | 11 - 18 |
| 3.2 | Minutes of Previous Meeting of Development Management Sub-Committee 31 July 2019 – circulated for approval as a correct record | 19 - 32 |

3.3	Minutes of Previous Meeting of Development Management Sub-Committee 14 August 2019 – circulated for approval as a correct record	33 - 36
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4. General Applications, Miscellaneous Business and Pre-Application Reports

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

Pre-Applications

4.1	Proposed Roseburn To Union Canal Cycleway, Dalry Road, Edinburgh - The development of a new Cycle Link between Roseburn Path and Union Canal, in order to deliver a safe, family friendly network across the city (previous consultations undertaken under reference 16/01908/PAN) - application no 19/02885/PAN – Report by Chief Planning Officer	37 - 44
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Applications

4.2	34 Cammo Road, Edinburgh, EH4 8AP - Proposed demolition of existing dwelling, erection of 7x Townhouses with associated parking, landscaping and footpaths (as amended) - application no 18/02116/FUL - Report by Chief Planning Officer	45 - 64
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It is recommended that this application be **GRANTED**.

4.3	1 Grant Avenue, Edinburgh, EH13 0DS - Application for removal of single glazed metal and timber windows and replacement with new double glazed hardwood timber windows. (In retrospect) - application no 19/02624/LBC - Report by Chief Planning Officer	65 - 74
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It is recommended that this application be **REFUSED**.

4.4	1 Lanark Road, Edinburgh, EH14 1TG - Demolition of existing motor dealership and erection of new residential development comprising 57 flats, upgraded vehicular access, new pedestrian access, car and cycle parking and associated soft and hard	75 - 116
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landscaping (as amended to 50 flats) - application no 18/08232/FUL - Report by Chief Planning Officer

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

- 4.5** 2B Roseburn Terrace, Edinburgh, EH12 6AW- The conversion of two existing large format static panels to digital. Consent was granted for the static panels on 24th November 2014 under application number 14/03219/ADV - application no 18/10341/ADV - Report by Chief Planning Officer 117 - 126

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

- 4.6** 20 Thistle Street, North West Lane, Edinburgh, EH2 1EA - Change of Use from Offices to Hotel with ancillary bar and restaurant; removal of existing and erection of new extension to form additional accommodation - application no 19/01930/FUL - Report by Chief Planning Officer 127 - 148

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

- 4.7** BF - 1F 22 Thistle Street, North West Lane, Edinburgh EH2 1BY - Internal and External Alterations at number 22 Thistle Street North West Lane and removal of extension building at No. 20 Thistle Street North West Lane with erection of new building extension - application no 19/01981/LBC - Report by Chief Planning Officer 149 - 160

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

5. Returning Applications

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

- 5.1** None.

6. Applications for Hearing

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

6.1 None.

7. Applications for Detailed Presentation

The Chief Planning Officer has identified the following applications for detailed presentation to the Sub-Committee. A decision to grant, refuse or continue consideration will be made following the presentation and discussion on each item.

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|-----|---|-----------|
| 7.1 | GF 126 Canongate, Edinburgh, EH8 8DD - Change of use from office to form 11 no. commercially managed short term let apartments, alterations to the rear elevation and roof, and creation of a ground floor class 1 & 2 unit (as amended) - application no 19/01404/FUL - Report by Chief Planning Officer

It is recommended that this application be GRANTED | 161 - 182 |
| 7.2 | GF 126 Canongate, Edinburgh, EH8 8DD - Alterations include: minor alterations to the non-original elements of the primary elevation of the property, enlarged windows, and an extension to the roof space to the rear of the property, internal refurbishment to the non-original interior of all floors of the property, and, alterations to create a shop frontage at street level (as amended) - application no 19/01405/LBC - Report by Chief Planning Officer

It is recommended that this application be GRANTED | 183 - 200 |
| 7.3 | 329 High Street, Edinburgh - Change of use from offices to class 1 and 3 uses at ground, basement and mezzanine level, with serviced apartments above; alterations to form new door and altered window openings; alterations at roof level to form new and realigned roof lights and plant enclosure (as amended) - application no 19/02318/FUL - Report by Chief Planning Officer

It is recommended that this application be GRANTED. | 201 - 220 |

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|------------|---|-----------|
| 7.4 | 329 High Street, Edinburgh - Alterations to front and rear elevations to form new door and altered window openings, alterations at roof level to form new and realigned roof lights and plant enclosure and internal alterations (as amended) - application no 19/02319/LBC - Report by Chief Planning Officer

It is recommended that this application be GRANTED . | 221 - 234 |
| 7.5 | 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 - application no 19/00789/FUL - Report by Chief Planning Officer

It is recommended that this application be GRANTED . | 235 - 268 |
| 7.6 | 5 Port Hamilton Edinburgh (Land To East Of) - Erection of offices (Class 4) and associated works at land. - application no 18/07354/FUL - Report by Chief Planning Officer

It is recommended that this application be GRANTED . | 269 - 298 |

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.

Andrew Kerr

Chief Executive

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 19 June 2019

Present:

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

1. General Applications and Miscellaneous Business

The Sub-Committee considered reports on planning applications listed in Sections 4, 5 and 7 of the agenda for this meeting.

Requests for Presentations

The Chief Planning Officer gave a presentation on agenda Item 4.1 – 2 Pepper Place (At Site 90 Metres South Of) – Requested by Councillor Staniforth

The Chief Planning Officer gave a presentation on agenda Item 4.3 – 73 Duddingston Row, Edinburgh (At Land 56 Metres Southeast Of) – Requested by Councillor Booth

The Chief Planning Officer gave a presentation on agenda Item 4.5 - 540A Lanark Road, Edinburgh, EH14 5EL – Requested by Councillor Gardiner and Ward Councillor Webber

Decision

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

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

2. 3F2, 17 Bruntsfield Gardens, Edinburgh

Details were provided of proposals for the creation of a new flatted dwelling within an attic space and the alteration of an existing third floor flat. The application also proposed new access from the existing communal stairwell (as amended) at 3F2, 17 Bruntsfield Gardens, Edinburgh – application no 19/00792/FUL.

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

Motion

To grant planning permission subject to the reasons, conditions, and informatives as detailed in

the report by the Chief Planning Officer.

- moved by Councillor Child, seconded by Councillor Mitchell.

Amendment

To refuse planning permission as the application was contrary to LDP Policies Env 6 and Des 12.

- moved by Councillor Mowat, seconded by Councillor Booth.

Voting

For the motion: - 4 votes

(Councillors Child, Dixon, Gardiner and Mitchell)

For the amendment: - 6 votes

(Councillors Booth, McLellan, Mowat, Munn, Osler and Staniforth)

Decision

To refuse planning permission as the application was contrary to LDP Policies Env 6 and Des 12.

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

3. 61 and 63 London Road, Edinburgh (Land at)

Details were provided of proposals for the demolition of the existing buildings on the site and the erection of a six-storey development including student accommodation and ancillary uses, commercial unit, and associated landscaping and infrastructure – application no 19/01149/FUL

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

Motion

To grant planning permission subject to the reasons, conditions, and informatives as detailed in the report by the Chief Planning Officer, and an additional condition that no development shall take place until details of the windows specification, including acoustic properties and trickle vent provision, for both north and south elevations, shall be submitted and approved by the planning authority. These details shall demonstrate an ability to achieve indoor ambient noise levels not exceeding LAeq 35db, and the approved scheme shall be implemented prior to the occupation of units.

- moved by Councillor Osler, seconded by Councillor Mitchell.

Amendment 1

To refuse planning permission as the application was contrary to LDP Policy Des 1

- moved by Councillor Gardiner, seconded by Councillor Dixon.

Amendment 2

To refuse planning permission as the application was contrary to LDP Policy Des 1 and to the supplementary guidance on student housing.

- moved by Councillor Staniforth, seconded by Councillor Booth.

Voting

For the motion: - 6 votes

(Councillors Child, McLellan, Mitchell, Mowat, Munn and Osler)

For amendment 1: - 2 votes

(Councillors Dixon and Gardiner)

For amendment 2: - 2 votes

(Councillors Booth and Staniforth)

Decision

To grant planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer, and an additional condition that no development shall take place until details of the windows specification, including acoustic properties and trickle vent provision, for both north and south elevations, shall be submitted and approved by the planning authority. These details shall demonstrate an ability to achieve indoor ambient noise levels not exceeding LAeq 35db, and the approved scheme shall be implemented prior to the occupation of units.

(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.		
<u>Item 4.1 - 2 Pepper Place (At Site 90 Metres South Of)</u>	2 Pepper Place (At Site 90 Metres South Of) - Forthcoming application by John Talbot for a mixed-residential development comprising of student/co-worker living, assisted living and a dementia care centre with landscaping, SUDs, carparking, access and associated infrastructure. On vacant land opposite the White House and adjacent to Craigmillar Library – application no 19/02043/PAN	<ol style="list-style-type: none"> 1) To note the key issues at this stage. 2) To note the importance of sustaining and improving the permeability through the site from north to south. 3) To ensure that the residential amenity for each element does not clash. 4) To ensure that active travel is promoted.
<u>Item 4.2 - 2 Belmont Drive, Edinburgh</u>	2 Belmont Drive, Edinburgh - Form new accommodation within garden (as amended) – application no 18/10330/FUL	To GRANT planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.3 - 73 Duddingston Row, Edinburgh (At Land 56 Metres Southeast Of)</u>	73 Duddingston Row, Edinburgh (At Land 56 Metres Southeast Of) - Erection of 40 residential units, comprising 30 flats, 2 houses and 8 maisonettes, along with associated parking, pedestrian paths, amenity space and soft landscaping. – application no 18/03994/FUL	<ol style="list-style-type: none"> 1. To GRANT planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer. 2. To agree that the road construction consent informative included consideration of fitting wiring to Electric Vehicle Charging points that allowed them to be upgraded in the future.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 4.4 - 18 - 20 King's Stables Road, Edinburgh EH1 2LQ</u>	18 - 20 King's Stables Road, Edinburgh EH1 2LQ - Use of student accommodation as short-term holiday accommodation from 1 June to 31 August annually – application no 19/00112/FUL	To GRANT planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.5 - 540A Lanark Road, Edinburgh, EH14 5EL</u>	540A Lanark Road, Edinburgh, EH14 5EL - Extension of existing class 2 use premises to form new class 3 hot food takeaway (Sui Generis). (Change of Use from Bank Class 2 to Class 1 is permitted development). (Re-submission related to 17/04434/FUL) – application no 18/10239/FUL	To REFUSE planning permission as it is contrary to LDP Policies Tra 2, Env 6 and Des 12.
<u>Item 4.6 - Silverknowes Parkway, Edinburgh (Land Adjacent to Gas Governor)</u>	Silverknowes Parkway, Edinburgh (Land Adjacent to Gas Governor) - Replacement of non-advertising bus shelter to Foster bus shelter with double-sided back-lit LED advertising panel – application no 18/10579/ADV	To GRANT planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.7 - Whitson Grove And Stevenson Drive, Whitson Grove, Edinburgh (At Bus Shelter at Junction of)</u>	Whitson Grove And Stevenson Drive, Whitson Grove, Edinburgh (At Bus Shelter at Junction of) - Replacement of non-advertising bus shelter to Foster bus shelter with double-sided back-lit LED advertising panel – application no 18/10575/ADV	To GRANT planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 5.1 - 3F2, 17 Bruntsfield Gardens, Edinburgh</u>	3F2, 17 Bruntsfield Gardens, Edinburgh - Creation of new flatted dwelling within attic space and alter existing third floor flat. Proposed new access from existing communal stairwell (as amended) – application no 19/00792/FUL	To REFUSE planning permission as it was contrary to LDP Policies Env 6 and Des 12. (on a division)

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 5.2 - 7, 11, 13 Eyre Terrace, Edinburgh EH3 5ER</u>	7, 11, 13 Eyre Terrace, Edinburgh EH3 5ER - Planning permission in principle for mixed use development. Retail (class 1); financial, professional + other services (class 2); food + drink (class 3); business (class 4); hotels (class 7); residential (class 8, 9 + sui generis), car parking, access + other works, approval of siting + maximum height of principal building block, points of vehicular/pedestrian access + egress – application no 14/01177/PPP	To CONTINUE consideration of the application to provide further information on the figures related to health contributions and to clarify the proposals that did not comply with Local Development Plan policies.
<u>Item 6.1(a) - Protocol Note -Craigiehall Pre-Determination Hearing</u>	Craigiehall, Riverside Road, South Queensferry EH30 9TN - Protocol Note by the Head of Strategy and Communications (circulated) - application no 18/10545/PPP	Application for Hearing – Item 6.1(a) and 6.1(b) was withdrawn by the applicant.
<u>Item 6.1(b) - Craigiehall, Riverside Road, South Queensferry EH30 9TN</u>	Craigiehall, Riverside Road, South Queensferry EH30 9TN - Demolition of buildings, residential development (Class 9) and apartments (Sui Generis); commercial Class 1, 2 and 3 within a local centre; non-residential (Class 10); hotel (Class 7); park & ride; landscaping, open space, access, SUDS and ancillary development – application no 18/10545/PPP	Application for Hearing – Item 6.1(a) and 6.1(b) was withdrawn by the applicant.
<u>Item 7.1(a) - 179A Canongate, Edinburgh</u>	179A Canongate, Edinburgh - Partial demolition of existing buildings and development of Purpose Built Student Accommodation (PBSA) with community space and associated infrastructure – application no 19/00117/FUL	Items 7.1(a) and 7.1(b) was withdrawn by the applicant.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 7.1(b) - 179A Canongate, Edinburgh</u>	179A Canongate, Edinburgh - Partial demolition of existing buildings – application no 19/00116/CON	Items 7.1(a) and 7.1(b) was withdrawn by the applicant.
<u>Item 7.2 - 37 Corstorphine Road, Edinburgh EH12 5QQ</u>	37 Corstorphine Road, Edinburgh EH12 5QQ - Demolition of existing house, erection of new building to form residential apartments with associated car parking and landscaping – application no 18/02404/FUL	<p>1) To REFUSE the request for a hearing.</p> <p>2) To CONTINUE consideration of the application to allow for a site visit to take place.</p>
<u>Item 7.3 - 61 and 63 London Road, Edinburgh (Land at)</u>	61 and 63 London Road, Edinburgh (Land at) - Erection of mixed-use development including student accommodation and ancillary uses, commercial unit, and associated landscaping and infrastructure – application no 19/01149/FUL	<p>To GRANT planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer, and an additional condition that no development shall take place until details of the windows specification, including acoustic properties and trickle vent provision, for both north and south elevations, shall be submitted and approved by the planning authority. These details shall demonstrate an ability to achieve indoor ambient noise levels not exceeding L_{eq} 35db, and the approved scheme shall be implemented prior to the occupation of units.</p> <p>(on a division)</p>

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Minutes

Development Management Sub-Committee of the Planning Committee

10.00 am, Wednesday 31 July 2019

Present:

Councillors Gardiner (Convener), Child (Vice-Convener), Fullerton (substituting for Councillor Gordon for Items 4.1, 4.8, 4.14, 4.18, 4.19 and 8.1), Gordon, Griffiths, Mitchell, Miller (substituting for Councillor Booth) Mowat, Munn, Osler, Rose and Staniforth (substituting for Councillor Mary Campbell)

1. Minutes

Decision

- 1) To approve the minute of the Development Management Sub-Committee of 6 February 2019 as a correct record.
- 2) To approve the minute of the Development Management Sub-Committee of 20 February 2019 as a correct record.
- 3) To approve the minute of the Development Management Sub-Committee of 6 March 2019 as a correct record.
- 4) To approve the minute of the Development Management Sub-Committee of 20 March 2019 as a correct record.

2. General Applications and Miscellaneous Business

The Sub-Committee considered reports on planning applications listed in Sections 4, 6, 7 and 8 of the agenda for this meeting.

Requests for Presentations

The Chief Planning Officer gave a presentation on agenda Item 4.1 – Lochside Way, Edinburgh (Land Adjacent To), as requested by Councillor Gardiner.

The Chief Planning Officer gave a presentation on agenda Item 4.8 – 159 Fountainbridge Edinburgh (Site At Former), as requested by Councillor Staniforth.

The Chief Planning Officer gave a presentation on agenda Item 4.14 – 6 John's Place, Edinburgh, EH6 7EP, as requested by Councillor Gardiner.

The Chief Planning Officer gave a presentation on agenda Item 4.18 – 25 Milton Link, Edinburgh, EH15 3QH, as requested by Councillor Child.

The Chief Planning Officer gave a presentation on agenda Item 4.19 – 63 Morningside Drive, Edinburgh, EH10 5NQ, as requested by Ward Councillor Neil Ross.

The Chief Planning Officer gave a presentation on agenda Item 4.28 – West Bonnington Farm, Bonnington, Kirknewton, EH27 8BB, as requested by Councillor Gardiner.

Decision

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

Declaration of interests

Councillor Claire Miller declared a non-financial interest in item 7.1 as she had previously supported residents this application and took no part in consideration of the item.

Dissent

Councillor Miller requested that her dissent be recorded in respect of the decision on Items 7.2 and 7.3 – Royal Blind School, 2B Craigmillar Park, Edinburgh, EH16 5NA

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

3. South East Wedge, Old Dalkeith Road, Edinburgh

The Chief Planning Officer had identified an application for planning permission to be dealt with by means of a pre-determination hearing at South East Wedge, Old Dalkeith Road, Edinburgh – application nos 19/01032/FUL and 19/01481/FUL. The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the application for planning permission be refused subject to referral to Council.

(a) Report by the Chief Planning Officer

The Chief Planning Officer gave a presentation on two applications for planning permission. The larger of the two applications was for the erection of 505 residential dwellings, retail floor space and associated infrastructure. The smaller application was for 199 residential dwellings, public open space and associated infrastructure. The site was located in south east Edinburgh at Little France.

In terms of the Local Development Plan (LDP) the site was designated as Green Belt and as an area of specific green space proposal. Issues regarding housing land supply and housing need were assessed and housing on the site was not justified in terms of need. In terms of the Green Belt policy, Env 10, development in the Green Belt and Countryside, only permits new development for the purposes of agriculture, woodland and forestry, or where a countryside location is essential. So, development on this site for housing was contrary to Env 10.

The applicant had asserted that the ground levels and poor environmental management had previously prevented this area of land from realising its full potential as a parkland. In addition, the site had been subject to large amounts of fly-tipping in the past, which

has prevented it from being utilised to its full extent. However, the parkland had undergone a series of recent improvements and investment and was now being utilised for its intended purpose by the new population in the surrounding Greendykes housing developments. The representations submitted by surrounding residents demonstrated how the parkland was becoming a valuable asset for the surrounding communities.

Although the application site was not fully within Council ownership, and the land which was in Council ownership was undergoing a transition from unmaintained land to parkland, housing development on this site would remove this land from the green belt in perpetuity. This would prevent the site from realising its full potential in the future as a multi-functional parkland which would benefit the new residents as well as the city.

The Chief Planning Officer gave details of the design, scale and layout. In assessing the proposal against this framework of policies and guidance, the proposed buildings along the edges of the site did not address any of the surrounding streets or parkland in a positive way. With regards to policy Des 4, the scale and proportions of the proposed development did not sit comfortably within the landscape. The areas of parking were dominant across the development, and the scale and massing of the flats were incongruous at the location.

The landscape had the potential to provide many services for the population of Craigmillar and beyond. It was part of a strategic network of green corridors and parks, designed to complement existing and new urban development. The current landscape was semi-rural. The semi-rural nature of the character had the potential to provide an open landscape that was characterised by wildlife that was associated with the countryside. This would be damaged by the loss of parkland area. The applicant had commented that the semi-rural nature of the park was not appropriate in this location and that the character of the park should change to become more of a managed urban parkland. The applicant stated that it would contribute towards the management and maintenance of the park if planning permission was granted, on the basis of an urban park. However, this was not the Council's aspirations for the land, and as noted in the letters of representation, the semi-rural parkland was already providing a valuable area for the new residents of Greendykes.

Details of infrastructure constraints were provided, including education, transport and healthcare. For the larger of the applications there was 58 letters of representations were received. These comprised 56 letters of objection, one letter of support and one letter of general comment. The chief planning officer concluded with the recommendation that the applications for planning permission be refused subject to referral to Council

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/437133

(b) Jeff Stevenson, Objector

Mr Stevenson addressed the sub-committee in opposition to the proposed development.

Mr Stevenson argued the proposals would give rise to the loss of Green Belt and green wedge Parkland and would lead to a loss of wonderful panoramas from the Pentlands across Braid Hills/Blackford Hill to Craigmillar Castle, and Arthur's Seat and across to the Firth of Forth. The development would have a major adverse effect on the landscape character and visual amenity both external to and internally within the Springfield site, the Little France Park and along The Wisp.

There would also be a substantial reduction of opportunity to provide for recreation, well-being associated with physical and mental health and the scope to engage with nature. The development would also lead to an exacerbation of existing traffic problems over the local highway network.

Mr Stevenson concluded that, if accepted, so much existing and future public benefit would be lost. The consenting of either proposal would undermine the Council's principles, policies and plans which would give rise to the erosion and loss of the Council's planning and environmental credibility.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/437133

(c) Applicant and Applicant's Agent

Innes Smith (Springfield Properties) and Mark Hamilton (Springfield Properties) were heard in support of the application.

Mr Smith discussed the commercial and amenity aspects of the application. The application was recommended for refusal, primarily because it was on Green Belt land. Mr Smith stated that the proposals would enhance and secure Green Belt land. The Little France area was approximately 90 acres of unkept, waist high grass with a path route. Mr Smith said fly-tipping was a problem on the site and was not a particularly safe area. Springfield Properties were proposing to convert 30 acres to housing, but importantly argued Mr Smith, gave 60 acres of the park an injection of investment.

Mr Smith stated that Springfield Properties would spend up to one million pound putting in interconnecting pathways, installing benches, clearing areas, cutting grass allowing for public art, play parks, allotment. Springfield would also collect fees from the residents as part of a factoring change and this would pay for the park in perpetuity. This would secure the area for Green Belt forevermore.

Of the 500 houses proposed, 133 would be affordable housing. These could be directed to Edinburgh Council or to a housing association. Mr Smith stated he was happy to work with whoever the council wanted Springfield Properties to work with. The development would also create jobs and make a significant economic contribution. Each house was estimated to create four indirect jobs and Springfield properties would take on fifteen apprentices. There was a historic agreement in place which allowed Springfield Properties to buy the land under the council control.

Mr Smith thanked the sub-committee for their time.

The presentation can be viewed via the link below:

Decision

To refuse planning permission, subject to referral to Full Council, for the reasons set out in Section 3 of the report by the Chief Planning Officer.

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

4. 37 Corstorphine Road, Edinburgh, EH12 5QQ

Details were provided of proposals for planning permission for the demolition of the existing house, erection of a new building to form residential apartments with associated car parking and landscaping at 37 Corstorphine Road, Edinburgh, EH12 5QQ.

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

Decision

Motion

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

- moved by Councillor Rose, seconded by Councillor Child.

Amendment

To refuse planning permission as the proposals were contrary to Local Development Plan Policies Des 1, Des 4, Des 5, Hou 3 and Env 21.

- moved by Councillor Gardiner, seconded by Councillor Staniforth.

Voting

For the motion: - 4 votes

(Councillors Child, Fullerton, Griffiths and Rose)

For the amendment: - 6 votes

(Councillors Gardiner, Claire Miller, Mitchell, Mowat, Osler and Staniforth)

Decision

To refuse planning permission as the proposals were contrary to Local Development Plan Policies Des 1, Des 4, Des 5, Hou 3 and Env 21.

(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.		
<u>Item 4.1 - Lochside Way, Edinburgh (Land Adjacent To)</u>	Forthcoming application by Parabola Edinburgh Limited for the development of the Southern Phase of Edinburgh Park to comprise a mix of uses including residential (Class 9 houses and sui generis flats), student accommodation and serviced apartments (sui generis), offices (Class 4), hotel (Class 7), crèche (Class 10), leisure (Class 11), ancillary Class 1/ Class 2/ Class 3 and sui generis public house, car parking, landscaping, roads, access and associated works. The submission of this PAN follows an earlier consultation in respect of the site. This PAN reflects a new approach to the site to take forward a residential lead masterplan - application no 19/02776/PAN	<ol style="list-style-type: none"> 1) To note the key issues at this stage. 2) To take into account the following additional issues: <ul style="list-style-type: none"> • Air Quality • Noise • Wider connectivity in terms of active travel links and walking and cycling provision • sustainability • Place making - how development would integrate with neighbourhoods to create a community
<u>Item 4.2 - The Forts, 3 Hawes Brae, South Queensferry EH30 9TE</u>	Forthcoming application by Network Rail Infrastructure Limited for proposed development of reception centre and bridge access system with associated car parking, landscaping and servicing and alterations to existing pedestrian and vehicular access - application no 19/02357/PAN	To note the key issues at this stage.
<u>Item 4.3 - 9 Briery Bauks, Edinburgh, EH8 9TE</u>	Proposed change of use from residential to commercial short term residential lets. - application no 19/01531/FUL-	To REFUSE planning permission for the reasons set out in the report by the Chief Planning Officer.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 4.4 - Boroughmuir High School, 111 Viewforth, Edinburgh, EH11 1FL</u>	Proposed 5 storey extension to Boroughmuir High School, including 12 new classrooms, community facilities, ancillary accommodation, relocation of existing footpath, alterations to external landscaping, and secure car park compound (as amended)- application no 19/02377/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.5 - 15 Comiston Drive, Edinburgh, EH10 5QR</u>	Create new car parking space by removing the front wall and railings for access. Add triple bin store and bike store with new path to front door and gravel area - application no 19/01115/FUL	To PARTLY GRANT and PARTLY REFUSE Planning Permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.6 - 134 Corstorphine Road, Edinburgh, EH12 6TS, East Lodge.</u>	Two freestanding digital billboards, measuring 6m wide by 3m tall. Five 4m tall canvas signs on westerly approach to the zoo -application no 19/02194/ADV	To REFUSE advert consent for the reasons set out in the report by the Chief Planning Officer.
<u>Item 4.7 - 40 Ferry Road, Edinburgh, EH6 4AE</u>	Advertisement of the following types: Fascia Sign - application no 19/03037/ADV	To GRANT Advert Consent subject to the conditions and reasons set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.8 - 159 Fountainbridge Edinburgh (Site At Former)</u>	Mixed use development comprising residential (flats) and other commercial uses including Class 3 Food and Drink and Class 11 Assembly and Leisure with associated access roads, landscaping / public realm and car parking (as amended) - application no 19/00256/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives and a legal agreement set out in section 3 of the report by the Chief Planning Officer, and an additional condition that before work begins a Public Realm Plan was approved by planning officers in consultation with community council.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 4.9 - 17</u> <u>Frogston Road East,</u> <u>Edinburgh (Land 296</u> <u>Metres South Of)</u>	Change of house types and creation of 7 additional units to form 13 terraced houses - application no 19/00869/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.
<u>Item 4.10 - 17</u> <u>Frogston Road East,</u> <u>Edinburgh (Land 296</u> <u>Metres South Of)</u>	Change of house types and creation of 5 additional units to form 22 cottage flats, 15 terraced houses and 2 semi-detached houses - application no 19/00871/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives and a legal agreement set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.11 - 17</u> <u>Frogston Road East,</u> <u>Edinburgh (Land 296</u> <u>Metres South Of)</u>	Change of house types and creation of 10 additional units to form 22 terraced houses - application no 19/00872/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives and a legal agreement set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.12 - 17</u> <u>Frogston Road East,</u> <u>Edinburgh (Land 296</u> <u>Metres South Of)</u>	Change of house types and creation of 16 additional units to form 39 terraced houses - application no 19/00868/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives and legal agreement set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.13 - 2 - 3</u> <u>Hermitage Place,</u> <u>Edinburgh, EH6 8AF</u>	Erect new 2 storey building on land at rear of hotel as ancillary accommodation for the hotel) - application no 19/00653/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.14 - 6 John's</u> <u>Place, Edinburgh,</u> <u>EH6 7EP</u>	Change of use from language school to guest house application no 19/01932/FUL	To GRANT Planning Permission subject to the informatives set out in section 3 of the report by the Chief Planning Officer, and an additional condition to secure additional cycle parking.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 4.15 - 18,19,20,21,22,23 & 24 John's Lane, Edinburgh, EH6 7EU</u>	Alterations to an existing derelict warehouse linked to the creation of 20 residential units - application no 19/01855/LBC	To GRANT listed building consent subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.16 - Lochend House, 33 - 35 Lochend Road South, Edinburgh EH7 6BR</u>	Change of use to guest house - application no 19/01720/FUL	To GRANT Planning permission subject to the reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.17 - 69 - 71 Marionville Road, Edinburgh, EH7 6AQ</u>	Planning permission for the demolition of two existing business class units and the erection of a new residential development of 120 units. Units are split over 4 apartment buildings, noted as Block A (East Block) Block B (South Block), Block C (West Block) and Block D (North Block), and a terrace of 10 mews houses. Application also concerns car parking, car port and associated landscaping (as amended) - application no 18/10499/FUL	To REFUSE Planning Permission for the reasons set out in the report by the Chief Planning Officer.
<u>Item 4.18 - 25 Milton Link, Edinburgh, EH15 3QH</u>	Variation of condition (ii) imposed on planning permission TP/5/M/2264/85 to enable the sale of food for up to 743 sq.m - application no 18/09995/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives and legal agreement set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.19 - 63 Morningside Drive, Edinburgh, EH10 5NQ</u>	Change of use from nursing home (class 8) to dwelling with a two-storey east side extension; single storey rear extension; single storey west side extension; and associated garden landscaping. - application no 19/02190/FUL	To GRANT Planning Permission subject to the conditions and reasons set out in section 3 of the report by the Chief Planning Officer.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 4.20 - New Street Edinburgh (Land Adjacent To)</u>	Application for the discharge of a planning obligation clause relating to Car Club provisions - application no 19/00398/OBL	To MODIFY Planning Obligation subject to the informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.21 - New Street Edinburgh (Land Adjacent To)</u>	Application for the discharge of a planning obligation clause relating to the provision of a Travel Plan - application no 19/00400/OBL	To MODIFY Planning Obligation subject to the informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.22 - New Street Edinburgh (Land Adjacent To)</u>	Application for the discharge of a planning obligation clause relating to the provision of affordable business space - application no 19/00536/OBL	To MODIFY Planning Obligation subject to the informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.23 - Ravelston Dykes Quarry, Ravelston Dykes Road, Edinburgh</u>	Material and design amendments to approved dwellinghouse on Plot 1 of planning permission reference 16/05074/FUL. External alterations including changes to materials, window openings and replacement of pitched roof with flat roof garden - application no 19/01108/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives and a legal agreement set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.24 - Ravelston Dykes Quarry, Ravelston Dykes Road, Edinburgh</u>	Material and design amendments to approved dwelling house on Plot 2 of planning permission reference 16/05074/FUL. External alterations including changes to materials, window openings and replacement of pitched roof with flat roof garden - application no 19/01090/FUL	To GRANT Planning Permission subject to the conditions, reasons and 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
<u>Item 4.25 - Ravelston Dykes Quarry, Ravelston Dykes Road, Edinburgh</u>	Material and design amendments to approved dwelling house on Plot 3 of planning permission reference 16/05074/FUL. External alterations including changes to materials, window openings and replacement of pitched roof with flat roof garden - application no 19/01091/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives and a legal agreement set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.26 - Royal Botanic Nursery, Inverleith Avenue South, Edinburgh</u>	Construction of Plant Health Suite, Sustainable Energy Centre, multi service trench, oil tanks, landscape works and related infrastructure at RBGE Nursery (as amended) - application no - 18/10304/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.27 - Parts of Muirhouse Avenue, Muirhouse Avenue North, Muirhouse Crescent and Muirhouse Way</u>	Stopping Up Order - Edinburgh PO/18/05	To CONFIRM the Stopping Up Order.
<u>Item 4.28 - West Bonnington Farm, Bonnington, Kirknewton, EH27 8BB</u>	Erection of farmhouse in connection with agricultural use (as amended) - application no 18/10372/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives and a legal agreement as set out in section 3 of the report by the Chief Planning Officer.
<u>Item 6.1 - South East Wedge, Old Dalkeith Road, Edinburgh</u>	Protocol Note by the Head of Strategy and Communications - application nos 19/01032/FUL and 19/01481/FUL	Noted.
<u>Item 6.2 - South East Wedge, Old Dalkeith Road, Edinburgh</u>	Erection of 505 residential dwellings, 350 sq m of retail, open space and associated infrastructure - application no 19/01481/FUL	To REFUSE Planning Permission, subject to referral to Full Council, for the reasons set out in Section 3 of the report by the Chief Planning Officer.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 6.3 - South East Wedge, Old Dalkeith Road, Edinburgh</u>	Erection of 199 residential dwellings, public open space and associated infrastructure - application no 19/01032/FUL	To REFUSE Planning Permission, subject to referral to Full Council, for the reasons set out in Section 3 of the report by the Chief Planning Officer.
<u>Item 7.1 - 7 - 17 Leven Street, Edinburgh EH3 9LH</u>	Partial demolition of the existing building and construction of 8 flatted dwellings including internal and external alterations to the existing shop (as amended) - application no 19/01461/FUL	<p>To GRANT Planning Permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer, and an additional condition to provide further details on the angled windows on the rear elevation.</p> <p>Declaration of interests Councillor Claire Miller declared a non-financial interest in this item as she had previously supported residents this application and took no part in consideration of the item.</p>
<u>Item 7.2 - Royal Blind School, 2B Craigmillar Park, Edinburgh, EH16 5NA</u>	Refurbishment and conversion of existing listed school for residential use (21 units). Refurbishment and extension of existing gate lodge building. Demolition of non-listed structures and formation of new residential dwellings (27 units), (as amended) - application no 18/10180/FUL	<p>To GRANT Planning Permission subject to the conditions, reasons and informatives and a legal agreement set out in section 3 of the report by the Chief Planning Officer.</p> <p>Dissent Councillor Miller requested that her dissent be recorded in respect of this decision.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 7.3 - Royal Blind School, 2B Craigmillar Park, Edinburgh, EH16 5NA</u>	Refurbishment and conversion of existing listed school for residential use. Refurbishment and extension of gate lodge building - application no 18/10258/LBC	<p>To GRANT listed building consent subject to the conditions and informatives set in out in Section 3 of the report by the Chief Planning Officer with an added condition of the retention and refurbishment of the existing windows in the gate lodge.</p> <p>Dissent</p> <p>Councillor Miller requested that her dissent be recorded in respect of this decision.</p>
<u>Item 7.4 - Royal Botanic Garden, 20A Inverleith Row, Edinburgh, EH3 5LR</u>	Restoration, improvement and redevelopment of the North East corner of the Royal Botanic Garden. Development comprises works to listed buildings and structures; construction of a new glasshouse, research glasshouses, education building, horticultural support building and associated buildings; landscape works; erection of polytunnels and temporary decent facilities; temporary construction access road; and associated development and demolition (as amended) - application no 19/01068/FUL	<p>To GRANT Planning Permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.</p> <p>Councillor Gardiner declared a non-financial interest in this item as he had an annual membership of Royal Botanic Gardens Glass House.</p>
<u>Item 7.5 - Royal Botanic Garden, 20A Inverleith Row, Edinburgh, EH3 5LR</u>	Alterations and restoration works to the Victorian Palm houses, the 1967 glasshouses, and relocation of the Linnaeus Monument. Works will also include the temporary removal of gates and railings at Inverleith Place to facilitate the proposed construction access. (as amended) - application no 19/01069/LBC	<p>To GRANT listed building consent subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.</p> <p>Councillor Gardiner declared a non-financial interest in this item as he had an annual membership of Royal Botanic Gardens Glass House.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 7.6 - Royal Botanic Garden 20A Inverleith Row Edinburgh, EH3 5LR</u>	<p>Complete demolition in a Conservation Area - application no 19/01070/CON</p>	<p>To GRANT Conservation Area consent subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.</p> <p>Councillor Gardiner declared a non-financial interest in this item as he had an annual membership of Royal Botanic Gardens Glass House.</p>
<u>Item 8.1 - 37 Corstorphine Road, Edinburgh, EH12 5QQ</u>	<p>Demolition of existing house, erection of new building to form residential apartments with associated car parking and landscaping. - application no 18/02404/FUL</p>	<p>To REFUSE planning permission as the proposals were contrary to Local Development Plan Policies Des 1, Des 4, Des 5, Hou 3 and Env 21.</p> <p>(on a division)</p>

Minutes

Development Management Sub-Committee of the Planning Committee

10.00 am, Wednesday 14 August 2019

Present:

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

1. Minutes

Decision

- 1) To approve the minute of the Development Management Sub-Committee of 24 April 2019 as a correct record.
- 2) To approve the minute of the Development Management Sub-Committee of 8 May 2019 as a correct record.
- 3) To approve the minute of the Development Management Sub-Committee of 22 May 2019 as a correct record.
- 4) To approve the minute of the Development Management Sub-Committee of 5 June as a correct record.

2. General Applications and Miscellaneous Business

The Sub-Committee considered reports on planning applications listed in Sections 4, 5, and 7 of the agenda for this meeting.

Requests for Presentations

None.

Decision

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

(Reference – reports 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.		
<u>Item 4.1 - 36 - 39</u> <u>Market Street</u> <u>Edinburgh EH1 1DF</u>	Change of Use to former nightclub [36-39] to extend Fruitmarket Gallery [No 45]: Class 11(d) to 10(c). Various alterations to and reinstatement of original windows & shopfront, install roof mounted plant. Internal alterations: removal of 1st floor to create double height gallery to east section of property and on west, over two floors, toilets, stores & workshop located to west, with staff accommodation above. Internal slappings to single storey link connect two properties forming one venue – application no 19/02006/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.2 - 36 - 39</u> <u>Market Street</u> <u>Edinburgh EH1 1DF</u>	Externally: form new entrance in fully glazed central opening retaining existing features; reinstate windows blanked off by previous occupants [excluding some to North facade]; alter frontage to single storey link [between 36-39 & 45] & install external roof mounted services. Internally: form access linking 36-39 to 45, create central plant room, remove floor to create double height gallery to east; over two floors to west, form gallery stores, workshop, public WCs & staff accommodation– application no 19/02004/LBC	To GRANT Listed Building Consent subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 4.3 - 45 Market Street Edinburgh EH1 1DF</u>	<p>External: alter main entrance and existing service access & fire exit, replace rooflights, flat roof coverings & install new services. Internal: Form access linking Nos 36-39 & 45 to extend into adjacent building [as per separate application], relocate kitchen, alter cafe, passenger lift & WCs, replace main stair, alter upper floor galleries, form learning suite [staff accommodation relocates to Nos 36-39]. No works are proposed to North facade Category A Listed substructure of Station. – application no 19/02007/FUL</p>	<p>To GRANT Planning Permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.</p>
<u>Item 5.1 - 7, 11, 13 Eyre Terrace Edinburgh EH3 5ER</u>	<p>Planning permission in principle for mixed use development. Retail (class 1); financial, professional + other services (class 2); food + drink (class 3); business (class 4); hotels (class 7); residential (class 8, 9 + sui generis), car parking, access + other works, approval of siting + maximum height of principal building block, points of vehicular/pedestrian access + egress – application no 14/01177/PPP</p>	<p>To GRANT Planning Permission in principle subject to the conditions, reasons, informatives and a legal agreement set out in section 3 of the report by the Chief Planning Officer.</p>
<u>Item 7.1 - Niddrie Mains Road Edinburgh (Redevelopment Site At)</u>	<p>Erection of a new 3 and 4 storey secondary school with associated hard and soft landscaping, 'town square' proposal, external sports provision and car parking. – application no 19/01771/FUL</p>	<p>To GRANT Planning Permission subject to the conditions, reasons, informatives and Memorandum of Understanding set out in section 3 of the report by the Chief Planning Officer and an additional informative that growing spaces should be considered.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 7.2 - 2 Windrush Drive Edinburgh (Land North Of)</u>	Victoria Primary School - New primary school and nursery and associated playground spaces – application no 18/10570/FUL	To GRANT Planning Permission subject to the conditions, reasons, informatives and Memorandum of Understanding set out in section 3 of the report by the Chief Planning Officer.

Development Management Sub Committee

Wednesday 28 August 2019

Report for forthcoming application by

City Of Edinburgh Council. for Proposal of Application Notice

19/02885/PAN

At Proposed Roseburn To Union Canal Cycleway, Dalry Road, Edinburgh

The development of a new Cycle Link between Roseburn Path and Union Canal, in order to deliver a safe, family friendly network across the city (previous consultations undertaken under reference 16/01908/PAN).

Item number

Report number

Wards

B07 - Sighthill/Gorgie

Summary

The purpose of this report is to inform the Development Management Sub Committee of a forthcoming application for planning permission for the development of a new off-road cycle link between Roseburn Path and the Union Canal, Edinburgh.

In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997, as amended, the applicants submitted a Proposal of Application Notice on 11 June 2019.

Links

Coalition pledges

Council outcomes

Single Outcome Agreement

Recommendations

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

Background

2.1 Site description

The application site (2.78 hectares) comprises tracts of land associated with a former railway. The site extends from the junction of Sauchiebank and Russell Road in the north west to the West Approach Road and Telfer Subway to the south east. The site area is mainly woodland with open space, including the existing Dalry Community Park to the south east.

The site is subdivided into 3 component parts, these being separated by the Mid Calder Railway line and Dalry Road:-

1) The northern part of the site (0.96 hectares) includes land bounded by Sauchiebank to the north with Sauchiebank Industrial Estate lying to the east. Russell Road is situated to the west and the Mid Calder railway line is to the south east. The land is covered by mature and semi mature woodland and slopes steeply from Russell Road, Sauchiebank and the railway to form an elevated plateau to the central part of the area.

2) The central part of the site (0.42 hectares) is bounded by the Mid Calder railway line to the north west and the West Approach Road to the south. Duff Street Lane and Downfield Place lie beneath the level of land to the north east of the area, these locations being characterised by flatted residential properties. This part of the site reduces in width towards Dalry Road and the existing West Approach Road bridge. The land is mainly wooded with a grassy clearing to the western part of the area, this being accessed via steps from Duff Street Lane.

3) The south eastern part of the site (1.4 hectares) is occupied by the existing Dalry Community Park. The area is bounded by the West Approach Road and associated embankments to the south east and south west, with woodland planting to the site edges. A supermarket with surface car parking, new student accommodation (currently under development) and residential flats are situated to the north, these being separated by a retaining wall. The park includes an existing games court and shelter and is crossed in an east-west direction by an existing walkway/cycleway which also serves as National Cycle Route 1.

2.2 Site History

08 June 2016 - Proposal of Application Notice for the same project previously presented to Committee (Application reference;- 16/01908/PAN).

17 February 2015 - Advertisement Consent granted to erect internally illuminated Digital 200 adverts display at land 35 metres south west of 209 Dalry Road (Application reference;- 14/05228/ADV).

Neighbouring Sites

06 November 2013 - Planning permission granted for student residential development at 22-24 Orwell Terrace (site to the north of Dalry Park) (Application reference:- 12/01928/FUL).

Main report

3.1 Description Of The Proposal

This proposal will be to develop an off-road cycle and walkway from the junction of Sauchiebank/Russell Road to the Telfer Subway on the northern edge of the West Approach Road. The total route would be approximately 900 metres in length. This proposal forms part of a longer term strategy to deliver a comprehensive cycle network across the city, which includes a new cycle link between Roseburn Path to the north and the Union Canal to the south.

No details have been formally submitted at this stage, although draft proposals have been presented as part of pre-application discussions and initial public consultation exercise.

Indicative proposals identify:-

- The project would include the erection of two new bridges to span the Mid Calder Railway and Dalry Road. Earthworks with retaining structures will be required to the northern part of the site and Dalry Park area, with a cantilevered walkway at the northern approach to the proposed Dalry Bridge. Screening and noise attenuation barriers are being considered where the route abuts the West Approach Road. The route would include street furniture, including lighting stanchions, seating, waste bins and wayfinding signage.
- A level of tree removal will be required in order to construct the route but existing trees will be retained where feasible. Extensive replacement planting would be implemented as part of the project.
- The Dalry Community Park would be subject to upgrading as part of the project to create a multi-functional park space. This would include a new layout to the play area and equipment for use by younger children and replacement of the existing sports pitch with an all weather pitch, with improved access points from Dalry Road, the supermarket car park and Telfer Subway.

An application for Full Planning Permission will be sought at this stage.

3.2 Key Issues

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

a) The land uses would be acceptable in principle having regard to the development plan and non-statutory guidance;

The Edinburgh Local Development Plan (LDP) identifies the majority of the site as open space. Dalry Community Park is identified as proposal GS1. Cycle/Footpath Safeguard T7 passes through the site between Sauchiebank and Dalry Road, with a further spur running to the west along the West Approach Road. This proposal identifies various off-road cycle/footpath links across the city.

The proposal should have regard to the policies of the LDP, particularly those relating to Transport, Caring for the Environment and Design Principles for New Development. The proposal should also have regard to the requirements of the Edinburgh Design Guidance and the new Edinburgh Street Design Guidance.

b) Is the design and layout acceptable within the character of this area and does the proposal comply with the LDP Development Principles;

Particular consideration will need to be given to the landscape character, biodiversity, recreational and amenity value of the site including the impact of any tree removal.

The project will include a range of civil engineering works, including earthworks, erection of retaining wall and bridge structures. There will be a need to ensure an integrated design approach between the delivery of civil engineering requirements and landscape and urban design quality.

The proposal to upgrade Dalry Community Park should also seek to enhance the quality and usability of this area as urban greenspace, as per the LDP proposal.

The impact of the works upon the amenity of neighbouring residential properties will also need to be considered.

c) Access arrangements are acceptable in terms of cycle and pedestrian connectivity and road safety;

The proposal should have regard to the relevant transport policies of the LDP, the Scottish Government's Designing Streets Guidance and the Edinburgh Street Design Guidance.

d) There are other environmental factors that require consideration;

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

- Pre-application Consultation Report;
- Planning Statement (to include Environmental mitigation issues)
- Design and Access Statement;
- Flooding and Drainage Assessment as per the requirements of Self Certification flood package D. This would include a Surface Water Management Plan.
- Tree Survey;
- Phase 1 Habitat and Protected Species Survey;
- Desk Top Archaeology Report; and
- S1 Sustainability Statement Form.

e) There are any other environmental factors that require consideration.

An EIA screening opinion has previously been sought by the applicants in relation to the proposals. This established that an EIA would not be required.

3.3 Assessment

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

Financial impact

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

Risk, Policy, compliance and governance impact

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

Equalities impact

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

Sustainability impact

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The Proposal of Application Notice 19/02885/PAN outlined arrangements for a drop-in public exhibition event at St Brides Community Centre, Dalry on 19 June 2019.

Further to the public exhibition, a Public Access Website with an online questionnaire will be used. This will present design proposals and gather public feedback on the scheme.

Gorgie/Dalry and Murrayfield Community Councils have also been issued with a copy of the Planning Application Notice. The results of the community consultation will be submitted with each part of the Pre-application Consultation Report.

This is the second Proposal of Application Notice to be lodged in relation to the proposal, following the submission of 16/01908/PAN. This has been lodged to reflect the further recent public engagement which has taken place. Public consultation was previously been undertaken by the Council as part of the previous PAN and early project development during 2015-2016.

Background reading/external references

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

David R. Leslie

Chief Planning Officer

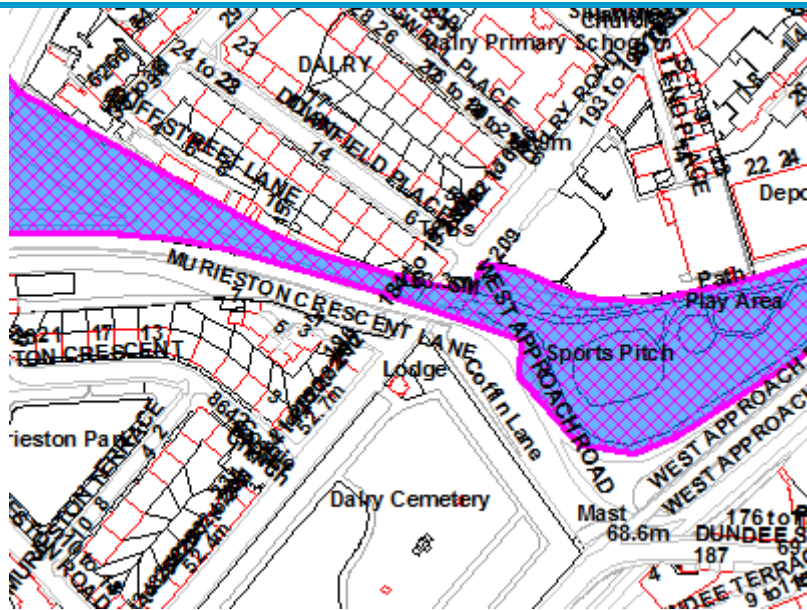
PLACE

The City of Edinburgh Council

Contact: Francis Newton, Senior Planning Officer

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Location Plan



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END

Development Management Sub Committee

Wednesday 28 August 2019

**Application for Planning Permission 18/02116/FUL
At 34 Cammo Road, Edinburgh, EH4 8AP
Proposed demolition of existing dwelling, erection of 7x
Townhouses with associated parking, landscaping and
footpaths (as amended).**

Item number

Report number

Wards

B01 - Almond

Summary

The principle of residential development on this site is acceptable. The proposal will not have a detrimental impact on the spatial character of the area and is of an appropriate design quality. There will be no adverse impact on the amenity of existing neighbours and a satisfactory level of amenity will be provided for the future occupiers of the townhouses. The proposal raises no issues in respect on transport. The proposal complies with the Edinburgh Local Development Plan and relevant non-statutory Guidance.

Links

[Policies and guidance for this application](#)

LDPP, LHOU01, LHOU02, LHOU03, LHOU04, LDES01, LDES04, LDES05, LEN11, LEN16, LEN21, LTRA02, LTRA03, NSG, NSGD02,

Report

Application for Planning Permission 18/02116/FUL At 34 Cammo Road, Edinburgh, EH4 8AP Proposed demolition of existing dwelling, erection of 7x Townhouses with associated parking, landscaping and footpaths (as amended).

Recommendations

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

Background

2.1 Site description

The application site is located on the north side of Cammo Road. There is an existing residential dwelling on the site, which will be demolished. The house is a large, two storey detached villa with a sizeable garden to the rear and side of the property surrounded by mature landscaping and woodland. The Bughtlin Burn borders the site to the east along with mature woodland; this area is located within a local nature conservation site and the Lower Almond Special Landscape Area. Beyond this lies a residential development at Strathalmond Road.

Directly to the north of the site is number 34b Cammo Road, a detached bungalow with the River Almond sitting beyond this. Immediately to the west of the site is the River Almond Walkway and detached residential properties.

Vehicular access to the site is from the south east corner of the site.

2.2 Site History

17/06/2005 - Planning permission granted for extension to dwelling house (application reference: 05/01352/FUL).

Main report

3.1 Description Of The Proposal

The application is for the demolition of the existing detached house on the site.

The application proposes to erect six town houses with two located towards the front of the site and four to the rear. Each dwelling will be three storeys in height with a flat roof. Each will have four bedrooms with a gross floor area of 211square metres.

The dwellings will be finished in brick and timber.

Access to the site will be from the south west corner and will be widened to allow access into and out of the site.

Scheme 1

The scheme has been reduced from seven to six town houses.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposal is acceptable in principle;
- b) the proposal is acceptable in regards to the spatial characteristics of the neighbourhood;
- c) the proposal is acceptable in design;
- d) the landscape impacts are acceptable;
- e) the proposal will have an adverse impact on neighbouring amenity;
- f) the proposal will provide sufficient amenity for future occupiers;
- g) the proposal raises any concerns in relation to transport;
- h) there are any other material considerations; and
- i) any material comments made in representations have been addressed.

a) Principle

Policy Hou 1 in the Edinburgh Local Development Plan (LDP) supports the delivery of housing on suitable sites in the urban area, provided proposals are compatible with other policies in the Plan.

The application site is designated urban area as defined by the LDP. The principle of residential development is acceptable in this location. The proposal complies with Policy Hou 1.

b) Spatial Character

Policy Hou 2 seeks the provision of a mix of housing types and sizes to meet a range of housing needs, including for families, having regard to the characteristics of the area surrounding a site and its accessibility. Policy Hou 4 states that the Council will seek an appropriate density of development on a site having regard to its character and accessibility. There is a need to create an attractive residential environment and safeguard living conditions within the development, as stated in Policy Hou 4. The Edinburgh Design Guidance (EDG) states that in new suburban developments, the Council encourages the efficient use of land and a mix of housing types.

The proposal is for six terraced town houses within a predominantly residential area. The plot is sufficiently large enough to accommodate these townhouses.

The density of the housing proposed in this application is higher than the density of surrounding houses. However, the development is of a domestic scale and can be inserted into the site without having a detrimental impact on the wider amenity or character of the area.

The site is an unusually large plot with a detached property (34b) located to the rear of it which does not conform to the spatial pattern of the immediate area. The existing footprint of the house does not follow the building line of the properties to the west of the site and the footprint of the proposed development also differs from this. However, in the wider context of the site there is a higher density of development located to the east with a varied character. The increased density and footprint of development proposed on this site is acceptable and will not have a detrimental impact on the spatial character of the immediate area, which is already diverse.

The site is accessible with links into the the River Almond Walkway connecting into Queensferry Road and the National Cycle Network Route 1.

The proposal complies with Policy Hou 2 and Policy Hou 4 in the LDP and the EDG.

c) Design

Policy Des 1 in the LDP states that planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it. Policy Des 4 states that planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, having regard to the height and form of the development, its scale and proportions, its position on site and any materials and detailing.

The architectural style of the building is modern with a mixed palette of materials including brick and timber. The town houses will be three storeys in height and are of a domestic scale which relates well to the existing roof ridges of the neighbouring property to the west. The town houses to the rear are positioned between 7 and 10 metres from the boundary to the north providing adequate spacing between the proposal and number 34b.

The design of the development on site is acceptable.

Having regard to the character of the surrounding area, the proposal is of an appropriate design. The development will have a positive impact on its surroundings and is acceptable in terms of height, form, scale, proportions, position, materials and detailing. The proposal complies with Policy Des 1 and Policy Des 4 in the LDP and the EDG.

d) Landscape

The east of the site is identified in the LDP as a Special Landscape Area (SLA). Policy Env 11 Special Landscape Areas states that planning permission will not be granted for development which would have an adverse impact on the special character or qualities of the SLA.

SPP paragraph 202 states that the siting and design of development should take account of local landscape character. Decisions should also take account of potential effects on landscapes and the natural environment.

The proposed development does not encroach into the SLA and is of a limited scale ensuring the natural open character of this area is not affected. There is existing access from within the site to the Local Nature Conservation Site, and the potential formation of another footpath will not exacerbate the existing situation given the relatively small scale of the development.

The proposal will not have an adverse impact on the Special Landscape Area and complies with LDP policy Env 11.

Policy Env 12 states that development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention unless necessary for arbocultural reasons. Policy Env 16 of the LDP states that development that would have an adverse impact on species protection will not be granted.

A tree survey was submitted and this recommended a total of thirteen trees to be removed to facilitate the development. The species range from Juniper, Apple, Prunus, Holly and Lawson Cypress, are all of moderate quality and are not located within the Special Landscape Area. The trees located to the south and east form the established character of this site and the trees identified for removal make a minimal contribution towards this. Their removal is considered acceptable and will be mitigated through the new planting proposed as part of the proposal.

An Ecology Survey and Bat Assessment has been submitted by the applicant. No evidence of any bats was found on site. The report recommended that an otter survey is carried out along the Bughtlin Burn and a condition has been added in respect of this.

The proposal complies with LDP policy Env 16.

e) Neighbouring Amenity

Policy Des 5 in the LDP states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected. Consideration must be given to neighbouring properties to ensure that there are no unreasonable noise impacts or loss of daylight, sunlight or privacy and immediate outlook.

The townhouses have been positioned so that reasonable levels of daylight and sunlight to neighbouring buildings and gardens north and west are maintained. The spacing between the townhouses and the existing buildings is acceptable.

The proposal will not have an adverse impact on neighbouring amenity and complies with Policy Des 5 in the LDP and the EDG.

f) Amenity for Future Occupiers

Policy Des 5 in the LDP states that planning permission will be granted for development where it is demonstrated that future occupiers will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy and immediate outlook.

The proposed townhouses will achieve reasonable levels of daylight. The windows to the front and back of the properties are relatively large and as such, will ensure all habitable rooms enjoy an appropriate degree of daylight.

The EDG states that a property with three or more bedrooms must have a minimum internal floor area of 91 square metres. All of the townhouses will have an internal floor area of 211 square metres which is in excess of the minimum standard set by the EDG.

Each townhouse will have an individual, private garden. Policy Hou 3 in the LDP states that planning permission will be granted for development that makes adequate provision for green space to meet the needs of future residents. Each of the houses will have a good sized garden area providing adequate useable green space for future occupiers.

The proposal is acceptable in terms of daylight, sunlight, privacy and outlook for future occupiers and complies with Policy Des 5 in the LDP and the EDG.

g) Transportation Issues

Policy Tra 2 in the LDP deals with private car parking and states that planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council Guidance.

Car Parking Standards are set out in the EDG. Each townhouse has both a private garage and a front driveway, giving a total of two parking spaces. Cycle storage can be provided within the private garages for three cycles. The proposal complies with the maximum standard set in the EDG and Policies Tra 2 and Tra 3 in the LDP.

The scheme has been amended to include a shared surface, removal of the visitor spaces and relocation of the bin stores nearer to the entrance to comply fully with the requirements of Transport. The Roads Authority was consulted and raised no objections to the application, provided a number of informatives were attached.

The application raises no issues in respect of transport.

h) Other Material Considerations

Children and Families

This site falls within Sub-Area W-1 of the 'West Education Contribution Zone'. The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme. The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed. The proposed development is therefore required to make a contribution towards the delivery of these actions based on the established 'per house' and 'per flat' rates for the appropriate part of the Zone.

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

The total infrastructure contribution required is £88,815. The total land contribution required is £19,650. This gives a total contribution of £108,465.

A legal agreement is recommended to secure the required contribution.

i) Public Comments

Material Representations - Objection

- Overdevelopment of the site - assessed in section 3.3 (b).
- Overshadowing/loss of privacy - assessed in section 3.3 (e).
- Loss of trees - assessed in section 3.3 (d).
- Traffic and parking - assessed in section 3.3 (g).
- Out of scale and character with the area - assessed in section 3.3 (b).
- Environmental Impact including endangered species - assessed in section 3.3 (d).

Cramond and Barnton Community Council

The Cramond and Barnton Community Council was consulted as a statutory consultee and objected on the following grounds:

- Density, Scale and Design - assessed in section 3.3 (b) the scheme has been amended.
- No Bat or Badger survey - assessed in section 3.3 (d) this information has been submitted and found no evidence of protected species.
- Impact on Local Nature Conservation Site - assessed in section 3.3(d) it has been demonstrated that the proposal will not have an adverse impact on this.
- Access and parking - assessed in section 3.3 (g) and found Transport had no objections to the proposal.

Conclusion

The principle of residential development on this site is acceptable. The proposal will not have a detrimental impact on the spatial character of the area and is of an appropriate design quality. There will be no adverse impact on the amenity of existing neighbours and a satisfactory level of amenity will be provided for the future occupiers of the townhouses. The proposal raises no issues in respect on transport. The proposal complies with the Edinburgh Local Development Plan and relevant non-statutory Guidance.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction".
2. Only the tree/s shown for removal on the approved drawing/s shall be removed, and no work shall be carried out on the remaining trees at any time without the approval of the Planning Authority.
3. Prior to commencement of construction works an otter survey is carried out along the Bughtlin Burn to ascertain the species use of the watercourse.

Reasons:-

1. In order to safeguard protected trees.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to safeguard the interests of nature conservation.

Informatives

It should be noted that:

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

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

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
5.
 1. The applicant will be required to:

Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary. This will include restrictions within the new development road/s, and a section of Cammo Road as determined by the Locality Roads Officer.
 2. As a development of 7 new residential properties, all accesses must be open for use by the public in terms of the statutory definition of 'road' and would require to be the subject of applications for road construction consent including details of lighting, drainage, sustainable urban drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips would be agreed.
 3. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. Any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;

4. Any off-street parking space should comply with the Council's Guidance for Householders dated 2017 (see http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guidelines including:
 - a. Off-street parking should be a minimum of 6m deep and a maximum of 3m wide;
 - b. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
 - c. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
 - d. Any gate or doors must open inwards onto the property;
 - e. Any hard-standing outside should be porous;
5. Electric vehicle charging outlets should be considered for this development but as a minimum ducting and infrastructure to allow electric vehicles to be readily accommodated in the future should be provided;
6. It is noted that a lamp post may have to be re-located due to the newly formed access road. The developer is to arrange for this work, at no cost to the Council. The Council's Lighting Section should be consulted for further advice.
7. The applicant should note that new road names may be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

Twenty-seven letters of objection regarding the proposal were received. A full summary of the matters raised by the objectors can be found in section 3.3 (i) of the main report

Background reading/external references

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

**Statutory Development
Plan Provision**

Edinburgh Local Development Plan - The site is located within an Urban Area, Lower Almond Special Landscape Area and Local Nature Conservation Site.

Date registered

11 May 2018

Drawing numbers/Scheme

01-02,03A,05,06A,07A,09A-13A,14-16,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

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

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

Appendix 1

Application for Planning Permission 18/02116/FUL At 34 Cammo Road, Edinburgh, EH4 8AP Proposed demolition of existing dwelling, erection of 7x Townhouses with associated parking, landscaping and footpaths (as amended).

Consultations

Cramond+Barnton Community Council

The Community Council has reviewed the application and discussed the proposals with some local residents. While accepting that in the right situation the demolition of an existing building can be justified to enable new development, this is not the case in respect of the current application. Consequently, the planning application should be refused.

Reasons for recommending refusal are -

a. Density, Scale and Design - the proposals are contrary to LDP policies Des 1 to Des 5 and advice within Edinburgh Design Guidance, as -

- o The existing house has significant traditional character, which contributes to the sense of place and merits retention on the site.*
- o The proposed townhouses are of a density/footprint, height (three-storeys), style (i.e. verticality of townhouses, rather than vertically/horizontally balanced designs of neighbouring houses; flat roofs, rather than traditional apex roofs of neighbouring properties), materials (i.e. brick, rather than stone or cement render) and position on site (in front of building line along Cammo Road) - all of which are inappropriate to the site and contrary to the settled townscape character of this section of Cammo Road and guidelines in Edinburgh Design Guidance*
- o The position of the northern terrace of buildings and their building heights, combined with the site topography, will substantially effect the amenity, privacy, outlook and enjoyment of house and garden ground of the property immediately to the north/rear of the development.*
- o Edinburgh Design Guidance states that ' new buildings should sit within the form set by the eaves and ridge of neighbouring buildings. This is clearly not the case, as demonstrated in the elevations drawings (Planning Statement, page 7), which illustrate a total mismatch in heights and forms of the eaves and ridge lines of neighbouring properties to the heights of the flat roofs of the proposed townhouses.*
- o The scale of the garden areas is inadequate for townhouses of this size and out of proportion to garden areas in surrounding properties.*
- o Each townhouse has one external drive (approx. 5m in length). This is inadequate for houses in this location. which is outwith normal walking distance from shops and other amenities and where many houses will have two or more cars, with many modern cars (e.g. SUVs) not fitting within standard garage sizes.*

o *there is no provision for turning at the end of the site cul-de-sac, which will often require visitors', delivery and utility vehicles to reverse out of the site onto a hazardous bend on Cammo Road and in the near vicinity of the River Almond Walkway crossing to Cammo Estate public parkland.*

b. *Lack of Bat and Badger Surveys -- at the time of assessment, the supporting documents appear to exclude bat and badger surveys, which may be expected for a site of this character - with a large traditional house with complex roof structure and adjacent mature woodlands (Bughtlin Burn and River Almond valleys and Cammo Estate), parts of which are relatively inaccessible and much of which have Local Nature Conservation Site designations. Cammo Estate is also a Local Nature Reserve.*

c. *Impact on Bughtlin Burn Local Nature Conservation Site - this conservation site is largely undisturbed by human activity and provides a valuable wildlife 'corridor' between the River Almond Valley and Cammo Estate. The proposed footpath and increased use of this area by families and children's play may introduce significant disturbance to the natural habitats and deter use of the wildlife 'corridor', contrary to LDP Policy Env 15.*

d. *Safety Concerns for Pedestrians and Constraints on Active Travel - Cammo Road between the main entrance to Cammo Estate and proposed development is relatively narrow, has two hazardous and partially blind bends at either end of this section of road and no footpath. The road is used by local traffic and traffic from the Turnhouse section of Edinburgh Airport/Air Freight Depot.*

The lack of footpath and potential safety hazards will deter active travel to buses, shops, schools, etc. by the 7 households living on this site and increase the likelihood of multiple car ownership - for which there is inadequate on-site parking. On-road parking at the hazardous bend on Cammo Road will exacerbate the safety issues mentioned above.

Flood Prevention comment

I have reviewed the information available on the portal and can confirm that flood prevention do not have any further comment on this application. We do not propose any conditions or informatives for the determination.

Children and Families

Response - 06.08.2019

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

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

5 Houses (although the proposal is for 6 houses, one existing house is being demolished).

This site falls within Sub-Area W-1 of the 'West Edinburgh Education Contribution Zone'. The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.

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

Total infrastructure contribution required:

£80,930

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.

Total land contribution required:

£10,210

Note - no indexation to be applied to land contribution.

Response - 17.07.2018

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

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

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

Assessment and Contribution Requirements

Assessment based on:

6 Houses (additional six houses, one existing house is being demolished).

This site falls within Sub-Area W-1 of the 'West Edinburgh Education Contribution Zone'. The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.

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

Total infrastructure contribution required:

£106,578

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.

Total land contribution required:

£23,580

Note - no indexation to be applied to land contribution.

Roads Authority

Response 08.08.2018

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

1. The applicant will be required to:

Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary. This will include restrictions within the new development road/s, and a section of Cammo Road as determined by the Locality Roads Officer.

2. As a development of 7 new residential properties, all accesses must be open for use by the public in terms of the statutory definition of 'road' and would require to be the subject of applications for road construction consent including details of lighting, drainage, sustainable urban drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips would be agreed.

3. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. Any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;

4. Any off-street parking space should comply with the Council's Guidance for Householders dated 2017 (see http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guide_lines_including);

- a. Off-street parking should be a minimum of 6m deep and a maximum of 3m wide;
- b. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
- c. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
- d. Any gate or doors must open inwards onto the property;
- e. Any hard-standing outside should be porous;

5. Electric vehicle charging outlets should be considered for this development but as a minimum ducting and infrastructure to allow electric vehicles to be readily accommodated in the future should be provided;

6. It is noted that a lamp post may have to be re-located due to the newly formed access road. The developer is to arrange for this work, at no cost to the Council. The Council's Lighting Section should be consulted for further advice.

7. The applicant should note that new road names may be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

The application has been assessed under the 2017 parking standards. These permit;

For Zone 3 -

Car parking spaces - Maximum of 2 per unit = 14 car parking spaces (14 spaces provided)

Cycle Parking - Minimum of 3 cycle spaces per unit (assumed integral to the garage).

Motorcycle Parking - Minimum of 1 per 25 units (assumed integral to the garage).

Response 25.07.2018

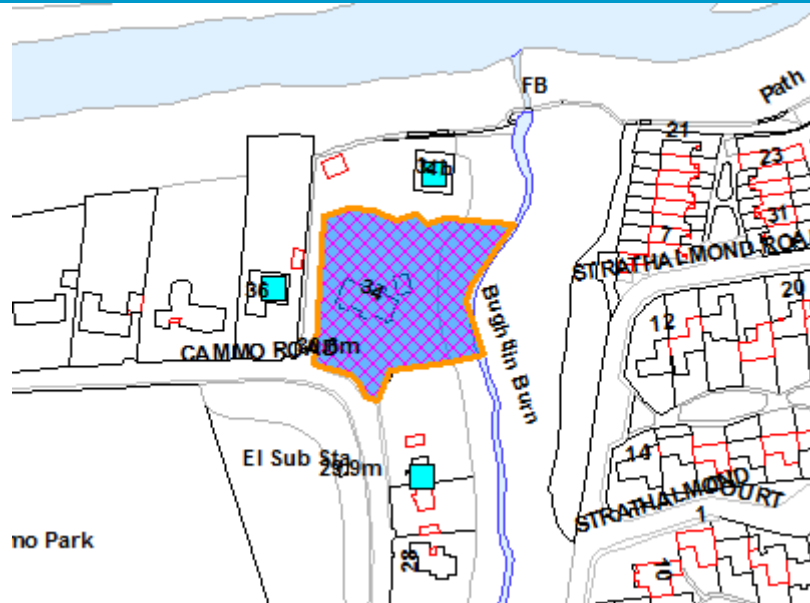
The application should be continued for the applicant to review the current proposals.

Reasons:

1. As a development of 7 new residential properties, all accesses must be open for use by the public in terms of the statutory definition of 'road' and would require to be the subject of applications for road construction consent including details of lighting, drainage, sustainable urban drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips would be agreed.

2. *The proposed footways adjacent to the road carriageway are 1.8m in width. A minimum width of 2m should be provided. It is noted that the footways are in principle provided to the side of the road only where there is frontage access. Positioning of the communal bin store precludes the provision of a footway to both sides. It may be more appropriate to consider the use of a shared surface rather than a traditional road/footway layout;*
3. *Details of proposed secure cycle storage has not been provided. From initial inspection of the floor plans, the integral garages do not appear to be of sufficient size to accommodate a car/SUV and a minimum of 3 cycles per dwelling;*
4. *Attention must be paid to ensuring that refuse collection vehicles are able to service the site. At present the development proposals, on the basis of the submitted documents, would appear not to be able to accommodate these vehicles. Accordingly, it is recommended the applicant submit a swept path analysis to demonstrate that a 12m long RCV is able to access the site. The location of what appears to be a communal bin store for the dwellings is inconvenient as repeated visits would be required by operatives, uphill and with a drag distance in excess of 15 metres. It is recommended that the applicant also contact the Council's waste management team to agree details;*
5. *Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. Any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;*
6. *Any off-street parking space should comply with the Council's Guidance for Householders dated 2017 (see http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guidelines including:*
 - a. *Off-street parking should be a minimum of 6m deep and a maximum of 3m wide;*
 - b. *Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);*
 - c. *A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;*
 - d. *Any gate or doors must open inwards onto the property;*
 - e. *Any hard-standing outside should be porous;*
7. *There is no requirement for separate visitor parking in the new Edinburgh Design Guidance. These spaces should be removed.*
8. *Electric vehicle charging outlets should be considered for this development but as a minimum ducting and infrastructure to allow electric vehicles to be readily accommodated in the future should be provided.*

Location Plan



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END

Development Management Sub Committee

Wednesday 28 August 2019

**Application for Listed Building Consent 19/02624/LBC
At 1 Grant Avenue, Edinburgh, EH13 0DS
Application for removal of single glazed metal and timber
windows and replacement with new double glazed
hardwood timber windows. (In retrospect)**

Item number

Report number

Wards

B08 - Colinton/Fairmilehead

Summary

The proposals do not have special regard to the desirability of preserving the building or its setting and adversely affect the special architectural and historic interest of the listed building.

Links

[Policies and guidance for this application](#)

LDPP, LEN03, LEN04, LEN06, NSG, NSLBCA, HES, HESWIN, OTH, CRPCOL,

Report

Application for Listed Building Consent 19/02624/LBC At 1 Grant Avenue, Edinburgh, EH13 0DS Application for removal of single glazed metal and timber windows and replacement with new double glazed hardwood timber windows. (In retrospect)

Recommendations

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

Background

2.1 Site description

The site is an Arts and Crafts villa designed by Alexander A Foote, 1922-23. It is multi-gabled with red hung tiles, mansard roof, and was designed with metal framed casements with predominantly small painted glazing. It was listed category B on 19 December 1979 ref: LB28928.

This application site is located within the Colinton Conservation Area.

2.2 Site History

April 2017 - Planning permission granted to form new vehicular access, erect new single garage with hard standing. Replace existing with new 1800mm high timber fence, install new timber vehicular gates. (17/00033/FUL).

5 June 2017 - Planning permission granted for the formation of plot within the front garden and erection of a dwelling following withdrawal of 16/03197/FUL. (16/04384/FUL).

16 June 2017 - Enforcement case opened in relation to unauthorised windows. (17/00325/ELBB).

31 January 2018 - Planning permission refused and enforced for new double glazed windows (in retrospect). (17/05593/FUL).

9 February 2018 - Listed building consent refused and enforced for new double glazed windows (in retrospect). (17/05528/LBC).

Main report

3.1 Description Of The Proposal

The proposal is to retain 18 double glazed, hardwood window units which have been installed in place of the original, single glazed, steel framed units.

3.2 Determining Issues

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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

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

3.3 Assessment

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

- a) The development adversely impacts on the character of the listed building;
- b) The works have an adverse impact on the character and appearance of the conservation area; and
- c) Any public comments received have been addressed.

a) Listed Building

Edinburgh Local Development Plan (LDP) Env 4 states that proposals to alter or extend a listed building will be permitted where *those alterations are justified, there will be no unnecessary damage to historic structures or diminution of its interest; and where any additions are in keeping with other parts of the building.*

The Council's non-statutory 'Guidance for Listed Buildings and Conservation Areas' states that *the complete replacement of original windows will only be approved where they have clearly deteriorated beyond practicable repair.*

Advice given by Historic Environment Scotland in their document 'Managing Change in the Historic Environment - Windows' describes windows as an important element in defining the character of a historic building. The document states that: *"Where a window is of limited interest or beyond repair, its replacement should be permitted. New double-glazed windows may be acceptable, if they can closely match the original window design, detail and materials."*

The original counter sunk metal windows contained within timber framing were uniquely designed for this Arts and Crafts villa, creating an important component within the overall architectural composition of the building.

The home report and condition survey submitted along with the application sets out that the condition of the windows was poor and that the units were in need of repair. The condition survey stated that due to damage, some windows required to be replaced. However, the survey did not identify which units were in need of replacement. The evidence draws insufficient detail to the specific state of deterioration. The replacement of all windows was therefore not justified.

Irrespective of which windows required full replacement, the works should have been carried out to match the design and dimensions of the original windows, as straight like-for-like replacements, to ensure the historic character of the building was preserved.

The new double glazed timber framed windows do not match the original metal windows in terms of material and design. The new frame profiles are significantly larger and bulkier than the original, finely detailed metal frame profiles. The frames sit beyond the timber mullions, in comparison to the original metal frames that were counter sunk between the cruciform timber mullions. The new units form a clumsy and incongruous alteration which detracts from the overall historic character of the listed building.

Whilst it is accepted that the new windows have environmental benefits and that some effort has been made to imitate the original design by the use of applied astragals, this does not justify the erosion of the building's character by virtue of the alien and awkward form of the units.

The loss of the original windows from the villa has had a detrimental impact on the overall character of the historic building.

b) Conservation Area

The applicant submitted the application for planning permission for the windows in conjunction with this application for listed building consent. It was determined that the new windows, in planning terms only, did not materially affect the external appearance of the building, and therefore did not require the benefit of planning permission. The works have a neutral impact on the character and appearance of the conservation area. No further assessment is made in terms of their planning merits.

c) Public Comments

22 comments have been received. 21 in support, 1 in objection. A summary of the material comments are below:

Support

- Windows in need of repair - assessed in section 3.3(a).
- Environmentally friendly - assessed in section 3.3(a).
- Improve character of the listed building - assessed in section 3.3(a).
- Improve character of the conservation area - assessed in section 3.3(b).

Objecting

- Impact on character of the listed building - assessed in section 3.3(a).
- Impact on character of the conservation area - assessed in section 3.3(b).

Conclusion

The proposals do not have special regard to the desirability of preserving the building and adversely affect the special architectural and historic interest of the listed building. The proposal is an unsympathetic and incongruous addition to the listed building and is therefore unacceptable.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The new window units form a clumsy and insensitive alteration that fails to have special regard to the desirability of preserving the building or its setting and diminish the historic interest of the building.
2. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as the new windows do not adequately replicate the original window pattern, to the detriment of the special architectural and historic interest of the building.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Advertised on 21 June 2019. Twenty-two representations have been received. One comment in objection and 21 in support of the proposal.

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 identified as an Urban Area in the Edinburgh
Local Development Plan.

Date registered

3 June 2019

Drawing numbers/Scheme

01-04,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Adam Gloser, Assistant Planner

E-mail:adam.gloser@edinburgh.gov.uk Tel:

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

Relevant Non-Statutory Guidelines

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

Relevant Government Guidance on Historic Environment.

Managing Change in the Historic Environment: Windows sets out Government guidance on the principles that apply to altering the windows of listed buildings.

Other Relevant policy guidance

The Colinton Conservation Area Character Appraisal emphasises the high quality architecture, the predominant use of traditional building materials, the strong sense of place derived from the containment within a rural setting, and the prominent views to the Pentland Hills.

Appendix 1

Application for Listed Building Consent 19/02624/LBC At 1 Grant Avenue, Edinburgh, EH13 0DS Application for removal of single glazed metal and timber windows and replacement with new double glazed hardwood timber windows. (In retrospect)

Consultations

Historic Environment Scotland

We made the following comments in December 2017. There seems to be no change to the application and no further information or justification submitted, so I will repeat our comments.

1 Grant Avenue is a single-storey and attic, asymmetrical Arts and Crafts villa. It is multi-gabled with red hung tiles, mansard roof, swept eaves, canted and square bay windows and swept dormers. It was designed, with metal framed windows, by Alexander A Foote in 1923.

We note that this is a retrospective application involving the removal of original metal-framed windows and their replacement with hardwood timber framed double-glazed windows.

The original metal windows of this inter-war property were of historic value and were an important element in defining its character. In dealing with historic windows we would first recommend repair and upgrading. Only if the windows were considered to be beyond repair, would we advise new replacement windows, which should aim to match the originals in all respects including materials, glazing pattern and opening method. It is possible, using new technology to obtain an accurate match for existing window patterns.

Firstly, we have had no information on the condition of the removed windows, and whether they could have been repaired and upgraded.

Secondly, despite requests, we have very limited information submitted on the new windows (only one photo and elevation drawing with no sections or detail), on which to gauge the full effect on the character and special interest of the listed building.

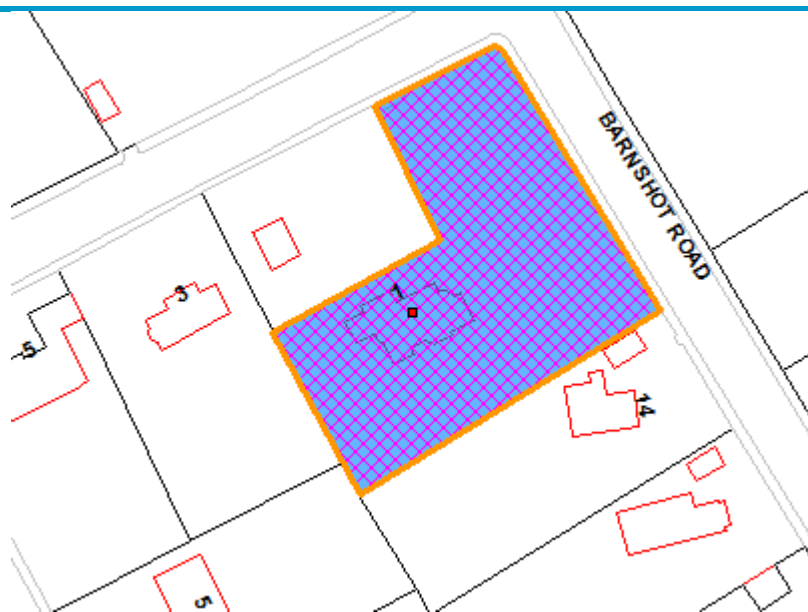
However, despite this lack of information, it appears the new hardwood timber windows do not replicate the original metal window designs accurately or successfully. They are of a different material, section and design.

The original metal windows had slender sections, contained within timber framing. The casement windows appear much thicker in section with a reduction in emphasis on the framing elements around them.

We would be happy to comment further when and if more details become available, but with the information to hand we would suggest the replacement windows are a poor match for the original patterns, and have a significantly adverse effect on the character of the building. With the loss of the original windows, in order to protect the special interest of the listed building, we would recommend more accurate replacement windows are investigated instead.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

Location Plan



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Development Management Sub Committee

Wednesday 28 August 2019

**Application for Planning Permission 18/08232/FUL
At 1 Lanark Road, Edinburgh, EH14 1TG
Demolition of existing motor dealership and erection of
new residential development comprising 57 flats, upgraded
vehicular access, new pedestrian access, car and cycle
parking and associated soft and hard landscaping (as
amended to 50 flats).**

Item number

Report number

Wards

B09 - Fountainbridge/Craiglockhart

Summary

The proposed residential development incorporating on-site affordable housing, on this brownfield site is acceptable and complies with LDP policies Hou 1 and Emp 9. The density, layout, scale, materials and overall design concept is appropriate within this sustainable location. The proposal will enhance the streetscape, improve the pedestrian environment around the site and deliver two areas of public amenity space to assist in creating a sense of place. The proposal will achieve a good environment for future occupiers and will not have an unacceptable adverse impact on the amenity of neighbouring properties or the setting of the Union Canal.

The site is in a sustainable location for public transport and active travel with access to local amenities. The level of secure cycle parking and vehicular parking proposed is acceptable.

The proposal is acceptable subject to conditions and the conclusion of a suitable legal agreement to secure contributions for affordable housing, transport matters including a car club space and education. There are no material considerations that outweigh this conclusion. Approval is recommended.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LEN08, LEN16, LEN21, LEMP09, LHOU01, LHOU02, LHOU04, LHOU06, LHOU07, LTRA02, LTRA03, LTRA04, NSG, NSGD02, SGDC,

Report

Application for Planning Permission 18/08232/FUL At 1 Lanark Road, Edinburgh, EH14 1TG Demolition of existing motor dealership and erection of new residential development comprising 57 flats, upgraded vehicular access, new pedestrian access, car and cycle parking and associated soft and hard landscaping (as amended to 50 flats).

Recommendations

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

Background

2.1 Site description

The site has an area of approximately 0.34 hectares and is located on the corner of Lanark Road and Craiglockhart Avenue. The site's levels slope down from Craiglockhart Avenue to Lanark Road with a difference in levels of approximately three to four metres. The site was most recently used for the display and sale of motor vehicles and incorporates a site that was historically used as a petrol station. A retaining wall is present at the rear of the site behind which lies a partially vacant brownfield site. Vacant buildings related to the motor dealership remain and the site is currently boarded up. Access is taken from Lanark Road via two bellmouths. The site's current road-facing boundary consists of a mixture of low-rise stone wall with steel barrier and timber hoarding.

The surrounding area is mixed use. To the south is a two storey office/telephone exchange building that fronts Craiglockhart Avenue and a vacant site following the demolition of a five storey vacant office building. Traditional one and two storey buildings are positioned to the west of the site, on the opposite side of Lanark Road and are mainly residential in use. The Union Canal, which is a Scheduled Monument, lies to the north of the site in an elevated position and includes the Prince Charles viaduct at this location.

No special designations apply to the site.

2.2 Site History

8 May 2006 - planning permission refused to 'Erect residential development comprising 54 flats'. Reasons for refusal included: scale, height, massing that does not relate in visual terms to the established character of the surrounding area; no affordable housing provision; amenity (noise/smell) for future residents from adjacent filling station; inadequate parking provision; access and road safety was not resolved to the satisfaction of the Roads Authority (reference 05/04003/FUL).

2 November 2006 - above application appealed. The appeal was dismissed.

19 January 2007 - application to 'Erect residential development comprising 54 flats' was withdrawn.

19 November 2015 - Proposal of Application Notice was submitted for 'Residential development forming 69 flatted units with underground private parking and landscaped deck' (reference 15/05319/PAN).

A number of applications for advertisements related to the site's former use have been approved at the site and are not considered relevant to this assessment.

Main report

3.1 Description Of The Proposal

Scheme 2

The proposal seeks full planning permission for 50 apartments with associated development including new access, car and cycle parking and associated hard and soft landscaping. Existing buildings on the site would be demolished. The proposed accommodation includes:

- 2 x studio apartments;
- 16 x 1 bed apartments;
- 23 x 2 bed apartments;
- 9 x 3 bed apartments.

The proposed apartments would be developed in two separate buildings, Block A and Block B.

Block A is situated at the southwest of the site and faces Lanark Road. The building is four storeys in height at its lowest point and rises up to five storeys as it nears the junction with Craiglockhart Avenue. A pathway and private garden space(s) separate the building from Block B.

Block B is situated at the north of the site and runs along the Craiglockhart Avenue side of the site to the north. The building is five storeys in height and rises to height similar to the neighbouring telephone exchange building. Both blocks are set-back from the pavements at Lanark Road and Craiglockhart Avenue, with apartments facing the junction further set-back behind a newly created area of public space.

Proposed materials include buff brick at the main street facades and side elevations, with white brick in recessed stairwells and metallic grey cladding at recessed balcony spaces. Saw tooth brick features are included on front elevations in places. The rear elevations mostly comprise render with sections of brick. The pitch roof level includes grey concrete tiles before levelling to a lead coloured flat roof.

Each block includes a secure bicycle store at the ground level. In total 108 bicycle spaces are provided, comprising 52 spaces in Block A and 56 spaces in Block B.

Approximately 33% of the site area is utilised for the apartment buildings, with a further 33.5% utilised for private and shared amenity space(s) including garden spaces at ground level and balconies. Two new public amenity areas that utilise approximately 7% of the site are provided to the northwest and northeast of the site, including a new public path through the site at the corner of Lanark Road and Craiglockhart Avenue. In response to changing site levels, steps are included from the public space at Craiglockhart Avenue into the site and amendments to existing retaining walls facilitate amenity space(s) within the site which in places vary in level.

Vehicular access is taken from Lanark Road. Car parking consists of 20 car spaces, two of which are accessible. Two motorcycle spaces are provided. Four electric vehicle charging spaces are included, one of which is located at an accessible space.

The pavement along Craiglockhart Avenue will utilise part of the application site and be widened to three metres, and sections of pavement at Lanark will be re-instated where existing bellmouth accesses are located.

Scheme 1

Scheme 1 included 57 flats and was a single building which was larger in mass, form and scale and was closer to the pavement edge of Lanark Road and Craiglockhart Avenue. The original application included fewer three bedroom units (x 3) for growing families. Shared amenity areas were smaller in size and private amenity spaces to the front and rear of ground floor flats were not provided and the landscaped area at the prominent site corner that features in Scheme 2 was not included. Thirty-two car parking spaces were provided and pavement improvements shown in Scheme 2 at Craiglockhart Avenue and Lanark Road were not included.

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 proposal will affect the setting of the Union Canal;

- c) the proposed layout, height, design, materials and density of the proposal are acceptable;
- d) the housing mix and affordable housing provision is acceptable;
- e) the proposal raises any issues relating to amenity;
- f) the proposal is acceptable in terms of transport, traffic or road safety;
- g) there are any other material considerations;
- h) issues raised in material representations have been addressed;
- i) the proposal meets sustainability criteria; and
- j) there are any impacts on equalities or human rights.

a) Principle

The site is located within the Urban Area as identified in the Local Development Plan (LDP). Criterion d), in part 1 of LDP policy Hou 1, gives priority to the delivery of housing at sites in the Urban Area, subject to compatibility with other policies in the LDP. Housing at this site is consistent with LDP policy Hou 1.

Introducing residential development at the site in place of an existing vacant motor dealership will not prejudice or inhibit the activities of any nearby employment uses and would contribute to regeneration and improvement in the wider area which meets the requirements of LDP policy Emp 9 a) and b). The site is not greater than one hectare and the proposal is not required to include floorspace for a range of business users; this meets the requirements of LDP policy Emp 9 c). The loss of the site as an employment and business site is acceptable.

The principle of residential development at this location is acceptable subject to compliance with other LDP policies.

b) Setting of the Union Canal

The application site is situated within close proximity to the Union Canal which is a Scheduled Monument. Part a) of LDP policy Env 8 Protection of Important Remains seeks to protect the integrity and setting of scheduled monuments. Historic Environment Scotland's (HES) guidance document on setting and the Historic Environment Policy for Scotland also offers guidance on assessing setting.

The proposal will be partially visible from the Union Canal, particularly the roof level and upper floors. The Union Canal in this area passes through an area that is urban in character, and views in many directions include built development against a backdrop of the wider cityscape and landscape farther afield. The introduction of two new blocks of apartments which in places rise approximately two storeys above the height of the canal is not an unusual sight in the urban area and the development would not impact on the setting of the canal given its urban and suburban context at this location.

Neither Historic Environment Scotland nor the City Archaeologist object to the proposals.

The proposed development complies with LDP policy Env 8 a).

c) Layout, design, materials and density

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

Edinburgh Urban Design Panel

The site was presented to the Edinburgh Urban Design Panel (EUDP) at the pre-application stage in February 2016. A larger development of greater height, mass and scale was presented to the Panel. The Panel was supportive of introducing a residential use to the site due to its sustainable location in transport terms. The applicant was encouraged to consider designing a development of appropriate mass, scale and form within a landscape setting that would reinforce a sense of place. Providing a strong design response to the corner of Lanark Road and Craiglockhart Avenue and ensuring residents are provided with a good quality living environment was also recommended.

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

Layout

The proposal is a deviation from the layout of existing buildings on the site and will bring a degree of change to the local area. The proposed layout is designed with principal building elevations facing the public roads within a landscape setting; this introduces an enhanced streetscape to the area. Both apartment buildings are set-back from the pavement, in response to comments from the EUDP, which is consistent with the surrounding urban grain seen along Lanark Road. An area of public space at the prominent corner of Lanark Road and Craiglockhart Avenue provides a strong buffer between the apartment buildings and the busy road as well. A further area of public space is located at the north eastern corner of the site which provides an attractive setting for Block B at this location.

By providing two separate blocks with surrounding private and public amenity spaces, the proposal reflects the spatial pattern in the area and allows views through the site to the wider landscape which is encouraged by LDP policy Des 4 criteria b) and c). Car parking, which is screened and set-back from Lanark Road, is situated to the south of the site within an area of landscaping; this approach complies with criterion a) of LDP Policy Tra 4 Design of off-Street Car and Cycle Parking which aims to reduce the visual dominance of car parking for developments.

In compliance with LDP policy Des 7 Layout Design the proposal provides a safe and well-designed environment. Residents can access the apartments from Lanark Road and Craiglockhart Avenue via main stairwell doors or alternatively to the rear of the apartment blocks from the communal open space. Additionally, the site has a degree of permeability with new paths that link communal amenity space and two new landscaped public areas to the surrounding area.

With reference to LDP Policy Des 2 Co-ordinated Development, the proposal will not inhibit the effective development of the neighbouring brownfield site at 57 Craiglockhart Avenue and there is no development brief for the area.

Given the site's challenging topography, the applicant proposes to amend existing retaining walls to deliver open space. Block B also introduces stepped massing which responds to the site's topography and this part of the building will appear as a four storey building along Craiglockhart Avenue, with a concealed ground floor.

Height and massing

LDP Policy Des 4 a) supports development that is appropriate with regard to its height and form. The character of Lanark Road is mixed in terms of height and massing with development of varying scales apparent. This part of Lanark Road is also experiencing a degree of change. Approved student housing development a short distance away comprises three adjoining stepped blocks ranging from three to five storeys in height and development at the nearby former Blue Goose pub site is likely to be approved via appeal (currently 'minded to approve') which would introduce another modern development in the local area.

Block A is four and five storeys in height and addresses Lanark Road. Block B which faces both surrounding roads is five storeys with a partially concealed ground floor level. Block B is stepped in height in response to the site's topography which gradually rises along Craiglockhart Avenue and responds appropriately to the neighbouring telephone exchange building.

While the proposal's increased height contrasts with some of the lower buildings in the area, it introduces development that provides definition to the site at a prominent corner where Lanark Road meets Craiglockhart Avenue. Combined with the position and layout of the buildings at the site, the proposal's height creates a strong streetscape and introduces visual interest at a site that currently contributes little to the area's character.

The top level apartments in each block have been designed within the set-back pitch roof space, which reduces the overall visual effect of both blocks in terms of their height. Site levels at the north boundary also means the ground floor at this location is not visible from Craiglockhart Avenue which reduces the appearance of the building height. The applicant has provided context elevation plans that demonstrate how the proposed height will be a positive feature in the area.

With reference to massing, two separate blocks are proposed and this approach has drawn on the area's spatial pattern. Both blocks include considered design features to further reduce their mass with the inclusion of designed gables, recessed stair cores and access doors and use of different materials. The four storey element of Block A provides a degree of transition from surrounding buildings around the south of the site before it rises to the five storeys that will introduce two visually prominent buildings at the corner where Lanark Road and Craiglockhart Avenue meet. In response to the Edinburgh Urban Design Panel's comments, both blocks are set back from the busy junction by a new area of public space; this is a well-designed response to the busy road and provides a suitable setting for the development and facilitates buildings of the proposed scale.

Design and materials

LDP Policy Des 1 states that proposals should be based on an overall design concept that draws on the positive characteristics of the surrounding area. LDP Policy Des 4 d) requires also requires new development to include high quality materials and detailing that will contribute to surrounding townscape(s). The surrounding area is mixed residential/commercial in character encompassing detached and semi-detached dwelling houses and flatted properties. Materials evident in the area vary between mostly stone, brick and render with slate roofs. Detailing in the area includes designed gables with pitch roofs including feature dormer windows in some cases.

The proposal's appearance for both blocks is modern with a pitch roof. Buff brick is proposed at the front elevations, incorporating feature gables. The façades of both blocks are articulated with set-back balconies and recessed entrances. Render with sections of brick is used to the rear of both blocks with balconies and cladding featuring at upper levels. Material treatments such as saw tooth brickwork are also used in places to soften the form of the buildings. Recessed balcony spaces and the articulated pitch roof draws on the style seen along Lanark Road in particular and adds a degree of domesticity to the two blocks. Landscape design details are not identified by the applicant and it is recommended that a condition is included to secure a high quality landscape at the site. It is also recommended that a condition is included to deliver a secure boundary between public amenity spaces and communal amenity space for future residents.

The proposed design and materials will contribute to an overall sense of place and will make a positive impact on the local area.

Density

LDP policy Hou 4 encourages higher densities at sites with good access to public transport as long as local character, environmental quality and residential amenity is not damaged. The area surrounding the proposal contains a mixture of uses, densities and varying building footprints. The proposal's increased height facilitates higher density at the site and approximately 147 units per hectare (50/0.34ha) are proposed. In the context of the surrounding area, this would introduce a development of higher density in comparison to some of the traditional lower density dwelling houses on Lanark Road and off Craiglockhart Avenue, but closer to recently consented development and existing apartment buildings along Lanark Road.

The proposed density would introduce a high density development at a sustainable location, while also contributing positively to the character of the area without damaging residential amenity or environmental quality.

Conclusion

The proposal's overall layout, design, use of materials and density is consistent with the objectives of the LDP and the development will make a positive contribution to the local area by bringing a previously developed site in to residential use.

The application complies with the objectives of LDP policies Des 1, Des 2, Des 3, Des 4, Des 7, Des 8, Hou 4 and Tra 4.

d) Mix and affordable housing

Mix

Through LDP policy Hou 2, the Council seeks provision of a mix of house types and sizes to meet a range of housing needs. The proposal comprises a mix of studio (x 2), one bed (x 16), two bed (x 23) and three bed (x 9) apartments. All proposed housing is in the form of apartments. Floor space requirements for each of the proposed studios, one and two bed apartment sizes meet or exceed the Edinburgh Design Guidance (EDG) standards.

The EDG provides further guidance on the mix of housing that LDP policy Hou 2 seeks to secure and states that in developments over 12 units, 20% of proposed units should have a minimum floor space of 91 sqm and be designed for families. Nine units (18%) in the proposal are three bedroom apartments with floor space ranging from 83 sqm to 122.5 sqm. Five of the nine three bedroom apartments accord with the EDG recommended unit size for growing families and four measure 83 sqm with additional balcony space.

Whilst the type of housing provided is exclusively apartments, the mix of units proposed meets with the requirement of LDP policy Hou 2 to provide a mix of house sizes and although it is slightly below the 20% recommended in the EDG with a rate of 18%, a good mix of apartment sizes is provided. An apartment form of development is also proposed at this specific site for townscape reasons.

The proposal complies with the objective of LDP policy Hou 2 and represents a minor departure from guidance.

Affordable Housing

LDP policy Hou 6 Affordable Housing requires that developments of this size include 25% of total units as affordable. In this case, the affordable housing requirement equates to 12.5 homes. The applicant has engaged with the Council's Affordable Housing service and a Registered Social Landlord (RSL) during the application stage and 12 affordable apartments are identified on floor plans within Block B at the north of the site. Affordable units would comprise 2 x studios, 6 x one bedroom apartments, 3 x two bedroom apartments and 1 x three bed apartment. The affordable housing units are provided within a single stair core in order to satisfy RSL requirements for future management.

The Council's Affordable Housing service is satisfied with the proposed arrangements to deliver affordable housing on-site. Due to 12 affordable units being delivered on-site, Affordable Housing has not requested any further contribution for the outstanding 0.5 unit in this case.

Subject to the conclusion of a suitable legal agreement to secure affordable housing at the site, the application complies with LDP policy Hou 6.

e) Amenity

Requirements relating to amenity for new development are set out in LDP policy Des 5 Development Design - Amenity and the EDG.

Neighbours

The proposed residential development is compatible with the surrounding area which is in part residential in character.

The applicant provided information to support the proposal against criteria in the EDG relating to protecting daylight to neighbouring buildings. The proposal will be located at sufficient distances from numbers 4 - 16 Lanark Road which face the application site. The window to window distance across Lanark Road is over 22 metres which is an acceptable distance to maintain privacy for existing neighbours given the public nature of this relationship.

Future Residents

Future residents will be provided with a good level of amenity in both blocks. Internally, floor spaces are appropriate with reference to the EDG objectives. Thirty apartments benefit from private amenity space in the form of varying sizes of private gardens, balconies and a large terrace atop the bicycle store of Block A for Flat no. 12. Information provided by the applicant also demonstrates that habitable rooms receive adequate daylight when considered against criteria in the EDG and over 50% of units are dual or multi-aspect.

The applicant completed a noise assessment at the request of the Council's Environmental Protection service. Acoustic glazing is proposed for bedroom windows that face Lanark Road and Craiglockhart Avenue to mitigate noise from the busy roads around the site. The noise mitigation will secure a good level of internal amenity for residents. A condition is recommended to ensure appropriate glazing is installed. The Council's Environmental Protection Service does not fully support the application due to external road traffic noise levels that will impact on road-facing outdoor amenity areas, with balcony spaces most exposed. Twelve no. front facing balconies are included in the proposal at roof and other levels, some of which are recessed. Whilst these balcony spaces may experience road traffic noise at times, external amenity space in the form of communal amenity areas to the rear of the buildings provides additional useable outdoor space for future residents. Communal amenity space for residents will measure approximately 25% of the site area.

Summary

Subject to a condition to implement noise mitigation measures, the proposal affords a good level of internal and external amenity to future residents and does not adversely affect the amenity of neighbours.

The proposal accords with LDP policies Des 5 Development Design - Amenity and is acceptable in terms of the EDG.

f) Transport issues

The application site is well served by the existing transport network such as the Lothian Bus service (routes 20, 34, 36, 44), the nearby Slateford train station, and active travel routes including the Union Canal and Water of Leith Walkway.

Parking

Objections have raised concern about the development's impact on parking and traffic in the local area.

The application site is located within Zone 2 of the Council's parking standards which allow for a maximum of 50 car parking spaces for residential development in this area. The proposal includes 20 car parking spaces, of which four can accommodate electric vehicles. The applicant has stated that 20 car parking spaces is sufficient in this location due to a combination of the site's accessible location and provision of proposed active travel infrastructure at the site. This justification for parking provision is acceptable to the Roads Authority subject to the applicant making a contribution for a car club space via a suitable legal agreement.

Two motorcycle spaces are included in line with the Council's standards.

A total of 108 bicycle parking spaces are provided in two separate locations and this accords with the Council's requirements.

Pavement amendments

At the request of the Roads Authority two extant bellmouth accesses to the site from Lanark Road associated with the site's former use as a motor dealership will be removed. The principle access to the site, where one of the bellmouths is currently located, will include a raised junction/continuous footway and full height kerbing will be re-instated at pavement areas not required for vehicular access. The pavement and full height kerbing at a second extant access will be re-instated with a small section of dropped-kerb included to allow for refuse collection from the site.

In response to recommended standards in the Edinburgh Street Design Guidance, the application includes widened pavements around the site perimeter at Craiglockhart Avenue Road to a width of 3 metres. A new public path set within amenity space at the corner of the junction between Lanark Road and Craiglockhart Avenue is also provided.

Pavement improvements displayed on proposed site plans do not require a condition and will be delivered through the relevant Roads Construction Consent process.

The proposal complies with the objectives of LDP policies Tra 2 Private Car Parking and Tra3 Private Cycle Parking and is located in a sustainable location. Subject to informatives and the conclusion of a legal agreement the proposal is acceptable.

g) Other matters

Education contribution

The application was assessed against the Supplementary Guidance on Developer Contributions and Infrastructure Delivery, August 2018.

This site falls within the 'Firrhill Education Contribution Zone'. Communities and Families advise that based on 32 flats a contribution to mitigate the cumulative impact of the development is required (16 x 1 bed and 2 x studio flats are excluded). It is recommended that a contribution to the value of £30,380 is secured through an appropriate legal agreement.

Protected Species

A Phase 1 Protected Species Survey was completed by the applicant. A subsequent bat survey identified one roost at the site meaning that the development is likely to impact on this European Protected Species. Therefore, in accordance with the Habitats Regulations 1994, the applicant will be required to obtain a derogation licence from Scottish Natural Heritage (SNH). Prior to issuing this licence it is necessary for the applicant to be in receipt of planning permission. Therefore the planning authority must be satisfied that the three tests necessary for a licence to be issued, will be met. With information supplied by the applicant the three tests have been applied to this application, and it is considered likely that SNH will issue a licence. An informative has been included to ensure that this process is duly followed. Further informatives have been added with relation to protection of breeding birds and incorporation of swift bricks into the new buildings.

Refuse Collection

An integrated bin store comprising a mix of bins for general refuse and recycling is included at the ground floor of Block A for all 50 apartments. Refuse collection will take place from Lanark Road; Waste Services and the Roads Authority are satisfied with the proposed arrangements subject to pavement upgrading works.

Archaeology

The Council's archaeology officer does not raise any objections to the development and no pre-commencement conditions are required.

Flood risk and drainage

Flood Prevention has reviewed supporting information for the proposals against the Council's self-certification forms and is satisfied that the proposal meets all requirements. SEPA was consulted on the proposals and raises no objection. The applicant should note best practice advice provided by SEPA with regard to flood risk and drainage.

The proposal complies with LDP policy Env 21 Flood Protection.

h) Representations

Six representations, comprising five objections and one neutral comment, were received on the amended plans (Scheme 2). Thirteen comments were received on Scheme 1 consisting of twelve objections, one neutral comment and one comment in support.

After providing neutral comments on Scheme 1, the Community Council confirmed that no comments would be provided on Scheme 2.

The following material matters were raised:

Material objections

- Insufficient parking for future residents and impact on surrounding area - addressed in Section 3.3 f);
- Request height reduction by one storey and replace brick with stone - addressed in Section 3.3 c);
- Impact on views from Union Canal - addressed in Section 3.3 b);
- Development too large and overwhelming for the site and height too great - Scheme 2 broke up the building's mass, and height is addressed in Section 3.3 c);
- Loss of privacy - addressed in Section 3.3 e);
- Modern building of five storeys out of keeping with style, density and context of the area - addressed in Section 3.3 c);
- Desire to see co-ordinated development with an adjoining site - addressed in Section 3.3 c);

- Proximity of flats to the road and poor amenity of proposed road-facing flats at the ground level - Scheme 2 moved the buildings further away from the pavement and addressed in Section 3.3 c);
- Requests for improved cycle lanes and impact from increased number of cyclists on Water of Leith - improved pedestrian environment is provided in Scheme 2 and contributions for cycle lanes on the public road would not meet the tests of planning Circular 3/2012;
- Question the safety of proposed pedestrian footpath through the site - addressed in Section 3.3 c); and
- Dissatisfaction with the pre-application process and content in the applicant's pre-application consultation report which omitted concerns that were raised - the applicant has complied with all statutory requirements with reference to pre-application consultation.

Material comments in support

- Satisfaction with some design amendments but concern regarding council policy on parking and associated impact in the locality - addressed in Sections 3.3 c) and 3.3 f).

Non-material comments

- Ambulance noise from frequent use of Craiglockhart Avenue - this is a matter for the Scottish Ambulance Service; and
- Developer seeking to maximise profit by minimising parking area - profit motive is not a planning matter.

i) Sustainability

Four electronic vehicle charging points will be provided on site for use by the residents, and 108 bike storage spaces will be provided to encourage the use of more sustainable transport methods. A car club space will also be secured via legal agreement.

The applicant did not submit the S1 sustainability form as part of the planning submission and states that development will meet the carbon dioxide emissions reduction targets set out within Section 6 - Energy and Section 7 - Sustainability of the current Scottish Building Regulations through a combination of energy efficiency and low / zero carbon technology.

j) Equalities

The proposal has been considered in terms of equalities and no adverse effects are identified. All floors will be accessible by lift and the applicant will be required to comply with the provisions of the Equality Act 2010 and building regulation standards. Two accessible parking spaces are provided, one of which is equipped for electric vehicle charging.

Conclusion

The proposed residential development incorporating on-site affordable housing, on this brownfield site is acceptable and complies with LDP policies Hou 1 and Emp 9. The density, layout, scale, materials and overall design concept is appropriate within this sustainable location. The proposal will enhance the streetscape, improve the pedestrian environment around the site and deliver two areas of public amenity space to assist in creating a sense of place. The proposal will achieve a good environment for future occupiers and will not have an unacceptable adverse impact on the amenity of neighbouring properties or the setting of the Union Canal.

The site is in a sustainable location for public transport and active travel with access to local amenities. The level of secure cycle parking and vehicular parking proposed is acceptable.

The proposal is acceptable subject to conditions and the conclusion of a suitable legal agreement to secure contributions for affordable housing, transport matters including a car club space and education matters. There are no material considerations that outweigh this conclusion. Approval is recommended.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A fully detailed landscape plan, including details of all hard and soft surfaces, boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
2. A fully detailed plan specifying secure boundary treatments between public amenity areas and communal amenity areas as illustrated on page 33 of the applicant's Design and Access Statement (dated May 2019), including secure points of access, shall be submitted to the Planning Authority before any work is commenced on site.
3. The approved site landscape scheme shall be implemented within six months of occupation of the development, or a revised timescale as agreed by the Planning Authority.
4. 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.
5. The following noise protection measures to the proposed development, as defined in the Charlie Fleming 'Road Traffic Sound' report (Ref 3364 05 R), dated 29 May 2019:
 - Glazing units with a minimum insulation value of 8.8mm/20mm/12.8mm double glazing shall be installed for the external doors and windows of the bedrooms on the western elevation of Block A, facing Lanark Road.

- Glazing units with a minimum insulation value of 8.8mm/20mm/12.8mm double glazing shall be installed for the external doors and windows of the bedrooms on the northern elevation of Block B, facing Craiglockhart Avenue.

shall be implemented in full and completed prior to the first residential occupation of the property.

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

Reasons:-

1. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
2. In order to secure a secure and safe environment for future occupiers at the site.
3. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
4. In order to enable the planning authority to consider this/these matter/s in detail.
5. To ensure the development provides adequate residential amenity for future residents.
6. In order to protect the amenity of the occupiers of the development.

Informatives

It should be noted that:

1. Planning permission should not be issued until the applicant has entered into a suitable legal agreement for the following:

Affordable Housing: 25% contribution in the form of 12 units on-site.

Education: A contribution of £31,360 (to be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Quarter 4 2017 to the date of payment) towards the 'Firrhill Education Contribution Zone' Actions.

Transport: In support of the Council's LTS Cars1 policy, the applicant is required to 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.

The applicant shall contribute the sum of £2,000 to progress a suitable order to re-determine sections of carriageway (existing site northern vehicular access) as footway as necessary for the development.

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

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
5. The applicant should consider incorporating swift bricks into the building.
6. Site clearance should be completed outwith the breeding bird season.
7. Prior to the use being taken up, the 7Kw type 2 electric vehicle charging points, as show on (Drawing number 1895F(PL2)02A) dated 'March 19' (Planning drawing number 03B) shall be implemented.
8. The following transport matters should be noted by the applicant:
 - a) Footway south of Craiglockhart Avenue fronting the proposed development to be widened to 3m wide as recommended by Edinburgh Street Design Guidance factsheet P3. For avoidance of doubt, the proposed footway widening should be built to adoptable standards and RCC will be required for private road/public road (footway);

- b) All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
- c) 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;
- d) Any works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point;
- e) The applicant to reinstate full height kerb on existing dropped kerb areas of the footway and maintain a dropped kerb area of a typical recycling bin width for refuse collection.
9. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.
10. No works connected with the demolition of the property or other development works, as identified in the application, which have the potential to impact on a European protected species shall take place until a licence has been issued by SNH and copy provided to the Planning Authority.

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

The applicant will be required to comply with Scottish building standards with regard to sustainability measures.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was publicised on the weekly list of applications on 16 October 2018. Neighbours were notified of the application on 12 October 2018 and 21 days were allowed for comments. Thirteen comments were submitted including eleven objections, one comment of support and one neutral comment.

Neighbours and other interested parties who previously commented on Scheme 1 were re-notified on 4 June 2019 to allow for comments to be submitted on revised plans for Scheme 2. Six representations, comprising five objections and one neutral comment, were received on Scheme 2.

Craiglockhart Community Council provided neutral comments on Scheme 1 and did not provide comments on Scheme 2.

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

Background reading/external references

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

**Statutory Development
Plan Provision**

The application site is shown to be in the Urban Area in the adopted Edinburgh Local Development Plan (LDP).

Date registered

10 October 2018

Drawing numbers/Scheme

01A, 02A, 03C-06C, 07B, 08A-10A, 11B, 12A-16A,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Sean Fallon, Planning Officer

E-mail: sean.fallon@edinburgh.gov.uk Tel: 0131 469 3723

Links - Policies

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

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

LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

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

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

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

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

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

LDP Policy Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

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

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

LDP Policy 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.

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

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

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

Relevant Non-Statutory Guidelines

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

Draft Developer Contributions and Infrastructure Delivery SG sets out the approach to infrastructure provision and improvements associated with development.

Appendix 1

Application for Planning Permission 18/08232/FUL At 1 Lanark Road, Edinburgh, EH14 1TG Demolition of existing motor dealership and erection of new residential development comprising 57 flats, upgraded vehicular access, new pedestrian access, car and cycle parking and associated soft and hard landscaping (as amended to 50 flats).

Consultations

Edinburgh Urban Design Panel - Final Panel Report

Main Report

1 Introduction

1.1 The proposal for consideration is a 69 unit flatted residential development, comprising 1, 2 and 3 bed apartments and 25% affordable housing provision. A basement parking deck containing 49 spaces would be placed to the rear of the site with landscaped deck above.

1.2 The site has an area of 0.41 hectares and is located on the corner of Lanark Road and Craiglockhart Avenue. The site is currently used for the display and sale of motor vehicles and incorporates a site that was historically used as a petrol filling station. A 2.5 storey showroom building, with mono-pitch roof arrangement, lies to the central part of the site with vehicle display with low level landscaping to the peripheries. The site is situated in a hollow, with land levels rising from Lanark Road to the south. Retaining walls define the rear site boundary.

1.3 The surrounding area is mixed use in character. To the south is a two storey office building that fronts Craiglockhart Avenue, a telephone exchange and a vacant site which has recently been cleared following the demolition of a vacant five storey office building. Traditional one and a half and two storey buildings are situated along Lanark Road to the north and west of the site, and are mainly in residential use. The Union Canal, a Scheduled Ancient Monument, lies to the north and east of the site this featuring the Slateford and Prince Charlie Aqueducts. The category B listed Slateford Railway Viaduct is also situated to the north west of the site.

1.4 The Edinburgh City Local Plan and Second Proposed Local Development Plan identify the site as being located within the Urban Area where housing would be supported provided the proposals are compatible with other policies.

1.5 This is the first time that the proposals have been reviewed.

1.6 No declarations of interest were made by any Panel members in relation to this scheme.

1.7 This report should be read in conjunction with the pre meeting papers which provide illustrative materials of the proposals and site analysis.

1.8 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.

2 Contextual Analysis and Development Concept

2.1 The Panel commented on the character of the locality. They considered that the area immediately around the site possessed a village atmosphere and a lower scale of development than the areas to the east, e.g. Slateford Road. The various bridge and aqueducts form the principal landmarks, these rising above the prevailing scale of development. The Panel also noted on the presence of the Union Canal to the north and east of the site, this being a Scheduled Ancient Monument.

2.2 The design team outlined a design concept based upon a perimeter form of development with a strong street frontage and landscaped deck placed above basement parking to the rear. The Panel expressed concern regarding the proposed development concept, particularly the overall scale and mass which appears as a single entity and the weak design response to the principal street corner. The Panel considered that the proposed concept would be alien to the local environment, particularly the prevailing scale of traditional development, the Union Canal, listed structures and the Water of Leith.

2.3 The Panel felt that the approach to date had been derived from the number of units rather than contextual analysis, with the limited scope of the analysis resulting in a lack of a clear design strategy for the development.

2.4 The Panel expressed concern to how the building will engage with the conditions of the wider context and create a sense of place. In relation to this, the Panel also commented on the articulation of the proposed building and the treatment of the elevations. The design team responded that the existing context was mixed and their proposal could introduce a domestic building which contrasts with the existing commercial building on the site. The project team also outlined that the proposed use of recessed stair cores and balconies were intended to break up the overall mass of the elevations, with the stepped massing of the development has also sought to respond to the slope of Craiglockhart Avenue.

2.5 The Panel felt that the corner to Lanark Road and Craiglockhart Avenue was weakly handled, despite this being identified as a strong corner in the analysis undertaken by the design team. Whilst there was acknowledgement from the Panel that the existing corner is weak due to the nature of the uses, the current approach does not offer an effective solution. It was suggested that the corner could be left open were a landscape solution to be pursued.

2.6 The Panel expressed concern to proximity of the development and living accommodation to the busy road junction, this abutting a 2 metre wide footway, and the absence of open space and landscaping between the back of the pavement and the face of the building. The Panel commented on the proposed internal layout, with living rooms and balconies oriented towards the street frontage and a busy road junction. This approach would also result in principal living accommodation having a northerly or easterly aspect, and as such the proposed balconies would not be attractive to use. In view of these factors, the Panel felt that the current strategy was wrong and living rooms/balconies would be better oriented to the rear to utilise the south facing aspect. The Panel also commented on the marketability of the flats in their current form. In view of these problems, it could be difficult to sell the site to a developer, although the project team suggested there has been interest from developers.

2.7 The design team advised that brick finishes were being considered for the principal elevations to the street to offer a timeless and robust finish. A contrasting finish was being considered for the rear elevations, possibly render. Given the nature of the other concerns regarding the design approach, the Panel did not offer comment in relation to the use of proposed materials.

2.8 The Panel considered that the site could be redeveloped for residential use but the current proposals do not reinforce a sense of place. The Panel felt that any development should be smaller in scale and alternative approaches should now be explored. Proposals should be supported by a more comprehensive analysis of the site and the surrounding area. The Panel felt that the use of smaller blocks within a landscape setting could offer a valid approach. However, flatted forms of development would require considerable further exploration to address the issues raised.

2.9 Given the complex levels changes evident on the site and surrounding context, the Panel suggested the use of three-dimensional modelling would be invaluable in assessing possible development solutions. This should also be supported by detailed sectional information.

2.10 In response to the points raised by the Panel, the design team agreed that considerable further work to be done and would revert to their client.

3 Residential Amenity

3.1 The Panel expressed concern regarding the quality of amenity for residents, particularly the orientation of living accommodation, positioning of balconies and the quality of the external environment. It was felt that the southerly aspect could be further exploited in the design.

4 Transport

4.1 The Panel noted the relative accessibility of the site in relation to main bus routes, the proximity to the Water of Leith and Union Canal cycle/walkways and also the also railway station at Slateford situated approximately 320 metres from the site.

4.2 The project team confirmed that 100% parking provision was envisaged for the proposals given the proximity of the site to the city centre location.

5 Recommendations

5.1 *In developing the design, the Panel supports the following aspects and therefore advocates that these should remain in the proposals:*

- o The principle of redeveloping the site for residential uses, particularly its proximity to key transport routes.*

5.2 *In developing the proposals the Panel suggests the following matters should be addressed:*

- o Undertake further detailed contextual and site analysis to inform a clear design strategy for the development. This should include the use of three-dimensional modelling and detailed sectional information to assess building massing and land use.*
- o Consider lower scale and alternative forms of development including blocks within a landscape setting.*
- o Further consider the relationship of the form and mass of the proposed development in relation to the adjacent streets and prominent corner to Lanark Road and Craiglockhart Avenue.*
- o Further consider the internal planning within the development, particularly the orientation of principal living rooms and proximity of living accommodation to the street frontage and the busy road junction.*
- o Further consider the amenity of residents and the living environment which would be created including the level and nature of open space provision*

Archaeology comment

Historically the site overlies the SE corner of the historic village of Slateford and close to/ adjacent the Union Canal Bridge crossing the Lanark Road. Historic mapping indicates that site was developed during the second half of the 19th century for housing. As such the site occurs within an area of archaeological interest. However, it is considered that the construction of the car show room and petrol stations on this site in the 20th century has had a major impact having almost certainly resulted in the removal of any surviving insitu remains.

Given this and the urban setting of the Union Canal in this location, it is considered that this application will have no significant archaeological impacts either upon any expected buried remains nor upon the setting of the adjacent Scheduled Monument.

Archaeology updated comment

As stated in my earlier response the site occurs within an area of archaeological interest. However, it is considered that the construction of the car show room and petrol stations on this site in the 20th century has had a major impact having almost certainly resulted in the removal of any surviving insitu remains.

*According having looked at the revised plans my earlier recommendations remain unaltered, namely;
it is considered that this application will have no significant archaeological impacts either upon any expected buried remains nor upon the setting of the adjacent Scheduled Monument.*

SEPA comment

Advice for the planning authority

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

1. Flood risk

1.1 Review of the SEPA Flood Map 1 in 200 year flood outline (i.e. the flood with a 0.5% chance of occurring in any single year) indicates that this area lies outwith this envelope and as such is potentially at low risk of flooding.

1.2 A Flood risk technical note (Fairhurst; dated 07.09.18) has been submitted in support of the application. Minimal ground levels on site are 63.30mAOD with finished floor levels proposed at 64.5mAOD. This is a significant height difference above the Water of Leith and therefore we have no objection to the proposed development.

1.3 We note that an underground car park is proposed underneath the proposed development. No further information has been provided on mitigation measures. If groundwater is encountered during site investigations and/or construction then we would strongly recommend that the car park is tanked. All entrances and exits should be elevated relative to the surrounding area so they will not be inundated with surface water in the event of heavy rainfall. We also strongly recommend that in addition to tanking, pumps are installed within to ensure that should water ingress occur, there was a way to remove the standing water.

2. Sustainable Urban Drainage System (SUDS)

2.1 We provided an email to all local authorities on 30 March 2017 confirming that from May 2017 our standing advice for SUDS would be extended to include major developments and that we would no longer be providing site specific SUDS advice on major developments, excluding EIA. We therefore refer your authority to our standing advice on SUDS.

2.2 We advise that developers should follow the approach set out in the CIRIA SUDS Manual (C753) and ensure the surface water management proposals are in compliance with The Controlled Activities Regulations General Binding Rules 10 and 11. Applicants should be using the Simple Index Approach (SIA) Tool to determine if the types of SUDS proposed are adequate.

2.3 Construction phase SUDS should be used on site to help minimise the risk of pollution to the water environment. Further detail with regards construction phase SUDS is contained in Chapter 31 of SUDS Manual (C753). The applicant may also need to apply for a construction site licence under CAR for water management across the whole construction site. Please refer to Section 5.3 below for further details.

2.4 Comments should be requested from Scottish Water where the SUDS proposals would be adopted by them and, the views of your authority's roads department and flood prevention unit should be sought on the SUDS strategy in terms of water quantity and flooding issues.

3. Waste water drainage

3.1 The planning application details that the proposed development will be utilising the public sewer for foul drainage. The applicant should consult with Scottish Water to ensure a connection to the public sewer is available and whether restrictions at the local sewage treatment works will constrain the development. If the proposals should change we would wish to be consulted at the earliest opportunity.

SEPA further comment

We note that the site layout has been amended since we were last consulted on the application. We have reviewed the documents submitted and we have no further comments to make on this. Comments within our response dated 31 October 2018 are still applicable to this planning application.

Environmental Protection comment

The applicant proposes demolishing a currently vacant motor dealership and erect of a new residential development with 57 flats and 32 car parking spaces.

The site is currently vacant and was most recently used as a car showroom and workshop. The site is located on the corner of Craiglochhart Avenue and Lanark Road. An office unit is located to the west of the site with the water of Leith and a vacant public house further to the west. The public house is the subject of an active planning application for redevelopment to residential apartments (18/02817/FUL).

A mix of commercial and residential properties are located across the main road to the north. There is an existing garage and skip hire firm located further to the south west of the proposed development site. This garage and skip hire site has recently been granted planning permission for the redevelopment of that site into student accommodation (16/06275/FUL). There is a telephone exchange located to the south of the site.

As the site was a former car sales show room with workshop they had 60 formal parking spaces and would have had a daytime peak of vehicle movements. This proposal will alter the trip peaks but will be reducing the number of parking spaces to 32 spaces, with a good provision of bike storage.

The applicant has also confirmed that they will be providing electric vehicle charging point throughout the development. The applicant has highlight where these six-electric vehicle charging points will be located (Drawing number 1895F [PL] 02 dated September 2018). These charging points will need to have a minimum output of 7Kw through a type 2 socket. Environmental Protection shall recommend a condition is attached to ensure the infrastructure is installed and fully operation before the site is occupied.

The site is located on a very busy junction which will be a source of high levels of noise. The applicant will need to provide a supporting noise impact assessment demonstrating that good levels of noise can be achieved internally and on the balcony areas. Noise levels from the neighbouring commercial uses will also need to be assessed.

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

Therefore, Environmental Protection cannot support the application until a supporting noise impact assessment is provided. It is recommended the application is refused however if consent is granted then the following conditions shall be attached;

Prior to the use being taken up, the 7Kw type 2 electric vehicle charging points, as show on (Drawing number 1895F [PL] 02) dated September 2018 shall be implemented.

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

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

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

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

Environmental Protection updated comment

The site is located on a very busy junction which will be a source of high levels of noise. The applicant has now provided a supporting noise impact assessment demonstrating that good levels of noise can be achieved internally but not on the balcony areas. Noise levels from the neighbouring commercial uses has also been assessed.

The applicants noise impact assessment has highlighted that upgraded glazing will be required for a number of units.

The greatest maximum sound level measured level was 95.4dB(A). To reduce the sound to the 45dB(A) limit, glazing consisting of 8.8mm and 12.8mm thick panes of acoustic glass, separated by a 20mm wide cavity, shall be installed. This configuration of glazing will need to be installed in all of the bedrooms on the western elevation of Block A, facing Lanark Road.

The greatest maximum sound level measured level was 96.0dB(A). To reduce the sound to the 45dB(A) limit, glazing consisting of 8.8mm and 12.8mm thick panes of acoustic glass, separated by a 20mm wide cavity, shall be installed. This configuration of glazing will have to be installed in all of the bedrooms on the northern elevation of Block B, facing Craiglockhart Avenue.

The appellant has not demonstrated that the noise levels serving the outdoor amenity spaces will be acceptable. It appears the most exposed amenity areas will be balconies that are exposed to traffic noise. Environmental Protection cannot fully support the application due to this.

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

Therefore, Environmental Protection cannot fully support the application due to the high levels of noise affecting the outdoor amenity areas. It is recommended the application is refused however if consent is granted then the following conditions shall be attached;

The following noise protection measures to the proposed development, as defined in the Charlie Fleming 'Road Traffic Sound' report (Ref 3364 05 R), dated 29 May 2019:

- Glazing units with a minimum insulation value of 8.8mm/20mm/12.8mm double glazing shall be installed for the external doors and windows of the bedrooms on the western elevation of Block A, facing Lanark Road.*
- Glazing units with a minimum insulation value of 8.8mm/20mm/12.8mm double glazing shall be installed for the external doors and windows of the bedrooms on the northern elevation of Block B, facing Craiglockhart Avenue.*

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

Prior to the use being taken up, the 7Kw type 2 electric vehicle charging points, as show on (Drawing number 1895F [PL] 02) dated September 2018 shall be implemented.

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

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

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

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

Waste 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.

I am assuming that the bin lorry is expected to remain on the public highway, and that the bins will be pulled out from the bin store. A dropped kerb will be required.

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 using each bin store, and have been calculated as per design and access statement. 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.

For the 57 flats suggested, the bins required under the current service is 8 x domestic waste, 5 x mixed recycling, 2 x glass and 2 x food. This appears to be in excess of the number allowed for in the drawing, although this is not entirely clear.

Additionally, 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. It appears that the distance from flats 9 and 10 is significantly in excess of this distance and it would be strongly recommended that they be provided with an additional bin store within reasonable distance of these flats.

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.

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.

Although there are no details of any commercial aspect, for completeness, 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.

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. The access to the bin stores requires the bin lorry waiting on a busy road, in a bus lane, close to the junction, which is less than ideal as it could increase the risk of accidents.

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's 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.

Communities and Families comment

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

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

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

Assessment and Contribution Requirements
Assessment based on:

31 Flats (26 one bedroom flats excluded)

This site falls within the 'Firrhill 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:

£30,380

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.

Communities and Families updated comment

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

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

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

Assessment and Contribution Requirements

Assessment based on:

32 Flats (18 one bedroom flats excluded)

This site falls within the 'Firrhill 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:
£31,360*

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.

HES comment

Our Advice

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.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

HES updated comment

Our Advice

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.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Flood Prevention comment

Flood prevention have the following comments.

1. *Planning Committee on 30 March 2017 approved the permanent implementation of the certification procedure in the assessment of the flooding impact of new development during the planning application process.*
2. *The applicant has not completed a self-certification checklist or declaration for this application covering the design of the surface water network. The checklist should be completed to provide a summary of the information submitted in support of the application. As this development is classed as a major development under Planning definition then an independent consultant is required to check the design and submission. They must then sign the required declaration for inclusion with the application prior to issue to CEC Flood Prevention.*
3. *The applicant has not completed a declaration for this application covering the flood risk assessment. As this development is classed as a major development under Planning definition then an independent consultant is required to check the design and submission. They must then sign the required declaration for inclusion with the application prior to issue to CEC Flood Prevention.*
4. *The proposed discharge rates stated in the drainage assessment report of 7.4l/s are in excess of the maximum 4.5l/s/ha rate based upon impermeable area. The total site area is noted as being 0.341Ha. CEC Flood Prevention request a discharge rate equal to the 2 year Greenfield runoff rate or 4.5 l/s/ha is used, whichever is smaller. We would expect the discharge to be approximately 3 l/s based upon a 75mm diameter flow control aperture and typical drainage head.*
5. *Please identify existing and proposed surface water flow paths on drawings. This can be achieved by taking the existing site survey and over-marking arrows to denote falls and then completing the same with the post-development arrangement. This should include runoff from outwith the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system. The purpose of these drawings is twofold. Firstly to understand if there is any significant re-direction of surface flows to surrounding land and secondly to identify if surface water will flow towards property entrances.*
6. *Please stipulate who will adopt and maintain the surface water network, including any SUDS.*

Roads Authority Issues

The application should be continued.

Reasons:

- o The Council's 2017 Parking Standards for Zone 2 require the applicant to provide a minimum of 117 secure cycle parking provision for the proposed development. The proposed 80 cycle parking is not acceptable. The applicant should also provide information about the type of cycle parking being proposed;*

o The applicant's transport statement predicts that sustainable travel (walking, cycling and public transport) will constitute a significant proportion of the expected trips generated by the proposed development. However, little is done to improve the conditions of the existing footway on both Lanark Road and Craiglockhart Avenue to encourage walking, cycling and public transport use. The applicant will be required to install full height kerb along the footway on Lanark road except where the proposed access is located and area of footway widening. For existing streets, design should aim to increase/conform to 'desired' footway widths, or if this is not possible, to 'minimum' widths (Factsheet P3 Footways). Desirable footway width required for the proposed site area which is strategic medium density residential street is 3m wide with a minimum width of 2.5m. Accordingly, the applicant is required to submit a footway layout that includes widening of the existing adopted footway both on Lanark Road and Craiglockhart Avenue. A raised junction is required on the proposed access. The footway widening is required at locations where the existing footway is constrained in width on Lanark Road, whereas widening to a minimum width of 2.5m is required along the full length of Craiglockhart Avenue bounding the site;

o The applicant has demonstrated a visibility splay of 2.4m x 43m for the proposed access. This complies with Designing Street guidance for a 30mph road;

o The applicant proposes 30 parking spaces and complies with the Council's 2017 Parking Standards which allows a maximum of 57 parking provision in Zone 2. However, the Council's 2017 parking standards requires justification of proposed level of parking provision.

o The Edinburgh Design Guidance under Section 2.4, "Design, integration and quantity of parking," states that "Car parking within new developments should not visually dominate the streetscene. On larger developments a range of parking solutions should be explored that use land efficiently and are set within a high quality public realm". The proposed layout results in the parking being visible from Lanark Road. Therefore, the applicant should look at exploring a design where the proposed parking is not visible from Lanark Road.

Should you be minded to grant consent this should be subject to the following being included as conditions or informatives as appropriate:

1. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;

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

3. The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point;

4. 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;

5. 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.

6. The existing junction arrangement means that residents of the proposed development have to cross the junction in two stages to access the city centre bound buses. For ease of access to bus services pedestrian controlled crossing on all arms of the junction will be preferable and will welcome contribution of £150,000 to improve the crossing.

Note:

The transport statement predicted two way peak hour weekday trips of 15 and 17 for AM and PM peaks respectively. The TRICS analysis predicted approximately 50% sustainable travel trips mainly walking, cycling and public transport for the peak hour and with 39% vehicular trips.

Roads Authority Issues updated comment

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

1. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of carriageway (existing site northern vehicular access) as footway as necessary for the development;

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; this is required to mitigate the potential on street overspill parking impact of the proposed development in the area (see note b);

3. Footway south of Craiglockhart Avenue fronting the proposed development to be widened to 3m wide as recommended by Edinburgh Street Design Guidance factsheet P3. For avoidance of doubt, the proposed footway widening should be built to adoptable standards and RCC will be required for private road/public road (footway);

4. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
5. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
6. Any works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point;
7. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;
8. The applicant has demonstrated a visibility splay of 2.4m x 43m for the proposed access. This complies with Designing Street guidance for a 30mph road;
9. A total of 108 cycle parking spaces (52 spaces for Block A and 56 spaces for Block B) being provided complies with the Council's minimum cycle parking requirement of 51 spaces for Block A and 56 spaces for Block B for the proposed development in Zone 2;
10. 4 electric charging bays including 1 accessible space being provide complies with the Council's parking standards;
11. A minimum of 2 motorcycle spaces being provided complies with the Council's minimum motorcycle parking requirement;
12. Raised junction/continues footway to be prodded on the site access for pedestrian priority crossing.
13. The applicant to reinstate full height kerb on existing dropped kerb areas of the footway and maintain a dropped kerb area of a typical recycling bin width for refuse collection.

Note:

- a) *The transport statement predicted 13 and 16 two-way vehicular trips in the weekday AM and PM peak hours respectively. The TRICS analysis predicted approximately 50% sustainable travel trips mainly walking, cycling and public transport for the peak hour and with 39% vehicular trips.*
- b) *The applicant was required to submit parking survey to justify the contribution of 1 car club space in the area. The applicant concluded that there is limited availability of on street parking spaces in the area and agreed to contribute 1 car club to mitigate the potential overspill parking impact on the surrounding street. This is considered acceptable.*
- c) *2 accessible car parking spaces being provided complies with the Council's minimum requirement.*
- d) *Refuse collection will be undertaken from Lanark Road.*

Craiglockart Community Council comment

The community feel strongly that their views on the salient issues be taken seriously. In the past for example on the 107 student flats Westside Motors Planning Application, the City Council of Edinburgh ("CEC") and their Planners were guilty of ignoring the comments of Craiglockhart Community Council ("CCC") and even misrepresented them. Refer to Meeting 11 September 2018 at CEC Offices (attached).

It is the CCC's intention to make concerted efforts that encourage acceptable development and not to reject Planning Applications outright. Rather to actively participate and offer real suggestions for improvement that can take the matter to further discussion between designers and CEC appropriate staff, and as applicable with the CCC. It is understood that the CCC will unlikely receive full acceptance of all of their requests, however if the consultation process is expedited in a true and real manner (ie not just ticking the box or paying lip service), then we the CCC advocate that our requests are valid and should be further considered.

On the basis that our requests are further considered in detail by CEC prior to submission to the Development Management Sub Committee, we make this as a NEUTRAL Comment.

Summary of Requests:

1. *Reconsider the height of the Development (5 storey including roof space) that many consider to be too high by one storey*
2. *Traffic department to look in depth at the logistics of travel of the additional bicycles, cars and pedestrians by both this development, as well as the other three between No 1 and 40 Lanark Road. This is a complex task not to be taken lightly and underestimated.*
3. *Transport department to consider safety considerations and any new constraints regarding traffic turning right onto the Lanark Road i.e driving into town.*

4. *Parking is just too low and unrealistic that will only create problems and considerable stress to existing and new residents in the vicinity (refer to detail below and Meeting Notes attached as well as Record or Meeting CEC (David Leslie & Elaine Campbell) and CCC (Paul Mowat) -11 September 2018))*

5. *There is a lack of 3 bedroom residences, please review and amend the mix to prevent the development from being essentially for older people and couples (possibly with single children)*

6. *Affordable housing to be a minimum of 25% i.e. do not permit a situation where this aspect is commuted with another location outside of the Craiglockhart area.*

Please resolve semi public utility / walkway area (eg as without mechanical gate) - sounds unworkable. There is a preference for public thoroughfare but concern over anti-social behaviour.

Flood Prevention comment

Thank you for providing the completed certificate A1. I am happy for this application to be determined with no further comments from our department.

Affordable Housing comment

1. Introduction

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

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

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

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

2. Affordable Housing Provision

This application is for a development consisting of a mix of homes 50 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (12) homes of approved affordable tenures. The applicant has stated that the affordable housing will account for 25% of the new homes. This is welcomed by the department. The applicant has been in discussion with the Council and Dunedin Canmore Housing Association (DCHA) to deliver onsite affordable housing.

The affordable housing proposed is a mix of affordable rented delivered by DCHA. Discussions with the applicant have concluded all properties are provided within a single stairwell to allow the RSL to manage and maintain the properties in accordance with their requirements.

The affordable housing policy provision for this application will be secured by a S75 Legal Agreement. The applicant has reached agreement over cost to deliver the onsite affordable housing with DCHA.

The affordable homes within the new build block are required to be 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 (400 metres) of regular public transport links and are located next to local amenities.

3. Summary

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

- o The applicant is requested to identify a RSL to deliver the affordable housing*
- o The applicant is requested to ensure that the affordable homes are built to the fully compliant with latest building regulations*
- o The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.*
- o Construction and sales values are required to be submitted by the applicant.*

Location Plan



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Development Management Sub Committee

Wednesday 28 August 2019

**Application for Advert Consent 18/10341/ADV
At 2B Roseburn Terrace, Edinburgh, EH12 6AW
The conversion of two existing large format static panels to digital. Consent was granted for the static panels on 24th November 2014 under application number 14/03219/ADV.**

Item number

Report number

Wards

B06 - Corstorphine/Murrayfield

Summary

The advertisement does comply with the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 as its scale and height will not have a detrimental impact on the amenity and appearance of the area. The proposal does not raise any road safety issues.

Links

[Policies and guidance for this application](#)

NSG, NSADSP, CRPCWC,

Report

**Application for Advert Consent 18/10341/ADV
At 2B Roseburn Terrace, Edinburgh, EH12 6AW
The conversion of two existing large format static panels to digital. Consent was granted for the static panels on 24th November 2014 under application number 14/03219/ADV.**

Recommendations

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

Background

2.1 Site description

The site comprises a steep grass embankment to the north of Roseburn Terrace, bounded by a rubble stone retaining wall to the back of the footway.

The site is currently occupied by two large format static panels located in the east and west corner of the site. An area of woodland to the north of the site provides a wooded backdrop to the site.

Modern residential flatted properties and convenience store lie opposite the site to the south, with traditional tenemental properties including business uses at ground floor lying to the west and south west. A vehicle access route from Roseburn Terrace to the Roseburn Cycleway crosses the application site to the west.

The category B listed (LB ref: 30287, listed 24/07/1992) former railway bridge crosses Roseburn Terrace to the west of the application site.

This application site is located within the Coltbridge And Wester Coates Conservation Area.

2.2 Site History

23 January 1996 - Advertisement consent granted to provide illumination to existing 2x96 and 4x48-sheet advertisement (application number 95/00507/ADV).

13 February 1996 - Advertisement consent granted to provide illumination to existing advertisement hoarding (as amended) (application number 95/00572/ADV).

13 December 2001 - Advertisement consent refused to replace 2 existing 96s static displays with 2 moving 96s display (3 faces) at Roseburn Terrace opp Roseburn Street (Panels 02 and 04) (application number 01/00302/ADV)

13 May 2002 - Appeal dismissed to replace 2 existing 96s static displays with 2 moving 96s display (3 faces) (appeal reference ADA-230-82).

24 November 2014 - Advertisement consent granted to erect 2 Premiere 400 advertisement displays both with internal low energy LED illumination (static) (as amended) (14/03219/ADV).

Main report

3.1 Description Of The Proposal

The proposal seeks consent for the removal of the single advert located on the east side of the site and to replace the existing advertising screen located on the west side with a digital display. The overall size of the advert measures 6.4 metres wide and 3.5 metres high with the advert area measuring 6.2 metres by 3.1 metres which is the same size as advert area of the existing sign.

The applicant has proposed a limitation to the hours of operation of the digital advert with no advert being displayed between the hours of 11:59PM and 06:00am.

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 advertisement will harm the visual amenity of the street, the character of the area in terms of design form, choice of materials and positioning;
- b) the proposal is appropriate in terms of road safety;
- c) any impacts on equalities or human rights are acceptable; and
- d) comments raised have been addressed

a) Amenity

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

When assessing amenity, Regulation 4 (2) (a) determines the suitability of the use of the site for displaying advertisements in light of the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest; and when assessing the general characteristics of the locality the authority may disregard any advertisements being displayed therein.

The Council's Non Statutory guidelines on Advertisements, Sponsorship and City Dressing (February 2010) require advertisements to be carefully controlled in their form, dimensions, location and means of illumination to minimise their impact in the interest of amenity and public safety.

Circular 10/1984 of The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 makes it clear that whilst a planning authority may wish to adopt or publish guidelines (possibly in a local plan) or design standards for the display of various types of advertisement, failure to conform to such a policy statement or design standard cannot be cited as the sole reason for the refusal of express consent.

Impact on Conservation Area

Relevant extracts from the Coltbridge and Wester Character Appraisal are set out as follows:

The advertisements boards on the open space on the north side of Roseburn Terrace adjacent to the statutory listed former railway bridge have had a detrimental impact on the streetscape. A careful approach is necessary to the location of functional equipment and large advertisement boards, in order to protect the visual amenity of the conservation area.

The site was previously occupied by six poster hoardings which was reduced to two under the consent granted in 2014 (application reference 14/03219/ADV). The removal of the display unit to the east will allow this part of the site to return to its natural character and appearance and enhance the setting of the former listed railway bridge. A condition has been added requiring the removal of this display panel prior to the implementation of this consent.

The display unit in the west will remain in its existing position. The proposal to replace the existing illuminated advertising screen with a digital display will not be detrimental to the appearance of the street or the area as a whole. The condition attached restricting the hours the digital advert will be displayed will ensure the visual impact of the advertisement on the surrounding area and residential properties is suitable minimised.

The proposal will not have a detrimental impact on amenity.

b) Road Safety

The Roads Authority was consulted on the proposal and raised no objection subject to the inclusion of suitable conditions and informatives. A condition will be attached to ensure that any advertisements which are displayed are limited to static images only, with the planning authority able to exercise legislative control to ensure that no animation, video or full motion images are displayed.

The proposal does not raise any issues in respect of public safety.

c) Equalities and Human Rights

This application has no impacts on equalities and human rights.

d) Public Comments

Material Objections

- negative impact on the conservation area and setting of the listed building - this is addressed in section 3.3 (a).
- changing displays will distract drivers, pedestrians and cyclist - this is addressed in section 3.3 (b).

Conclusion

The proposal will not have a detrimental impact on amenity, or an adverse impact on public safety; and does not raise any issues in respect of equalities and human rights. The proposal complies with regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

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

3.4 Conditions/reasons/informatives

Condition:-

1. Consent is granted for a period of five years from the date of consent.
2. Advertisements displayed shall be static images only, with no animation, video or full motion images permitted.
3. Prior to the display of advertisements subject to this consent, display panel B identified in drawing reference number 02 shall be removed from the site.

Reasons:-

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In the interests of road safety.
3. In order to safeguard the amenity of the area.

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 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

Sixteen letters of objection were received. A full summary of matters raised by the objectors can be found in section 3.3 (d) of the main report.

Background reading/external references

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

**Statutory Development
Plan Provision**

Edinburgh Local Development Plan - The site is designated as Urban area, Open Space and Local Nature Conservation Site.

Date registered

12 December 2018

Drawing numbers/Scheme

01-03,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

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

Links - Policies

Relevant Policies:

Relevant Non-Statutory Guidelines

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

The Coltbridge and Wester Coates Conservation Area Character Appraisal emphasises low density form of the area and the predominance of detached and semi-detached villas complemented by the profusion of mature trees, extensive garden settings, and stone boundary walls.

Appendix 1

Application for Advert Consent 18/10341/ADV

At 2B Roseburn Terrace, Edinburgh, EH12 6AW

The conversion of two existing large format static panels to digital. Consent was granted for the static panels on 24th November 2014 under application number 14/03219/ADV.

Consultations

Roads Authority

No objections to the application.

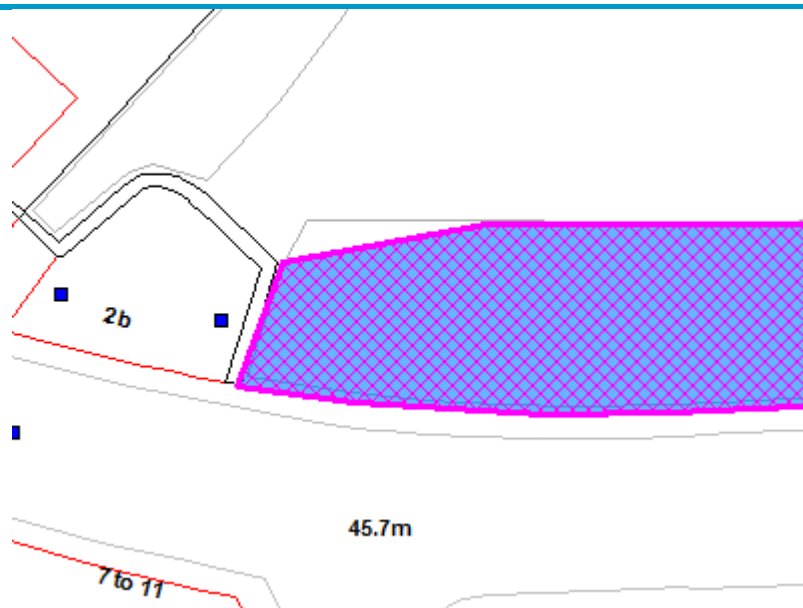
NOTE - ADVERTISING SIGNS

1. *This location has been assessed as low risk;*
2. *As outlined in the Council's Report to Planning Committee 27 February 2014 for the control of digital forms of advertising, this advert will be expected to comply in full with the Outdoor Media Centre (OMC) voluntary code for digital format roadside advertising (published in January 2011). The code reflects planning regulations in place throughout the UK. This states that:*
 - a) *there shall be no moving images, animation, video or full motion images displayed unless consent has been specifically granted for such displays;*
 - b) *digital roadside billboards / hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays see below);*
 - c) *the luminance level of a digital roadside billboards shall comply with the Institute of Lighting Engineers Technical Report No's 5 (2003);*
 - d) *Roadside digital displays will [in Scotland] conform to the 5 'Standard Conditions' specified in Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984;*

With respect to item a) above images, animation, video or full motion images are not permitted and with respect to item b) above, for this location, a maximum change rate of one static advert every 10 seconds will be permitted. If either of these conditions is not adhered to it is likely that the Council, in its capacity as roads authority, will take appropriate action under Section 93 of the Roads (Scotland) Act 1984. This may include isolation of the power supply to the unit;
3. *Adverts must not contain moving images or sequencing of images over more than one advert;*
4. *Drivers should only be able to see the details of a roadside digital advertisement on one screen or a pair of synchronised screens at a time. This is to ensure that multiple images do not change at different times;*
5. *There should be no message sequencing where a message is spread across more than one screen;*
6. *Phone numbers, web addresses details etc should be avoided;*
7. *It is recommended that the speed of change of image should be set to be in effect instantaneous;*

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

Location Plan



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Development Management Sub Committee

Wednesday 28 August 2019

**Application for Planning Permission 19/01930/FUL
At 20 Thistle Street North West Lane, Edinburgh, EH2 1EA.
Change of Use from Offices to Hotel with ancillary bar and
restaurant. Removal of existing and erection of new
extension to form additional accommodation.**

Item number

Report number

Wards

B11 - City Centre

Summary

The proposals comply with the Edinburgh Local Development Plan and non-statutory guidelines. The principle of the use is acceptable at this location. The proposal would have no adverse effect on the character of the listed building, or the character and appearance of the conservation area and the Edinburgh World Heritage Site. The development would have no detrimental impact on residential amenity, road safety or infrastructure. There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES03, LDES12, LEN01, LEN03, LEN04, LEN06, LEN09, LEN12, LEN21, LEMP10, LHOU07, LTRA02, LTRA03, LTRA04, NSG, NSGD02, OTH, CRPNEW, HEPS, HESCAC,

Report

Application for Planning Permission 19/01930/FUL At 20 Thistle Street North West Lane, Edinburgh, EH2 1EA Change of Use from Offices to Hotel with ancillary bar and restaurant. Removal of existing and erection of new extension to form additional accommodation.

Recommendations

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

Background

2.1 Site description

The application site is Stewart House, an A listed (date of listing: 03.03.1966, reference: LB29546), two and three storey building located within Thistle Street North West Lane. The building forms part of the listing with 26, 26A and 27 Queen Street. The building was originally built as a bindery around 1888 before being converted for training and office use in 1981. The appearance of the building has been heavily altered with later additions. The front elevation of the building has a squared and snecked stone finish and the rear elevation has a painted roughcast finish.

The existing lane is commercial in character and is of mixed appearance. Adjacent to the application site is the rear parking entrance to the Travelodge Hotel, which is a four storey bricked building. The application site to the north fronts onto the rear elevation of the three storey and basement townhouses at 26-29 Queen Street.

The site is within the Edinburgh World Heritage Site.
This application site is located within the New Town Conservation Area.

2.2 Site History

22 February 2019 - Application withdrawn: Complete demolition of two-storey non-original building (application reference: 18/07440/CON).

22 February 2019 - Application withdrawn: Internal and external alterations (application reference: 18/09658/LBC).

22 February 2019 - Application withdrawn: Change of use from offices to hotel accommodation with ancillary bar and restaurant, demolition of non-original buildings, and erection of new extension to form additional hotel accommodation (application reference: 18/02752/FUL).

Decision pending for: listed building consent submitted for internal and external alterations at number 22 Thistle Street North West Lane and removal of extension building at No. 20 Thistle Street North West Lane with erection of new building extension (application number 19/01981/LBC).

Main report

3.1 Description Of The Proposal

The proposal is to convert the existing office building to form a 61 bed hotel use with an ancillary bar and restaurant use.

A number of down takings and external alterations to the front and rear of the existing building are proposed. These include the replacement of roof slates with natural slate to match the existing and the replacement of timber casement windows with dark grey aluminium windows.

It is proposed to part demolish and rebuild the adjoining two storey building where the existing squared and snecked stone is to be re-used to the front. This rebuilt section will include an additional floor level with flat roof cladded in dark grey metal. The development would also include a three storey, flat roof, side extension with a buff brick finish.

No provision for car parking is proposed.

A provision of 14 cycle parking spaces will be provided internally on the lower ground floor.

One category B (Birch) and four category C (Sycamore, Ash and Elm) trees within the site are to be removed.

Supporting Statement

The applicant has submitted the following information in support of the application:

- Planning Statement
- Conservation Area Statement
- Noise Impact Assessment
- Arboriculture Survey

These documents are available to view via the Planning and Building Standards online services.

3.2 Determining Issues

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development

which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of hotel development is acceptable in this location;
- b) the development design will preserve or enhance the character and appearance of the conservation area;
- c) the proposal will affect the setting and character of the listed buildings;
- d) the proposal will impact on the outstanding universal value of the world heritage site;
- e) the proposal will impact on neighbouring amenity;
- f) any other material considerations are relevant; and
- g) any matters raised in representations have been addressed.

a) Principle

Policy Emp 10 Hotel Development of the adopted Edinburgh Local Development Plan (LDP) states that a hotel development will be permitted in the City Centre where developments may be required to form part of mixed use schemes, if necessary to maintain city centre diversity and vitality, especially retail vitality on important shopping frontages; and in locations within the urban area with good public transport access to the city centre.

The application site lies within the City Centre and the principle of converting the building to a hotel use in this location is acceptable, subject to compliance with other policies contained in the plan.

The proposal complies with policy Emp 10.

b) Development Design and Conservation Area

The site is located within the New Town Conservation Area. The character appraisal states the following:

The development of the New Town has resulted in a building stock of extraordinary quality which has proved to be both durable and capable of adaptation, both to the needs of changing residential standards and to different uses.

The re-building of the façade at No.20 will result in the removal of the existing incoherent rear extensions and restore the original building line to the rear as well as extending the built form eastward as part of a co-ordinated development. It will re-use the existing squared and snecked stone to the main frontage and an additional storey will be added that will be finished in dark grey metal cladding. The proposed increase in height will retain a subservience in scale to the original building at no.22. The additional three storey extension will be contemporary in design and appearance, being finished in buff brick and metal cladding. The use of grey metal cladding will break up the elevation treatment and the flat roof will translate the proposals as modern additions without overwhelming the narrowness and confines of the existing lane and contrasting with the existing painted roughcast finish to the rear of no.22. The adjacent Travelodge is a larger development constructed in brick and due to its scale, it has altered the character and appearance of the lane. This part of the conservation area has undergone changes, and brick forms a characteristic material within the lane.

The alterations to no.22 will be relatively minor and are primarily cosmetic. The existing non-original windows will be replaced with aluminium windows, a reference to the building's industrial past, window lights will be added and there will be a slight reconfiguration at ground floor level to alter the entrance. The proposed finish will improve the appearance of the building without undermining the architectural quality of the area. The proposal will have a positive impact on the character and appearance of the conservation area.

The proposal complies with policies Des 1, Des 2, Des 3, Des 12 and Env 6 of the LDP.

c) Setting and Listed Buildings

The Historic Environment Policy for Scotland (HEPS) outlines how the Council should undertake the collective duty of care whenever a decision in the planning system will affect the historic environment. There are three key areas which define how the historic environment should be understood, recognised and managed to support participation and positive outcomes, including "Managing Change" under policies HEP2, HEP3 and HEP4.

The proposed massing of the development is an improvement in terms of what is currently there. The re-built section will be set further back from the rear of the listed buildings on Queen Street and it will remain subservient in scale. This in turn will provide a modest improvement to the setting of the listed buildings.

The partial removal of a wall shared between the application site and 26 and 27 Queen Street will not be detrimental to the setting of the listed buildings.

The proposal will have a neutral impact on nearby listed buildings and complies with policies Env 3 and Env 4 of the LDP.

d) Impact on World Heritage Site

Policy Env 1 World Heritage Sites states that development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh as a World Heritage Sites or would have a detrimental impact on the Site's setting will not be permitted.

Section (b) and (c) of this report address the impact of the proposal where the character of the New Town conservation area and the presence of important listed buildings contribute to the outstanding universal value of the World Heritage Site.

The proposal will have a neutral impact on the World Heritage Site.

e) Neighbouring Amenity

Policy Des 12 Alterations and Extensions states that planning permission will be granted for extensions to existing buildings which will not result in an unreasonable loss of privacy or natural light to neighbouring properties.

Policy Hou 7 Inappropriate Uses in Residential Areas states that developments, including changes of uses, which would have a materially detrimental effect on the living conditions of nearby residents will not be permitted.

A noise impact assessment was submitted and Environmental Protection is satisfied that the proposed hotel use, with an ancillary bar and restaurant, will not have an adverse impact on neighbouring amenity in terms of noise. The nearest property is around eight metres away. However, this close proximity to a mix of uses is to be expected in the city centre.

Given the established characteristics of the site and the distance to neighbouring buildings, the re-built section of No. 20 and the new extensions to the side and rear will not have an adverse impact on neighbouring amenity in terms of loss of privacy, sunlight or result in adverse overshadowing. The proposal will not prejudice neighbouring developments.

Concerns were raised regarding the proposed lower ground floor cold water storage tank and the booster pump in terms of noise and health concerns. Environmental Protection has no concerns as the pumps will be internal. Environmental Protection has also advised that the installation of a cold-water tank is common but its compliance with health and safety standards will be addressed through the building regulations.

A condition is required to ensure that the proposed flue for the restaurant and bar element is installed prior to the use being taken up. This is to safeguard neighbouring amenity in terms of cooking odours.

The proposal complies with Policy Env 12 and Hou 7 of the LDP.

f) Other material considerations

Road Safety

Policies Tra 2, Tra 3 and Tra 4 of the LDP sets out the requirement for private car and cycle parking. The car and cycle parking standards are contained in the Edinburgh Design Guidance.

The site lies within the city centre with good public transport accessibility. The proposed provision of zero car parking spaces complies with the maximum parking standards for Zone 1.

The proposed 8 cycle provision exceeds the minimum standards for Zone 1 and this is acceptable.

Transport Planning has raised no issues on road safety grounds and a traffic impact assessment was not required for the nature of the proposal in this location. Given the site's accessibility to public transport and provision for zero car parking, the proposal will not have an adverse impact on air quality.

The proposal complies with policies Tra 2, Tra 3 and Tra 4 of the LDP.

Developer Contributions and Infrastructure Delivery

Policy Del 1 Developer Contributions and Infrastructure Delivery states that proposals will be required to contribute towards transport proposals and safeguards, including the existing and proposed tram network.

Based on the proposed 61 bed hotel use and the existing 1,860 sq m office use, the proposal is required to contribute a net sum of £10,471 to the Edinburgh Tram in line with the finalised Supplementary Guidance on Developer Contributions and Infrastructure Delivery. This will be secured via a legal agreement.

Archaeology

Policy Env 9 Development of Sites of Archaeological Significance seeks to protect and enhance archaeological remains.

The proposal will potentially have low to moderate archaeological impacts as a result of later 20th century alterations and demolition on the site. A condition requiring the implementation of a programme of archaeological works is required.

Flooding Issues

Policy Env 21 Flood Protection seeks to ensure development does not result in increased flood risk or be at risk of flooding by demonstrating sustainable drainage measures.

Flood Planning has requested that a flood risk assessment (FRA) be submitted as a small segment at the rear of no.22 falls within a surface water flood risk area. The area of the site is already developed and is formed of hard standing, and with no soft landscaping present. In these circumstances the requirement to submit an FRA would not be reasonable or proportionate.

Trees

Policy Env 12 Trees of the LDP states that development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention unless necessary for good arboriculture reasons. Where such permission is granted, replacement planting of appropriate species and numbers will be required to offset the loss to amenity.

It is proposed to remove five trees from within the site to facilitate the proposed extension. The trees are not part of a structured landscaping scheme. They have become established in locations where it is not viable for them to mature. While the trees have some local interest, they make a minimal contribution to the character and appearance of the conservation area. The removal of the trees is acceptable and the proposal complies with policy Env 12.

Waste

Issues relating to the arrangement for commercial waste is a private matter and is not controlled or conditioned through planning.

Matters raised in representations addressed

Material - Objection

- Change of use - Addressed in Section 3.3 (a).
- Will impact on World Heritage Site - Addressed in Section 3.3 (d)
- Impact on the character and appearance of the conservation area - Addressed in Section 3.3 (b).
- Contrary to policy Des 2 Co-ordinated Development - Addressed in Section 3.3 (b).
- Removal of party wall will be detrimental to the setting of the listed buildings (between the gardens at Numbers 26 and 27 Queen Street) - Addressed in Section 3.3 (c).
- Impact on neighbouring amenity-noise, privacy, sunlight, overshadowing, smells from cooking, and would prejudice neighbouring developments- Addressed in Section 3.3 (e).
- Loss of trees - Addressed in Section 3.3 (f).
- Road safety and traffic impact- Addressed in Section 3.3 (f).
- Drainage issues - Addressed in Section 3.3 (f).
- Pollution - Addressed in Section 3.3 (f).
- Demolition of A listed building - Addressed in Section 3.3 (c).
- Use unacceptable - Addressed in Section 3.3 (a).

Non Material - Objection

- Health and safety concerns of potential fire incident and contracting legionnaire's disease from cold water storage tanks - Compliance with the relevant regulations would be addressed through Building Standards.
- Loss of views - there is no right to a particular view.
- A condition is required to restrict access to the terraces and balcony - planning does not control access and this would not meet tests for an effective planning condition.
- 65 Thistle Street not neighbour notified - Statutory neighbour notifications are sent to properties residing within 20 metres of the application site.
- More street bins - planning cannot control the collection arrangements for private commercial waste.
- Impact of construction affecting access to existing car parking - not a planning matter.
- Boundary dispute - issues of landownership is a civil matter and is not resolved through planning.

Material - Support

- Will provide much needed high quality city centre hotel accommodation - Addressed in Section 3.3 (a).
- Appropriate re-use of a historic building - Addressed in Section 3.3 (a).
- Sympathetic intervention - Addressed in Section 3.3 (b).
- Complies with the relevant policies - Addressed in Section 3.3 (a) to (f).

Conclusion

The proposals comply with the Edinburgh Local Development Plan and non-statutory guidelines. The principle of the use is acceptable at this location. The proposal would have no adverse effect on the character of the listed building, or the character and appearance of the conservation area and the Edinburgh World Heritage Site. The development would have no detrimental impact on residential amenity, road safety or infrastructure. There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. 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.
2. Prior to the use being taken up, the extract flue and ventilation system, capable of 30 air changes per hour, as show on drawing numbers L(PL)025 and L(PL)131 both dated 8/6/2018 shall be implemented

3. Notwithstanding the approved drawings, sample/s of the proposed buff brick on the development shall be submitted to and approved in writing by the Planning Authority before commencing work on the site.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to safeguard the amenity of neighbouring residents and other occupiers.
3. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded in relation to tram contributions.

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

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

3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

5. It should be noted that when designing the exhaust ducting, Heating, ventilation and Air Conditioning (HVAC) good duct practice should be implemented to ensure that secondary noise is not generated by turbulence in the duct system. It is recommended that the HVAC Engineer employed to undertake the work, undertakes the installation with due cognisance of the Chartered Institute of Building Services Engineers (CIBSE) and American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Guidance.

The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment.

All proposed energy plant must comply with the Clean Air Act 1993, details of required chimneys should be submitted at the detailed planning stage. Plant above 1Mw may require secondary abatement technology. Biomass is not appropriate for this site.

6. It should be noted that Environmental Health enforce construction site noise under the Control of Pollution Act 1974. The applicant is advised that noise from construction should be limited to Monday to Saturday during 07:00-19:00. Environmental Protection recommends that the applicant ensures that construction site progress is communicated to any concerned neighbours. This could be in the form of a website detailing key activities. Dust and fumes from construction sites which are near other buildings must also be considered.

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.

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

The application was advertised on 3 May 2019 and the proposal attracted 18 representations; 13 objected and 5 supported the proposal.
The representations received are addressed in the assessment section in the report.

Background reading/external references

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

**Statutory Development
Plan Provision**

The site is an urban area as designated in the Edinburgh Local Development Plan and the New Town Conservation Area.

Date registered

18 April 2019

Drawing numbers/Scheme

01-28.,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Murray Couston, Planning Officer

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

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

Other Relevant policy guidance

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

The Historic Environment Policy for Scotland 2019 outlines Government policy on how we should care for the historic environment when taking planning decisions.

HES Interim Guidance on Conservation Area Consent sets out Government guidance on the principles that apply to the demolition of unlisted buildings in conservation areas

Appendix 1

Application for Planning Permission 19/01930/FUL At 20 Thistle Street North West Lane, Edinburgh, EH2 1EA Change of Use from Offices to Hotel with ancillary bar and restaurant; removal of existing and erection of new extension to form additional accommodation.

Consultations

Transport Planning

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

1. Contribute the net sum of £10,471 (based on proposed 61 bed hotel use and existing 1860m² office use in Zone 2) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment (see note b);
2. The applicant proposes to use existing service and refuse collection arrangement on Thistle Street North West Lane for the proposed 61 bed hotel.
3. The applicant proposes 8 secure cycle provision for the proposed 61 bed hotel and complies with the Council's 2017 Parking Standards which requires a minimum of 6 secure cycle parking provision in Zone 1.
4. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.

Note:

- a) The applicant proposes zero parking provision and complies with the Council's 2017 parking standards which allows a maximum of 12 parking provision for the proposed development in Zone 1. The site has good public transport accessibility.
- b) Tram contribution of the proposed 61 bed hotel = £138,000; existing 1860m² office of use contribution = £127,529; net tram contribution = £10,471

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the change of use from offices to hotel with ancillary bar and restaurant; removal of existing and erection of new extension to form additional accommodation

The site occurs at the core of Edinburgh's 18th century New Town, occupying the rear of four properties fronting onto Queen Street. Historic mapping indicates that the site was originally occupied by mews buildings prior to the 1880's when the commercial bindery constructed for William Hunter at No 22 to the rear of 28 & 29 Queen Street.

The second half of the 20th century saw these commercial premises converted first into training facilities for the Society of Accountants, with the subsequent demolition and rebuilding of part of No20 in the 1980's.

Accordingly, the site and buildings have been identified as of local archaeological significance.

Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and CEC's Edinburgh Local Development Plan (2016) 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.

Although undesignated this group of buildings are considered to be of local archaeological/historic interest, of particular interest is the former bindery occupying No22. This building is an important survival of the Old Towns Victorian publishing industry. As such it is welcomed that this building is to be retained and converted. The facade of the adjoining No 20 would appear also to be in part contemporary with this main building; however, it has been significantly affected by latter 20th century alterations and demolitions. As such its loss, although adverse, would not be regarded as significant.

Overall the proposals are considered to have a low-moderate archaeological/heritage impacts. Accordingly, if consent is granted it is essential that a historic building survey (phased internal and external elevations and plans, photographic and written survey and analysis) is undertaken prior to and during any alterations and demolition. In addition, this work will be linked with an appropriate programme of archaeological excavation undertaken prior to/during demolition and any ground floor works in order to fully excavate, record and analysis any surviving archaeological 'buried' remains affected by such works.

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

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

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

Environmental Protection

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

19/01930/FUL | Change of Use from Offices to Hotel with ancillary bar and restaurant; removal of existing and erection of new extension to form additional accommodation. | 20 Thistle Street North West Lane

The proposed application site is located within the city centre and is predominantly surrounded by commercial and residential uses. The nearest residential uses to the proposed hotel are flats on the south of NW Thistle Street Lane, facing north, and flats on the southern façades of buildings on Queen Street. The applicant has confirmed that there will be no guest access to the proposed flat roof on the southern façade of the hotel.

The application proposes that the restaurant with ancillary bar will be on the ground floor of the hotel, with windows looking out over NW Thistle Street Lane. A list of proposed plant has been provided by the applicant. Most of plant items will either be installed on the roof, or will vent to the roof. There will also be a water pump located on the lower ground floor.

The applicant has submitted a supporting noise impact assessment to assess all the possible noise source and has demonstrated that the proposed use will have no adverse impact on neighbouring amenity with regards noise. Environmental Protection shall recommend an informative to ensure the applicant follows best practice with regards the installation and operation of plant.

Planning have advised that concerns have been raised regarding the proposed lower ground floor cold water storage tank and booster pump. This part of the proposed development will not be an issue with regards noise as the pumps will be internal and they generally operate quietly. The installation of a cold-water storage tank is common but will need to be installed as per the latest building regulations to ensure safe installation. If planning permission is consented during the operational phase of the development such a storage tank would be regulated under the Health and Safety at Work Act 1974.

It should be noted that Environmental Health enforce construction site noise under the Control of Pollution Act 1974. The applicant is advised that noise from construction should be limited to Monday to Saturday during 07:00-19:00. Environmental Protection recommends that the applicant ensures that construction site progress is communicated to any concerned neighbours. This could be in the form of a website detailing key activities. Dust and fumes from construction sites which are near other buildings must also be considered. Environmental Protection shall recommend a standard informative with recommended mitigation measures.

Cooking Odours

The applicant has provided drawings and elevations highlighting that the commercial kitchen flue will be terminated above roof level. This will ensure that cooking odours and effluvia do not adversely impact neighbouring amenity. Environmental Protection shall recommend a condition is attached to any consent to ensure the flue is installed in accordance with the submitted drawings.

Local Air Quality

If the applicant is proposing an energy centre or centralised boilers they will need to ensure that information is submitted and if required a supporting chimney height calculation as per the Clean Air Act which is anything above 366Kw. The Pollution Prevention and Control (Scotland) Regulations 2012 were amended in December 2017 to transpose the requirements of the Medium Combustion Plant Directive (MCPD - Directive (EU) 2015/2193 of 25 November 2015 on the limitation of emissions of certain pollutants into the air from medium combustion plants). The purpose of the MCPD is to improve air quality. All combustion plant between 1 and 50 MW (net rated thermal input) will have to register or have a permit from SEPA. Environmental Protection will require that secondary abatement technology is incorporated into any plant above 1MW (accumulate assessment).

Therefore, Environmental Protection offer no objections subject to the following conditions being attached to any consent;

Condition

Prior to the use being taken up, the extract flue and ventilation system, capable of 30 air changes per hour, as show on drawing numbers L(PL)025 and L(PL)131 both dated 8/6/2018 shall be implemented.

Informative

It should be noted that when designing the exhaust ducting, Heating, ventilation and Air Conditioning (HVAC) good duct practice should be implemented to ensure that secondary noise is not generated by turbulence in the duct system. It is recommended that the HVAC Engineer employed to undertake the work, undertakes the installation with due cognisance of the Chartered Institute of Building Services Engineers (CIBSE) and American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Guidance.

The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment.

All proposed energy plant must comply with the Clean Air Act 1993, details of required chimneys should be submitted at the detailed planning stage. Plant above 1Mw may require secondary abatement technology. Biomass is not appropriate for this site.

Construction Mitigation Informative

- 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.

Should you wish to discuss the above, please do not hesitate to contact me on 0131 469 5160.

Historic Environment Scotland

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

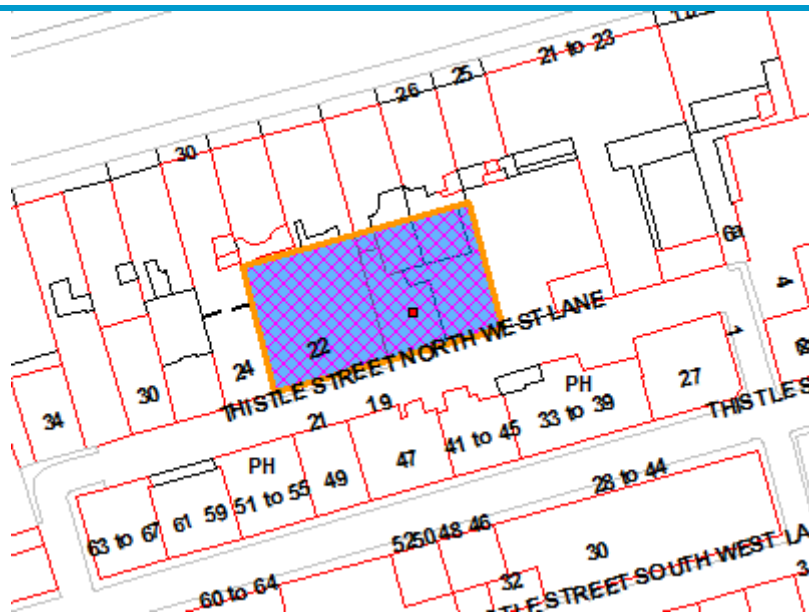
We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the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

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engine shed.org.

Location Plan



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Development Management Sub Committee

Wednesday 28 August 2019

**Application for Listed Building Consent 19/01981/LBC
At BF - 1F, 22 Thistle Street North West Lane, Edinburgh
Internal and External Alterations at number 22 Thistle
Street North West Lane and removal of extension building
at No. 20 Thistle Street North West Lane with erection of
new building extension.**

Item number

Report number

Wards

B11 - City Centre

Summary

The proposals have special regard to the desirability of preserving the building and its setting and do not adversely affect any features of special architectural and historic interest. The proposals preserve the character and appearance of the conservation area.

Links

[Policies and guidance for this application](#)

HES, LEN01, LEN04, LEN06, NSLBCA, CRPNEW,

Report

Application for Listed Building Consent 19/01981/LBC At BF - 1F, 22 Thistle Street North West Lane, Edinburgh. Internal and External Alterations at number 22 Thistle Street North West Lane and removal of extension building at No. 20 Thistle Street North West Lane with erection of new building extension.

Recommendations

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

Background

2.1 Site description

The application site is Stewart House, an A listed (date of listing: 03.03.1966, reference: LB29546), two and three storey building located within Thistle Street North West Lane. The building forms part of the listing with 26, 26A and 27 Queen Street. The building was originally built as a bindery around 1888 before being converted for training and office use in 1981. The appearance of the building has been heavily altered with later additions. The front elevation of the building has a squared and snecked stone finish and the rear elevation has a painted roughcast finish.

The existing lane is commercial in character and is of mixed appearance. Adjacent to the application site is the rear parking entrance to the Travelodge Hotel, which is a four storey bricked building. The application site to the north fronts onto the rear elevation of the three storey and basement townhouses at 26-29 Queen Street.

The site lies within the Edinburgh World Heritage Site.
This application site is located within the New Town Conservation Area.

2.2 Site History

22 February 2019 - Application withdrawn: Complete demolition of two-storey non-original building (application reference: 18/07440/CON).

22 February 2019 - Application withdrawn: Internal and external alterations (application reference: 18/09658/LBC).

22 February 2019 - Application withdrawn: Change of use from offices to hotel accommodation with ancillary bar and restaurant, demolition of non-original buildings, and erection of new extension to form additional hotel accommodation (application reference: 18/02752/FUL).

Decision pending for: Change of Use from Offices to Hotel with ancillary bar and restaurant; removal of existing and erection of new extension to form additional accommodation (application reference: 19/01930/FUL).

Main report

3.1 Description Of The Proposal

The proposal is to convert the existing office building to form a 61 bed hotel, with an ancillary bar and restaurant.

A number of down takings and external alterations to the front and rear of the existing building are proposed. These include the replacement of roof slates with natural slate to match the existing and the replacement of timber casement windows with dark grey aluminium windows.

It is proposed to part demolish and rebuild the adjoining two storey building with the existing squared and snecked stone to be re-used to the front. This rebuilt section will include an additional floor level with a flat roof, clad in dark grey metal. The development will also include a three storey, flat roof, side extension, with a buff brick finish.

Supporting Statements

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

- Conservation Area Statement;
- Planning and Design Statement.

3.2 Determining Issues

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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

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

3.3 Assessment

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

- a) the works will adversely impact on the character of the A listed building;
- b) the works will adversely impact on the character and appearance of the conservation area or the outstanding universal value of the Edinburgh World Heritage Site; and
- c) comments raised have been addressed.

a) Character of listed building

The Historic Environment Policy for Scotland (HEPS) outlines how the Council should undertake the collective duty of care whenever a decision in the planning system will affect the historic environment. There are three key areas which define how the historic environment should be understood, recognised and managed to support participation and positive outcomes, including "Managing Change" under policies HEP2, HEP3 and HEP4.

Policy Env 4 in the Edinburgh Local Plan (LDP) states that proposals to alter a listed building will be permitted where those alterations are justified; will not result in unnecessary damage to historic structures or result in a diminution of the building's interest; and any additions would be in keeping with other parts of the building.

It has been determined that there is nothing of historical, architectural value at no. 20, aside from the facade. This element of Stewart House was a later addition and no points of interest are mentioned in the listing description of the site. Historic Environment Scotland has raised no objection to the proposal.

The addition of a contemporary three storey extension is acceptable at this location and the palette of materials show a clear distinction from the original building. The extension is a sympathetic addition that is subservient to the main building and the materials are reflective of examples that can be found in the surrounding area.

The replacement of the non-original windows with aluminium in no.22 is a reference to the building's industrial past. The use of brick and dark metal cladding provide a contemporary palette to the site and avoids the development taking on a pastiche appearance. A condition will be attached requiring the submission of a detailed specification of all materials prior to work commencing on site.

The proposal is an appropriate and sympathetic alteration that will not adversely impact on the character of the listed building and puts into use a building that is currently empty.

b) Conservation Area and World Heritage Site

LDP policy Env 6 considers the impact of development on the character and appearance of the conservation area and policy Env 1 considers the impact on the Edinburgh World Heritage Site.

The site is not in a prominent location and the main changes are the introduction of an extension and an extra floor at no. 20. Thistle Street North West Lane is characterised by forming the rear of several bars and restaurants in Thistle Street and the rear of a large hotel that fronts onto Queen Street. The site is relatively inconspicuous and well screened from wider views.

The proposed changes will not negatively impact on the character and appearance of the conservation area or the Edinburgh World Heritage Site.

c) Public comments

Material Considerations

- Negative impact on listed building: this has been addressed in section 3.3(a).
- Negative impact on the conservation area: this has been addressed in section 3.3(b).
- Proposals enhance the conservation area: this has been addressed in section 3.3(b).
- Improving the listed building: this has been addressed in section 3.3(a).

Non-material Considerations

- Impact on trees.
- Noise.
- Privacy.
- Traffic/road safety.
- Loss of sunlight overshadowing.
- No neighbour notification.
- Design.
- Construction traffic.
- More hotel rooms.
- Reuse of building.

Conclusion

The proposals have special regard to the desirability of preserving the building and its setting and do not adversely affect any features of special architectural and historic interest. The proposals preserve the character and appearance of the conservation area.

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

3.4 Conditions/reasons/informatives

Conditions:-

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

Reasons:-

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

Informatives

It should be noted that:

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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 advertisement in the Edinburgh Evening News on 14th May 2019, 17 letters of representation have been received.

Background reading/external references

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

**Statutory Development
Plan Provision**

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

Date registered

23 April 2019

Drawing numbers/Scheme

01-25,

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 Government Guidance on Historic Environment.

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

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

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

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

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

Appendix 1

Application for Listed Building Consent 19/01981/LBC At BF - 1F, 22 Thistle Street North West Lane, Edinburgh Internal and External Alterations at number 22 Thistle Street North West Lane and removal of extension building at No. 20 Thistle Street North West Lane with erection of new building extension.

Consultations

Historic Environment Scotland

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the change of use from offices to hotel with ancillary bar and restaurant; removal of existing and erection of new extension to form additional accommodation

The site occurs at the core of Edinburgh's 18th century New Town, occupying the rear of four properties fronting onto Queen Street. Historic mapping indicates that the site was originally occupied by mews buildings prior to the 1880's when the commercial bindery constructed for William Hunter at No 22 to the rear of 28 & 29 Queen Street. The second half or the 20th century saw these commercial premises converted first in to training facilities for the Society of Accountants, with the subsequent demolition and rebuilding of part of No20 in the 1980's.

Accordingly, the site and buildings have been identified as of local archaeological significance. Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and CEC's Edinburgh Local Development Plan (2016) 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.

Although undesignated this group of buildings are considered to be of local archaeological/historic interest, of particular interest is the former bindery occupying No22. This building is an important survival of the Old Towns Victorian publishing

industry. As such it is welcomed that this building is to be retained and converted. The facade of the adjoining No 20 would appear also to be in part contemporary with this main building; however, it has been significantly affected by latter 20th century alterations and demolitions. As such its loss, although adverse, would not be regarded as significant.

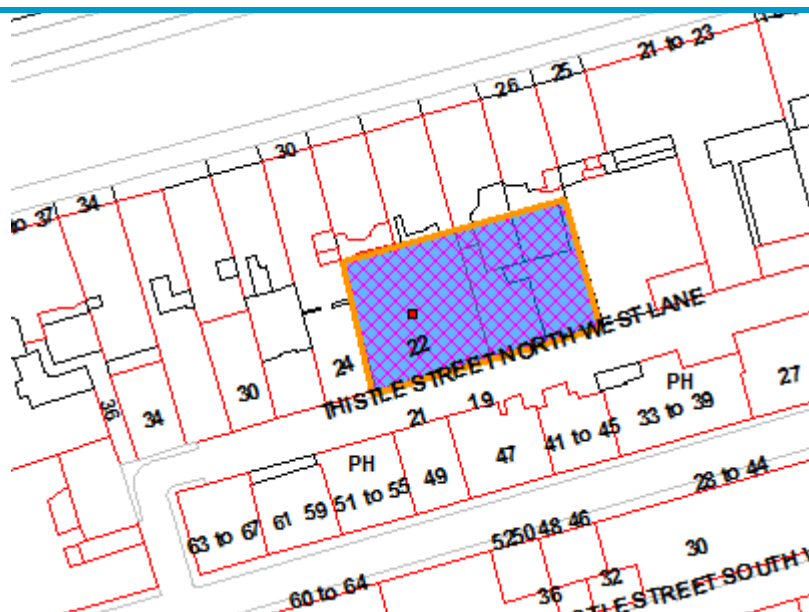
Overall the proposals are considered to have a low-moderate archaeological/heritage impacts. Accordingly, if consent is granted it is essential that a historic building survey (phased internal and external elevations and plans, photographic and written survey and analysis) is undertaken prior to and during any alterations and demolition. In addition, this work will be linked with an appropriate programme of archaeological excavation undertaken prior to/during demolition and any ground floor works in order to fully excavate, record and analysis any surviving archaeological 'buried' remains affected by such works.

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

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

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

Location Plan



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Development Management Sub Committee

Wednesday 28 August 2019

**Application for Planning Permission 19/01404/FUL
At GF, 126 Canongate, Edinburgh
Change of use from office to form 11 no. commercially
managed short term let apartments, alterations to the rear
elevation and roof, and creation of a ground floor class 1 &
2 unit. (AS AMENDED)**

Item number

Report number

Wards

B11 - City Centre

Summary

The proposed uses comply with the development plan policies for this city centre site and are acceptable in terms of their impacts on residential amenity and parking and access provision and public transport. The proposed alterations and extension preserve the character and special interest of the listed building and the character and appearance of the conservation area.

Links

[Policies and guidance for this application](#)

LDPP, LDEL02, LDES12, LDES13, LEN01, LEN03, LEN04, LEN06, LEN09, NSG, NSLBCA,

Report

Application for Planning Permission 19/01404/FUL At GF, 126 Canongate, Edinburgh Change of use from office to form 11 no. commercially managed short term let apartments, alterations to the rear elevation and roof, and creation of a ground floor class 1 & 2 unit. (AS AMENDED)

Recommendations

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

Background

2.1 Site description

The application site is a vacant, four storey, Category B listed building (listed 14 December 2019) (LB reference 28443), situated on the south side of the Canongate.

The original tenement building was built in 1685, but has been substantially rebuilt since, with its conversion for uses associated with the brewery complex in the 19th century. It underwent further significant alterations in the 1970's and 1990's, with its most recent use as housing association offices.

The property is adjoined by cafes with flats above, on either side. The pend access to Coopers Close to the rear, is located on the west side of the premises. The application site includes a small portion of this courtyard, which is an adopted road, within its boundary. However, there are no works proposed within this part of the site. There is a gated entry on the east side of the application premises.

Further residential flats, some with business premises below, are located to the rear of the building, facing on to the courtyard.

The application site is located in the Old and New Towns of Edinburgh World Heritage Site.

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

2.2 Site History

1 August 2013 - Application for listed building Consent for alterations to form a new short stay commercial leisure units from an existing office building granted (as amended) (application number 13/01605/LBC).

Main report

3.1 Description Of The Proposal

The proposals are for the change the use of this vacant building from office use at ground floor and flats above, to commercially managed apartments, with a ground floor office or retail unit on the Canongate frontage. Eleven apartments are proposed, including one apartment at ground floor level and nine in total at first to third floor level, (seven, two bedroomed and three, one bedroomed). A further, three bedroomed flat is proposed within a proposed dormer extension at roof level. The existing store room towards the rear of the building is for use as refuse storage.

The proposals involve major downtakings in the building interior, most of which is non-original. These include the downtaking of internal partition walls, in order to allow for the installation of the proposed new floor plans at each level.

The proposed alterations to the Canongate frontage at ground floor level, comprising:

- a) Replacement of existing window on east side with a timber entrance doorway, to the apartments.
- b) Replacement of existing windows to east and west of proposed doorway with full height windows.
- c) Installation of replacement windows at the west end of this frontage.
- d) Repositioning of date stone.

All proposed glazing at ground floor frontage is framed with dark grey aluminium. All proposed openings at ground floor level have sandstone surrounds.

The proposed alterations to the rear include:

- a) Replacement of late, 20th century style windows, with eight, full height windows, containing painted cedar louvres.
- b) Replacement of three non-original windows on the side elevation with three taller windows.
- c) Formation of a dormer extension within proposed extended, south facing roof plane, containing two windows.
- d) Installation of three Velux roof lights on new flat roof.
- e) Installation of four, small scale, roof lights next to ridge level on south facing roof lane.
- f) Application of matching coloured render, on affected parts of elevations.

Previous Schemes

The original scheme included a full width dormer extension to the rear, balconies at each floor level and a roof terrace at the top. The shop front design also differed and included wider openings on the Canongate frontage, set within a full width stone surround. The date stone was also retained at its current position.

Supporting Documents

- Planning Statement
- Design Statement
- Noise Statement

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

3.2 Determining Issues

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of the proposed development is acceptable;
- b) the impacts on the character and special interest of the listed building are acceptable;
- c) the proposals safeguard the character and appearance of the conservation area;
- d) the impacts on neighbouring amenity are acceptable;
- e) the impacts on road safety, parking and public transport provision are acceptable;
- f) there are any impacts on Equalities and Human Rights; and

g) the issues raised in representations are addressed.

a) Principle of Proposed Uses

There is no specific policy in the Edinburgh Local Development Plan covering the proposed use as commercially managed short term let apartments. However, Edinburgh Local Development Plan Policy Del 2 (City Centre) provides that development in the City Centre will be permitted which maintains and enhances its character, attractiveness, vitality and accessibility and contributes to its role as a strategic business and regional shopping centre and as a capital city.

Part of the requirements of this policy provides for a use or mix of uses, appropriate to the location of the site, its accessibility characteristics and the character of the surrounding area. The provision of short term let accommodation, would contribute towards the supply of visitor accommodation at this popular, accessible, city centre location, in compliance with this policy provision.

The proposed use as short stay commercial leisure units is acceptable in Development Plan policy terms, providing other relevant policy requirements, including safeguarding neighbouring amenity, are met (as considered in other sections of this report).

A number of concerns raised in representations relate to the opportunity to provide more permanent residential accommodation, as opposed to visitor accommodation in this neighbourhood and to help meet housing need. The Old Town Community Council further considers that the premises should remain as offices. It is acknowledged that the conversion of this property to residential use or offices would be supported in principle at this location. However, these uses are not part of the current proposals and are not therefore a material consideration.

The proposed conversion of part of the ground floor level to a retail, or class 2, commercial unit is in compliance with LDP Policy Ret 1 (Town Centres First Policy), as it would help generate footfall and provide further activity on the Canongate frontage, thereby benefiting the vitality and viability of this part of the City Centre and the local economy.

The proposed uses comply in principle with the provisions of policies Del 2 (City Centre) and Ret 1 of the Edinburgh Local Development Plan.

b) Impacts on Listed Building

LDP Policy Env 4 (Listed Buildings and Extensions) provides that:

Proposals to alter or extend a listed building will be permitted where;

- a) those alterations are justified;*
- b) there will be no unnecessary damage to historic structures or diminution of its interest; and*
- c) Where any additions are in keeping with other parts of the building.*

The listed building description notes that this property is: A well-proportioned, 17th century house, particularly notable for its widely spaced windows and elegant proportions, contributing to the wider Canongate streetscape.

However, this building has been largely altered, particularly to the rear and at roof level, from its original form. Nevertheless, its main attributes, which include the widely spaced, traditional sash and case windows on the Canongate frontage are still evident. These windows will remain unchanged above ground floor level on this frontage, thereby safeguarding this important element of the building's character and special interest.

The amended design for the proposed commercial frontage at street level on this frontage, has allowed for the vertical proportions and spacing characteristics of these elements of the building to be largely retained, thereby respecting the character and form of the original building. The use of period style, sandstone surrounds, also reflect this aspect of the building's character. These elements of the proposals have addressed the original concerns raised by both Historic Environment Scotland and the City Archaeologist in their response to the application, as originally submitted.

The proposed re-positioning of the remaining parts of the original date stone on this frontage, from the west side of this building to a central position, allows this historic feature to have greater prominence on this frontage. As noted by Historic Environment Scotland, this feature is not in its original position and its revised location is thought to be closer to the more centralised, characteristic location for such historic features. However, as recommended by the City Archaeologist, if permission is granted, a detailed conservation design would require to be submitted prior to development commencing, detailing how the date stone and armorial recess and lintel will be removed and reinstated. A suitable planning condition is included, requiring these provisions.

The proposed replacement windows to the rear, are located on a later, flat roofed extension to the building. The current, horizontal proportions of these windows are out of keeping with the character and appearance of the original building and their loss would not affect the character or special interest of the listed building. The design of the proposed replacement windows is assessed in section 3.3 c) (Impacts on Conservation Area).

Although of a significant scale, the roofline of the proposed dormer extension is located approximately 0.25 metres below the existing ridgeline, ensuring it is not visible from the building's important Canongate frontage. Furthermore, the dormer has been reduced in length to occupy approximately two thirds of the roofline length, rather than its full length, as originally proposed. Although the base of the proposed dormer is level with the eaves height on the rear elevation, its visual prominence is significantly reduced by its two metre set back on the flat roof, from the wall head. This ensures it achieves visual separation with the existing rear elevation, in accordance with the Council's Guidance on Listed Buildings and Conservation Areas.

The proposed use of slate on the new section of sloped roof and dark grey metal cladding on the dormer facings will ensure that these alterations blend successfully with the site's townscape context. A condition is included, requiring that full details and samples of these materials are submitted for approval to ensure their compatibility.

The proposed Velux roof lights on the new pitched roof section of the roof plane are small in scale and located on a rear elevation. A condition has been added, to ensure that conservation style flush fitted fixings are utilised to ensure that these elements of the proposals are visually unobtrusive and do not impact on the character and special interest of this listed building, as required in the Council's Guidance on Listed Buildings and Conservation Areas. The location of the proposed Velux roof lights on the flat roof sections of the altered roof plane will greatly limit their visibility.

The impacts of the proposed internal alterations are addressed in the report on the relevant application for Listed Building Consent (Application number 19/01405/LBC) and are considered acceptable, as little of the original floor layout remains in place.

It is therefore found that the proposals will preserve the character and special interest of the listed building.

c) Impacts on Conservation Area

LDP Policy Env 6 (Conservation Areas- Development) states that:

Development within a conservation area or affecting its setting will be permitted which preserves the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

This policy further provides that development proposals must demonstrate high standards of design and utilise materials appropriate to the historic environment.

LDP Policy Des 12 - (Alterations and Extensions) further provides that alterations and extensions to existing buildings should in their design and form, choice of materials and positioning, be compatible with the character of the existing building, or be detrimental to neighbourhood character or amenity.

The Old Town Conservation Area Character Appraisal identifies the key characteristics of the Conservation Area as follows:

- 'The survival of the little altered medieval herringbone street pattern of narrow closes, wynds and courts leading off the spine formed by the Royal Mile;*
- Its 16th and 17th century merchants' and nobles houses;*
 - Important early public buildings such as the Canongate Tollbooth and St. Giles Cathedral;*
 - The quality and massing of stonework; and*
 - The density and height of its picturesque multi-storey buildings'.*

The character appraisal notes that much of the Canongate consists of: *re-modelled reconstructed or entirely re-built housing blocks.*

The building subject to this application is one such example, being constructed in the late 1600's as a dwelling house and largely remodelled since to accommodate its changing uses.

The Character Appraisal further notes that buildings conform to a generally consistent height and massing, which is usually four to five storeys. The proposed building height, which is partially extended to the rear, will remain consistent with this characteristic height range. The Appraisal identifies that the following characteristics are an integral part of the Area's character:

*'stepped and angled pitched roofs, articulated by narrow dormers, crow stepped gables and chimney heads ... which provide architectural interest.
Sash and case windows in various configurations, specific to particular buildings in traditional fenestration patterns'.*

Roofs are traditionally pitched and covered with dark grey, Scots slate.

The Character Appraisal advises that the topography of the City is such that roofs are a dominant feature in many views.

The proposed extension and alterations at roof level to the rear will not be visible from the principle frontage of this building on the Canongate, or impact on the contribution it makes to this street frontage. The rear elevation of the building faces onto a largely enclosed courtyard, where a number of other higher level buildings are present, some of which have additional accommodation within a recessed top storey level. The overall height of the building, which would remain no greater than five storeys, is compatible with the characteristic heights in the Old Town.

The proposed dormer extension is wider than the traditional style dormers on the original 17th and 18th century buildings in the Old Town. However, this roof feature nevertheless adds articulation and visual interest on what is currently a flat roofed recent addition to this building. A condition is added, requiring samples of the proposed materials to be used on the dormer and the surrounding roof to ensure that the shade and texture are suitable for this conservation area setting.

The proportions of the proposed replacement windows on the rear elevation are larger in scale than the more traditional style sash and case windows, characteristic of older buildings in the Old Town. However, they include greater vertical emphasis than the existing windows at this location. Their more contemporary style, which includes the use of the dark grey aluminium framework, is considered suitable for this subservient, non-original elevation, at this relatively enclosed location. This contemporary approach is consistent with the Council's guidance on Listed Buildings and Conservation Areas, which advises that it is usually acceptable for an addition to a listed building be different and distinguishable from the existing building, in terms of its design.

The proposed alterations to the front elevation, which include the re-positioning of the date stone and introduction of a sympathetically designed shop front would maintain and enhance the important contribution this building makes to the street frontage at this prominent part of the conservation area.

The provision of a new shop front will contribute to the existing 'creative mix of uses' which is noted in the Appraisal, as being an: *essential element in maintaining active streets and a vibrant town centre.*

Comments have been made by contributors that the proposal, which provides visitor accommodation only, would be damaging to the character of the Conservation Area, as it fails to contribute to the continued presence of the residential community, a characteristic which is noted in the relevant Character Appraisal. This issue has also been raised in concerns relating to the potential erosion of the qualities contributing to the Outstanding Universal Value of the World Heritage Site. However, this comparatively small scale development, located on part of the main Old Town thoroughfare and recognised as a major tourist destination, and which relates to an existing non-residential site, would not in itself, affect this part of the conservation area's character.

It is concluded that the proposed alterations and roof extension are of good quality design and materials, as befits this historic, conservation area setting. The special character and appearance of the Old Town Conservation Area will therefore be safeguarded, in compliance with the provisions of LDP Policy Env 6.

It is further concluded that the proposals would not be detrimental to the area's visual amenity. The impacts on other aspects of neighbourhood amenity are addressed in section 3.3d) below.

d) Impacts on Neighbouring Amenity

The provisions of LDP Policy Des 12 - (Alterations and Extensions) provides that planning permission will not be granted for:

Alterations and extensions to existing buildings which would result in an unreasonable loss of privacy or natural light to neighbouring properties or be detrimental to neighbourhood character or amenity.

Many of the representations made to this application relate to the potential adverse impacts of the proposed development on neighbouring amenity, in particular, as a result of noise disturbance. The amended proposals, in which the formerly proposed balconies and roof terrace have been removed, have addressed the main issue of concern raised by Environmental Protection relating to the potential for noise disturbance.

The proposed units would all be contained within the one building, where no mainstream residential properties are present. This will avoid the characteristic impacts associated with the sharing of a communal stairwell with established residential properties. However, a noise assessment report has been submitted which provides information on the likely sound insulation performance of the existing party wall construction between this building and adjoining residential properties. This report recommends that further mitigation measures are carried out, in respect of this party wall and an area of ceiling, in order to address the impacts of potential noise break-out. A suitable condition is included to ensure that such works are carried out in accordance with the recommendations of this report, prior to occupation.

The removal of the balconies and roof terrace from the proposals has also addressed the associated issues relating to potential impacts on privacy and overlooking. Whilst the replacement windows on the rear elevation are taller than the existing windows, they will be partially screened by the proposed louvres. Furthermore, the proximity of these windows to neighbouring residential properties is similar to that found elsewhere in the courtyard and is in keeping with the prevailing characteristics of the townscape within this part of the Old Town.

Concern were raised in relation to the original scheme, regarding potential overshadowing. There are no balconies or roof terraces included in the revised scheme, removing the risk of such impacts. The proposed dormer, being suitably recessed, would not give rise to such impacts.

In conclusion, it is considered that the proposed change of use and the associated development will safeguard neighbouring amenity, in accordance with the requirements of LDP Policy Des12. A condition relating to the implementation of noise attenuation measures is included, in accordance with the recommendations of the relevant Noise Assessment report.

e) Road Safety, Parking and Public Transport Impacts

The Council, as Roads Authority has confirmed that the proposals will not necessitate the provision of vehicle parking spaces, at this highly accessible, city centre location. Cycle parking would normally be sought for proposed development in the city centre. However, it is accepted in this case, that an exception is justified as the layout of the listed building is restricted in form and there is no curtilage area available. An informative has been added advising the applicant to consider developing a Travel Plan for future occupiers of the development, including a Welcome Pack and advice on public transport information and other sustainable forms of travel.

Concerns have been raised by a number of contributors regarding the impact of the proposals on both the public transport system and local footway network. However, busy streets are part of the nature and character of the city centre and are reflective of its role and functions. Furthermore, the potential impacts of this development on this infrastructure need to be balanced against the impact arising in the previous use as offices.

Concerns have also been raised by neighbours that the proposals will result in the obstruction of the existing undercroft parking area, which is accessed from the courtyard to the rear of this property. Although a small area of the courtyard falls within the application site, it has been confirmed by the applicant that no development is proposed within this area. However, as a public road, the use of this courtyard for servicing purposes, will be available to the future occupiers of this building.

Contributors have also raised concerns regarding the potential use of this courtyard at the construction phase. This is not a material planning issue. However, it is noted that a permit would be required for such works, the issuing of which would fall within the remit of the Council as Roads Authority. Due to the confined nature of the site and sensitivity of its setting next to residential properties, an Informative has been added, advising the applicant to consider the use of a Construction Traffic Management Plan, in order to manage the impacts of the operations at this stage.

The impacts of the proposed development on parking and access provision and the local transport network at this city centre location are considered acceptable.

f) Equalities and Human Rights

The proposals have been considered in terms of Equalities and Human Rights.

As raised by neighbouring contributors, the proposed change of use would have the potential to result in increased noise disturbance to neighbouring residential occupiers, which could impact disproportionately on the health and wellbeing of more vulnerable members of the community. This issue has largely been addressed through the removal of the roof terrace and balconies from the proposals in the finalised scheme. The additional noise attenuation measures recommended by the applicant's consultant in their report will further assist in ensuring that noise disturbance is minimised, thereby safeguarding the health and wellbeing of neighbours.

It has been noted that the proposed development, which would result in the building being increased to five storeys in height, does not incorporate a lift facility for the use of those with mobility difficulties or other special needs. It is acknowledged that this facility would be required in a modern, purpose built property in accordance with DDA requirements. However it is accepted that a dispensation may be made in this case, as provided for under the Building Regulations, as the existing layout of this historic building does not accommodate such facilities. However, it is noted that the ground floor apartment would be suitable for inclusive access use. The ground floor shop unit, which incorporates an internal ramp to accommodate changes in level is also access inclusive.

g) Issues raised in Representations

Material Objections:

Issues relating to Proposed Use

- Loss of potential to accommodate residential use - this is assessed in section 3.3 a) and c).
- Proposal fails to address homeless problem in area - this is assessed in section 3.3 a) and c).
- Oversupply of tourist accommodation at expense of residential accommodation - this is assessed in section 3.3 a) and c).

Residential Amenity Issues

- Loss of privacy as result of overlooking from balconies and terrace - this is assessed in section 3.3d).
- Overshadowing - this is assessed in section 3.3d).
- Noise disturbance due to use of balconies by patrons - this is assessed in section 3.3d).
- Detrimental impact on local community and neighbourhood character due to extent of tourist accommodation provision - this is assessed in section 3.3d).

Impacts on Listed Building and Conservation Area

- Detrimental impact of proposed alterations on existing listed building - this is assessed in section 3.3c).
- Detrimental impact of alterations on character of Conservation Area- this is assessed in section 3.3 c).
- Damage to World Heritage Site - this is assessed in section 3.3 - this is assessed in section 3.3 a) and c).

Access and Parking Issues

- Impact on pedestrian safety owing to increased footfall on pavement network - this is assessed in section 3.3 e).
- Potential for increased disruption of local bus service as result of increased demand - this is assessed in section 3.3 e).
- Disruption of existing parking facilities - this is assessed in section 3.3 e).
- Loss of parking and manoeuvring space - this is assessed in section 3.3 e).

Non-Material Representations

- Detrimental impact on neighbouring amenity as a result of noise disturbance, dust emissions and traffic and parking impacts during construction works. (The control of such temporary impacts falls out with the scope of the planning regulations and is controlled under separate legislation).
- Impacts of anti-social behaviour.

Old Town Community Council Comments

- Existing oversupply of visitor accommodation in area - this is assessed in section 3.3 a), c) and d).
- Shortage of space for business units in area - this is assessed in section 3.3 a).
- Use will make inadequate contribution towards local employment opportunities- this is assessed in section 3 a).
- Considers ground floor unit unsuitable for proposed shop or class 2 office use a).

Conclusion

In conclusion, the proposed uses comply with the development plan policies for this city centre site and are acceptable in terms of their impacts on residential amenity and parking and access provision and public transport. The proposed alterations and extension preserve the character and special interest of the listed building and the character and appearance of the conservation area.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to the occupation of the application premises for the uses hereby approved, the following noise attenuation measures shall be put in place and retained in situ, in accordance with the recommendations contained in the consultant's Noise Report dated 31 May 2019:
 - a. The separating walls with the adjoining residential apartments shall be lined with independent plasterboard wall linings, spaced away from the existing walls and not connected back to them.
 - b. Suitable resilient layers shall be incorporated into the new floor finishes.
2. No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (historic building survey, conservation, 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 conservation architects/conservators and professional archaeological organisation respectively, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.
3. Prior to the commencement of development, a detailed conservation design shall be submitted to and approved by the Planning Authority, detailing how the date stone and armorial recess and lintel will be removed and reinstated at the location indicated on the approved plans. The proposed works shall be carried out in accordance with the approved details, prior to the occupation of the building for the uses hereby approved.
4. Notwithstanding the approved plans, samples of the proposed materials for use on the proposed dormer facings and roof, the slate to be used on the additional area of pitched roof to the rear, the sandstone stone surrounds on the ground floor windows, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
5. All rooflights shall incorporate conservation style flush fittings

Reasons:-

1. In order to safeguard the amenity of neighbouring residents and other occupiers.
2. In order to safeguard the interests of archaeological heritage.
3. In order to ensure that these important elements of the listed building are suitably safeguarded.

4. In order to enable the Head of Planning to consider this/these matter/s in detail.
5. In order to safeguard the character of the conservation area.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. This consent is for planning permission only. Work must not begin until other necessary consents, eg listed building consent, have been obtained.
5. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), staff changing, shower and drying facilities, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.
6. The applicant is advised to consider the use of a Construction Traffic Management Plan for the safe use of vehicles, during the construction phase of the development.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been considered in terms of equalities or human rights. The impacts found are addressed in section 3.3 of this report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 5 April 2019.

A total of 53 letters of objection were received including those from the Architectural Heritage Society for Scotland, the Edinburgh Old Town Development Trust, the Grassmarket Residents Association and the Old Town Community Council (which has asked to be treated as a consultee on this application). One letter of comment from a neighbour was also submitted.

Neighbouring occupiers and contributors were re-notified on 19 June 2019, following the submission of revised plans. A total of 16 representations were received from neighbouring occupiers in response to this further notification.

Background reading/external references

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

**Statutory Development
Plan Provision**

The application site is situated in the City Centre and, Old Town Conservation Area, as designated in the Edinburgh Local Development Plan. It is further located within the Old and New Towns of Edinburgh World Heritage Site.

The site is located within the Edinburgh City Centre Strategic Development Area (SDA as designated in the South East Scotland Strategic Development Plan (SESplan) 2013 where there is an emphasis on maintaining and developing its established role as the Regional Core and the Capital City.

SESplan recognises that tourism, financial and business sectors, and food and drink as being key sectors which are central to the regional economy.

The site is also located within the Regional Core 'sub-regional area' as identified in SESplan which states that the Regional Core is a 'major tourist and leisure destination and encompasses a World Heritage Site combining the protection and use of historic buildings with new modern development proposals'.

Date registered

18 March 2019

Drawing numbers/Scheme

01-09, 11,12B- 15B,16C,17C,18C,19A, 20-25.,

Scheme 2

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

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

LDP Policy Des 13 (Shopfronts) sets criteria for assessing shopfront alterations and advertising proposals.

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

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

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

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

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.

Relevant Non-Statutory Guidelines

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

Appendix 1

Application for Planning Permission 19/01404/FUL

At GF, 126 Canongate, Edinburgh

Change of use from office to form 11 no. commercially managed short term let apartments, alterations to the rear elevation and roof, and creation of a ground floor class 1 & 2 unit. (AS AMENDED)

Consultations

Roads Authority response

Further to the memorandum of 16 April 2019, there are no objections to the revised 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 public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.*

Note:

Zero car parking provision is considered acceptable for development in this area.

It is understood that it is not considered practical to provide cycle parking within the property.

Environmental Protection response

Environmental Protection has no objections to this application subject to the conditions recommended below:

- 1. The separating walls with adjoining residential apartments are to be lined with independent plasterboard wall linings, spaced away from the existing walls and not connected back to them.*
- 2. Suitable resilient layers shall be incorporated into the new floor finishes.*

Assessment

Following Environmental Protection's consultation response dated 7 May 2019, the proposal has been revised to address noise concerns and the impact on neighbouring residential amenity.

The main changes include: removal of the roof terrace, removal of balconies and louvres. A noise statement was provided giving information on the likely sound insulation performance of the existing party wall construction and recommending mitigation that will further improve the sound insulation.

In conclusion, the revised scheme has addressed Environmental Protection's objections, subject to the recommended conditions.

City Archaeologist response

Further to your consultation request I would like to make the following comments and recommendations concerning the above associated LBC & FUL applications for the change of use from office to form 11 no. commercially managed short term let apartments, alterations to the rear elevation and roof, and creation of a ground floor, class 1 and 2 unit.

This B-listed 17th century tenement is situated at the heart of Edinburgh's medieval Old Town burgh of the Canongate and also UNESCO World Heritage Site. Accordingly, this listed building is regarded as being of archaeological and historic significance and an important contributor to the character of this section of the UNESCO World Heritage site. This application must be considered therefore under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and CEC's Edinburgh Local Development Plan (2016) policies ENV4, ENV8 & ENV9.

Although extensively rebuilt and renovated in the late 20th century which removed most of the internal structure, the shell of the building has remained relatively untouched. The front façade although altered in the 1970s reflects its original 17th century appearance. The smaller windows shown on the 1970s elevation on page 7 of the Design Statement, would appear to reflect the latter 19th or 20th century blocking of earlier windows when it was in use by the brewery and does not, as suggested in the document, reflect its original domestic form.

Therefore, the proposals to create a large new open shop front is considered to have a significant adverse impact upon both the character of this 17th century tenement and potentially also on surviving historic fabric. Therefore, it has been concluded that these applications are contra to CEC Planning policies ENV4 and ENV8 and that accordingly, it is recommended that these applications are refused consent on archaeological/heritage grounds.

City Archaeologist - response to amended plans (5 August 2019)

Further to your consultation request, I would like to make the following comments and recommendations concerning the above associated LBC and FUL amended applications for the change of use from office to form 11, commercially managed short term let apartments, alterations to the rear elevation and roof, and creation of a ground floor class 1 or 2 unit.

This B-listed 17th century tenement is situated at the heart of Edinburgh's medieval Old Town burgh of the Canongate and also UNESCO World Heritage Site. Accordingly, this listed building is regarded as being of archaeological and historic significance and an important contributor to the character of this section of the UNESCO World Heritage site. This application must be considered therefore under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and CEC's Edinburgh Local Development Plan (2016) policies ENV4, ENV8 & ENV9.

As stated in my earlier response of the 25th May, although extensively rebuilt/renovated in the late 20th century, which removed most of the internal structure, the shell of the building has remained relatively untouched. The current front façade, although altered in the 1970s, does reflect its original 17th century appearance. The original proposals to create a large new open shop front were therefore considered to have a significant adverse impact upon both the character of this 17th century tenement and potentially also on surviving historic fabric.

I therefore concluded that the original scheme was contrary to CEC Planning policies ENV4 and ENV8 and recommended that these applications be refused consent on archaeological/heritage grounds.

Having assessed the proposed amended designs (drawing b9-1848-34) it has been concluded that they better reflect the original 17th century domestic character of this important building. Accordingly, they largely address my main concerns and objections to the original proposal.

However, if permission is granted for this scheme it is essential that a detailed conservation design is submitted prior to development, for approval, detailing how the date stone and armorial recess and lintel will be removed and reinstated. In addition, works to the building may reveal important evidence for its development and it is recommended that a programme of historic building recording is undertaken during development to record any historic fabric that may be revealed / affected.

Accordingly, it is essential that the following condition is attached to any permission/consent granted to ensure that undertaking of the above elements of archaeological work;

'No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (historic building survey, conservation, 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 conservation architects/conservators and professional archaeological organisation respectively, 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.

Response Old Town Community Council

The Community Council has requested to be treated as a consultee on this application and objects most strongly to this proposal.

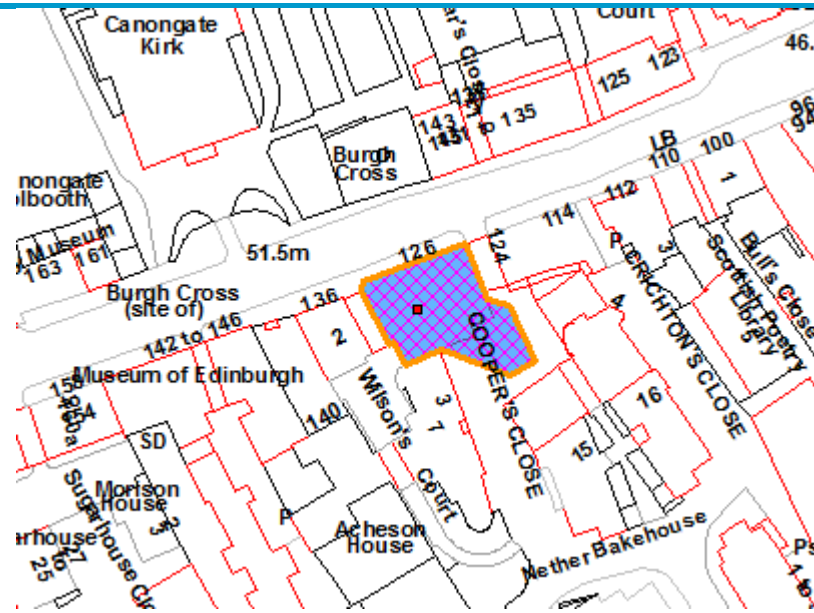
There already exists in the Old Town an excessive concentration of visitor accommodation of all kinds, and of short term lets in particular.

There also exists an acute shortage of space for small business uses. At the same time there exists a severe shortage of residential accommodation.

The City would be far better served if this building would remain as offices, or at least become housing. Doubtless the developers of this proposal will try and claim how beneficial to the local economy this development will be. But as you are no doubt aware, it is rapidly becoming apparent that particularly the sort of budget tourists here proposed are not as beneficial as purported, and what benefit is far outweighed by the negative impacts of loss of housing and employment opportunities for genuine citizens of the town.

We also point out that the ground floor of this listed building is particularly unsuited to commercial use as Class 1, 2 or the Class 3 that it would be very likely to become. The Community Council therefore requests that the application be rejected.

Location Plan



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END

Development Management Sub Committee

Wednesday 28 August 2019

**Application for Listed Building Consent 19/01405/LBC
At GF, 126 Canongate, Edinburgh
Alterations include: minor alterations to the non-original elements of the primary elevation of the property, enlarged windows, and an extension to the roof space to the rear of the property, internal refurbishment to the non-original interior of all floors of the property, and, alterations to create a shop frontage at street level. (AS AMENDED)**

Item number

Report number

Wards

B11 - City Centre

Summary

The proposals preserve the special character of the listed building, preserve the character and appearance of the conservation area and are acceptable.

Links

[Policies and guidance for this application](#)

LDPP, LEN04, LEN06, NSG, NSLBCA, HES,

Report

**Application for Listed Building Consent 19/01405/LBC
At GF, 126 Canongate, Edinburgh
Alterations include: minor alterations to the non-original elements of the primary elevation of the property, enlarged windows, and an extension to the roof space to the rear of the property, internal refurbishment to the non-original interior of all floors of the property, and, alterations to create a shop frontage at street level. (AS AMENDED)**

Recommendations

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

Background

2.1 Site description

The application site is a vacant, four storey, Category B listed building (listed 14 December 2019) (LB reference 28443), situated on the south side of the Canongate.

The original tenement building was built in 1685, but has been substantially rebuilt since, with its conversion for uses associated with the brewery complex in the 19th century. It underwent further significant alterations in the 1970's and 1990's, with its most recent use as ground floor housing association offices.

The property is adjoined by cafes with flats above, on either side. The pend access to Coopers Close to the rear, is located on the west side of the premises. The application site includes a small portion of this courtyard, which is an adopted road, within its boundary. However, there are no works proposed within this part of the site. There is a gated entry on the east side of the application premises.

Further residential flats, some with business premises below, are located to the rear of the building, facing on to the courtyard.

The application site is located in the Old and New Towns of Edinburgh World Heritage Site.

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

2.2 Site History

1 August 2013 - Alterations to form a new short stay commercial leisure units from an existing office building (as amended) (Listed Building Consent application number 13/01605/LBC).

29 November 2013 - Planning permission granted for change of use to commercial leisure apartments and external alterations (application number 13/01624/FUL).

Main report

3.1 Description Of The Proposal

The proposals are for the change the use of this vacant building from Class 4 office use to commercially managed apartments, with a ground floor office or retail unit on the Canongate frontage. Eleven apartments are proposed, including one apartment at ground floor level and nine in total at first to third floor level, (seven, two bedroomed and three, one bedroomed). A further, three bedroomed flat is proposed within a proposed dormer extension at roof level. The existing store room towards the rear of the building is for use as refuse storage.

The proposals involve major downtakings in the building interior, most of which is non-original. These include the downtaking of internal partition walls, in order to allow for the installation of the proposed new floor plans at each level.

The proposed alterations to the Canongate frontage at ground floor level, comprising:

- a) Replacement of existing window on east side with a timber entrance doorway, to the apartments.
- b) Replacement of existing windows to east and west of proposed doorway with full height windows.
- c) Installation of replacement windows at the west end of this frontage.
- d) Repositioning of date stone.

All proposed glazing at ground floor frontage is dark grey, aluminium framed. All proposed openings at ground floor level have sandstone surrounds.

The proposed alterations to the rear include:

- a) Replacement of late, 20th century style windows, with eight, full height windows, with painted cedar louvres.
- b) Replacement of non-original windows on side elevation.
- c) Formation of a dormer extension within proposed extended, south facing roof plane.
- d) Installation of three Velux roof lights on new area of flat roof.
- e) Installation of four, small roof lights below ridge on south facing roof lane.
- f) Application of matching coloured, render, on affected parts of elevations.

Previous Scheme

The original scheme included a full width dormer extension to the rear, balconies at each floor level and a roof terrace at the top. The shop front design also differed and included wider openings on the Canongate frontage, set within a full width stone surround. The date stone was also retained at its current position.

Supporting Documents

- Planning Statement
- Design Statement
- Noise Statement

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

3.2 Determining Issues

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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

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

3.3 Assessment

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

- a) There are any adverse impacts on the character and special interest of the listed building;
- b) the proposals safeguard the character and appearance of the conservation area;
- c) The impacts on Equalities or Human Rights are addressed; and
- d) The issues raised in representations are addressed.

a) Impacts on the character and special interest of the listed building.

HES's guidance on Managing Change sets out the principles that apply and how it should inform planning policies.

LDP Policy Env 4 (Listed Buildings and Extensions) provides that:

Proposals to alter or extend a listed building will be permitted where;

- a) those alterations are justified;*
- b) there will be no unnecessary damage to historic structures or diminution of its interest; and*
- c) Where any additions are in keeping with other parts of the building.*

The listed building description notes that this property is: A well-proportioned, 17th century house, particularly notable for its widely spaced windows and elegant proportions, contributing to the wider Canongate streetscape.

This building has been largely altered, particularly internally, to the rear and at roof level, from its original form. Nevertheless, its main attributes, which include the widely spaced, traditional sash and case windows on the Canongate frontage are still evident. These windows will remain unchanged above ground floor level on this frontage, thereby safeguarding this important element of the building's character and special interest.

Although there have been changes to the existing window positioning on the proposed commercial frontage on Canongate, the finalised design allows for the vertical proportions and spacing characteristics of these elements of the building to be largely retained. This design provides for greater alignment with existing windows above, thereby respecting the character and form of the original building. The use of sandstone window surrounds, also reflect this aspect of the building's character. These elements of the proposals have addressed the concerns raised by both Historic Environment Scotland and the City Archaeologist in their response to the original plans. A condition is included requiring samples of the proposed sandstone to be submitted for detailed consideration.

The proposed re-positioning of the remaining parts of the original date stone on this frontage, from the west side of this building to a central position allows this historic feature to have greater prominence. As noted by Historic Environment Scotland, this feature is not currently in its original position and its revised location is thought to be closer to the more centralised, characteristic location for such historic features. However, as recommended by the City Archaeologist, a detailed conservation design would be required, prior to development commencing, for approval, detailing how the date stone and armorial recess and lintel will be removed and reinstated. A suitable condition is included, requiring these provisions.

The proposed replacement windows on the rear elevation are located on a later, flat roofed extension to the building. The current, horizontal proportions of these windows are out of keeping with the character and appearance of the original building and their loss would not affect the character or special interest of the listed building.

Although of a significant scale, the roofline of the proposed dormer extension is located approximately 0.25 metres below the existing ridgeline, ensuring it is not visible from the building's important Canongate frontage. Furthermore, the dormer has been reduced in length to occupy approximately two thirds of the roofline length, rather than its full length, as originally proposed. Although the base of the proposed dormer is level with the eaves height on the rear elevation, its visual prominence is significantly reduced as a result of its two metre set back on the flat roof, from the wall head. This ensures it achieves visual separation with the existing rear elevation, in accordance with the Council's guidance on Listed Buildings and Conservation Areas.

The proposed use of slate on the new section of sloped roof and dark grey metal cladding on the dormer facings will ensure that these alterations are compatible with the character of the listed building and the surrounding conservation area. A condition is included, requiring that full details and samples of these materials are submitted for approval to ensure their compatibility.

The proposed roof lights on the new pitched roof section of the roof plane are small in scale and located on a rear elevation. A condition has been added, requiring the use of conservation style flush fitted fixings, to ensure that these elements of the proposals are visually unobtrusive and do not impact on the character and special interest of this listed building, as required in the Council's guidance on Listed Buildings and Conservation Areas. The location of the proposed roof lights on the flat roof sections of the altered roof plane will greatly limit their visibility. Nevertheless, these roof lights would also be subject to the requirements of the condition requiring flush fitted fixings, to ensure they are unobtrusive.

Internal Alterations

The interior of this listed building has been significantly altered over the years, with most of the internal walls replaced with later partitions. The proposed alterations to form the proposed apartment floor plans and shop or commercial unit, will not result in damage to any existing features of historic or architectural interest.

The proposed alterations are acceptable, and, where applicable, are formed of good quality design and materials. They will preserve the character and special interest of the listed building.

b) Impacts on Conservation Area

LDP Policy Env 6 (Conservation Areas- Development) states that:

Development within a conservation area or affecting its setting will be permitted which preserves the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

This policy further provides that development proposals must demonstrate high standards of design and utilise materials appropriate to the historic environment.

The Old Town Conservation Area Character Appraisal identifies the key characteristics of the Conservation Area as follows:

'The survival of the little altered medieval herringbone street pattern of narrow closes, wynds and courts leading off the spine formed by the Royal Mile;

- Its 16th and 17th century merchants' and nobles houses;*
- Important early public buildings such as the Canongate Tollbooth and St. Giles Cathedral;*
- The quality and massing of stonework; and*
- The density and height of its picturesque multi-storey buildings'.*

The character appraisal notes that much of the Canongate consists of: *re-modelled reconstructed or entirely re-built housing blocks.*

The building subject to this application is one such example, being constructed in the late 1600s as a dwelling house and largely remodelled since, to accommodate its changing uses.

The Character Appraisal further notes that buildings conform to a generally consistent height and massing, which is usually four to five storeys. The proposed building height, which is partially extended to the rear, will remain consistent with this characteristic height range. The Appraisal identifies that the following characteristics are an integral part of the Area's character:

*'stepped and angled pitched roofs, articulated by narrow dormers, crow stepped gables and chimney heads ... which provide architectural interest.
Sash and case windows in various configurations, specific to particular buildings in traditional fenestration patterns'.*

Roofs are traditionally pitched and covered with dark grey, Scots slate.

The Character Appraisal advises that the topography of the City is such that roofs are a dominant feature in many views.

The proposed extension and alterations at roof level to the rear will not be visible from the principle frontage of this building on the Canongate, or impact on the contribution it makes to this street frontage. The rear elevation of the building faces onto a largely enclosed courtyard, where a number of other higher level buildings are present, some of which have additional accommodation within a recessed top storey level. The overall height of the building, which would remain no greater than five storeys, is compatible with the characteristic heights in the Old Town.

The proposed dormer extension is wider than the traditional style dormers on the original 17th and 18th century buildings in the Old Town. However, this roof feature nevertheless adds articulation and visual interest on what is currently a flat roofed recent addition to this building. A condition is added requiring samples of the proposed materials to be used on the dormer and the surrounding roof to ensure that the shade and texture are suitable for this conservation area setting.

The proportions of the proposed replacement windows on the rear elevation are larger in scale than the more traditional style sash and case windows, characteristic of older buildings in the Old Town. Their more contemporary style, which includes the use of the dark grey aluminium framework, is considered suitable for this subservient, non-original elevation, at this relatively enclosed location. This contemporary approach is consistent with the Council's guidance on Listed Buildings and Conservation Areas, which advises that it is usually acceptable for an addition to a listed building be different and distinguishable from the existing building in terms of its design.

The proposed alterations to the front elevation, which include the re-positioning of the date stone and introduction of a sympathetically designed shop front, would maintain and enhance the important contribution this building makes to the street frontage at this prominent part of the conservation area.

It is concluded that the proposed alterations and roof extension are of good quality design and materials, as befits this historic, conservation area setting. The special character and appearance of the Old Town Conservation Area will therefore be safeguarded, in compliance with the provisions of LDP Policy Env 6.

c) Impacts on Equalities and Human Rights

The impacts of these proposals on Equalities and Human Rights are addressed in the relevant application for planning permission (number 19/01404/FUL).

d) Issues raised in representations

Material Issues

- Adverse Impacts on listed building character - assessed in section 3.3a).
- Adverse Impacts on Conservation Area and World Heritage Site - assessed in section 3.3b).
- Unsightly Alterations and extensions to listed building - assessed in section 3.3a) and b).

Non-material issues in respect of listed Building Application

- Adverse impacts of proposed use as short stay accommodation - this is assessed in the relevant application for planning consent (Number: 19/01404/FUL).
- Noise disturbance - this is assessed in the relevant application for planning consent.
- Traffic, access and parking issues - these impacts are assessed in the relevant application for planning consent.
- Anti-social behaviour - This is not a planning related matter.
- Disturbance, noise and dust at construction phase - this is not a material planning matter.

Conclusion

In conclusion, the proposals preserve the special character of the listed building and preserve the character and appearance of the conservation area.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (historic building survey, conservation, 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 conservation architects/conservators and professional archaeological organisation respectively, 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.

2. Prior to the commencement of development, a detailed conservation design shall be submitted to and approved by the Planning Authority, detailing how the date stone and armorial recess and lintel will be removed and reinstated at the location indicated on the approved plans. The proposed works shall be carried out in accordance with the approved details, prior to the occupation of the building for the uses hereby approved.
3. Notwithstanding the approved plans, samples of the proposed materials for use on the proposed dormer facings and roof, the slate to be used on the additional area of pitched roof to the rear, the sandstone stone surrounds on the ground floor windows, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
4. All rooflights shall incorporate conservation style flush fittings.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to ensure that these important elements of the listed building are suitably safeguarded.
3. In order to enable the planning authority to consider these matters in detail.
4. In order to safeguard the character of the statutorily listed building and conservation area.

Informatives

It should be noted that:

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been considered in terms of equalities or human rights. The relevant impacts are addressed in section 3.3 of the related application for planning permission (19/01404/FUL).

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 5 April 2019. A total of 44 representations were received, including one from the Architectural Heritage Society for Scotland and 42 objections from neighbouring occupiers.

Neighbouring occupiers were re-notified in respect of the revised plans on 19 June 2019.

One representation was received from a neighbouring occupier.

Background reading/external references

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

- [Scottish Planning Policy](#)

**Statutory Development
Plan Provision**

The application site is situated in the City Centre and, Old Town Conservation Area, as designated in the Edinburgh Local Development Plan. It is further located within the Old and New Towns of Edinburgh World Heritage Site.

Date registered

18 March 2019

Drawing numbers/Scheme

01-09, 11A,12B, 13B,14B,15D,16C,17C,18B,19A.,
20-25.,

Scheme 2

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

Contact: Carla Parkes, Senior Planning Officer
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Links - Policies

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

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

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

Relevant Non-Statutory Guidelines

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

Relevant Government Guidance on Historic Environment.

Appendix 1

Application for Listed Building Consent 19/01405/LBC

At GF, 126 Canongate, Edinburgh

Alterations include: minor alterations to the non-original elements of the primary elevation of the property, enlarged windows, and an extension to the roof space to the rear of the property, internal refurbishment to the non-original interior of all floors of the property, and, alterations to create a shop frontage at street level. (AS AMENDED)

Consultations

Historic Environment Scotland Response

126 Canongate is a well-proportioned house, dating from the 17th century onwards it was substantially rebuilt in the 20th century. It is particularly notable for its widely spaced windows and elegant proportion, contributing to the wider Canongate streetscape. The building has been adapted to varying uses, most recently in the 1990s following the closure of Youngers Holyrood Brewery.

The architectural character of the principal, Canongate elevation is expressed above ground floor level, by regular well-proportioned fenestration. A pedimented date panel sits between ground and first floors. The ground floor arrangement of doorway and windows dates from the 1990s refurbishment.

At street level, the proposals would see extending across most of the width of the building a new recessed shopfront incorporating full length windows and a large shopfront window, framed by sandstone banding. This element of the scheme would in our view introduce a prominent, horizontal emphasis to the Canongate elevation. We consider that this would diminish the building's established character and appearance and should be resisted.

The distinctive pedimented date panel which is a significant architectural feature should, in our view be better integrated into street level proposals. As can be seen at 'Bible Land', a category B listed tenement at 183-187 Canongate, the pedimented, 17th century panel was designed to sit above a central, or principal doorway. The date panel's corniced base forming the upper part of the doorway's lintol.

The form of the proposed shopfront could be reconsidered to reduce its horizontal emphasis and ensure 126 Canongate's distinctive date panel's incorporation into a sensitively proportioned and detailed doorway entrance. The introduction of a focal doorway's vertical emphasis would in our view better protect and enhance the building's appearance.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

Historic Environment Scotland - Revised response, 8 August 2019

We note the most recent revisions to this LBC application. As we noted in our previous consultation response letter (dated 1 July 2019), No, 126 Canongate is a well-proportioned 4-bay house, dating originally from the 17th century. It was substantially rebuilt in the 20th century. It is particularly notable for its widely spaced windows and elegant proportions, contributing to the wider Canongate streetscape. The building has been adapted to varying uses, most recently in the 1990s following the closure of Youngers Holyrood Brewery.

The revised proposals for the treatment of the building's Canongate elevation, in our view better respond to the building's historic character. As we previously outlined, historic photographs show that the building's distinctive pedimented 17th century date panel originally formed the top of a doorway onto Canongate (the second window from the right) but the space above this ground floor opening is now occupied by a first floor window inserted in the C20th.

We welcome the revised proposal to relocate the date panel and to incorporate it above a focal doorway opening, which was the panel's original function. This would in our view better protect and enhance the building's character and appearance.

The pedimented date panel is a significant historical architectural feature, its careful removal, conservation and reinstatement as proposed would need to be undertaken by a suitably experienced stone conservation specialist to ensure its protection.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

City Archaeologist Response

Further to your consultation request I would like to make the following comments and recommendations concerning the above associated LBC and FUL applications for the change of use from office to form 11 no. commercially managed short term let apartments, alterations to the rear elevation and roof, and creation of a ground floor class 1 and 2 unit.

This B-listed 17th century tenement is situated at the heart of Edinburgh's medieval Old Town burgh of the Canongate and also UNESCO World Heritage Site. Accordingly, this listed building is regarded as being of archaeological and historic significance and an important contributor to the character of this section of the UNESCO World Heritage site. This application must be considered therefore under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and CEC's Edinburgh Local Development Plan (2016) policies ENV4, ENV8 and ENV9.

Although extensively rebuilt/renovated in the late 20th century which removed most of the internal structure, the shell of the building has remained relatively untouched. The front façade although altered in the 1970s reflects its original 17th century appearance. The smaller windows shown on the 1970s elevation on page 7 of the Design Statement, would appear to reflect the latter 19th/20th century blocking of earlier windows when it was in use by the brewery and does not as suggested in the document reflect its original domestic form.

Therefore, the proposals to create a large new open shop front is considered to have a significant adverse impact upon both the character of this 17th century tenement and potentially also on surviving historic fabric. Therefore, it has been concluded that these applications are contra to CEC Planning policies ENV4 and ENV8 and that accordingly, it is recommended that these applications are refused consent on archaeological and heritage grounds.

City Archaeologist - response to amended plans (5 August 2019)

Further to your consultation request, I would like to make the following comments and recommendations concerning the above associated LBC and FUL amended applications for the change of use from office to form 11, commercially managed short term let apartments, alterations to the rear elevation and roof, and creation of a ground floor class 1 or 2 unit.

This B-listed 17th century tenement is situated at the heart of Edinburgh's medieval Old Town burgh of the Canongate and also UNESCO World Heritage Site. Accordingly, this listed building is regarded as being of archaeological and historic significance and an important contributor to the character of this section of the UNESCO World Heritage site. This application must be considered therefore under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and CEC's Edinburgh Local Development Plan (2016) policies ENV4, ENV8 and ENV9.

As stated in my earlier response of the 25th May, although extensively rebuilt/renovated in the late 20th century, which removed most of the internal structure, the shell of the building has remained relatively untouched. The current front façade, although altered in the 1970s, does reflect its original 17th century appearance. The original proposals to create a large new open shop front were therefore considered to have a significant adverse impact upon both the character of this 17th century tenement and potentially also on surviving historic fabric.

I therefore concluded that the original scheme was contrary to CEC Planning policies ENV4 and ENV8 and recommended that these applications be refused consent on archaeological/heritage grounds.

Having assessed the proposed amended designs (drawing b9-1848-34) it has been concluded that they better reflect the original 17th century domestic character of this important building. Accordingly, they largely address my main concerns and objections to the original proposal.

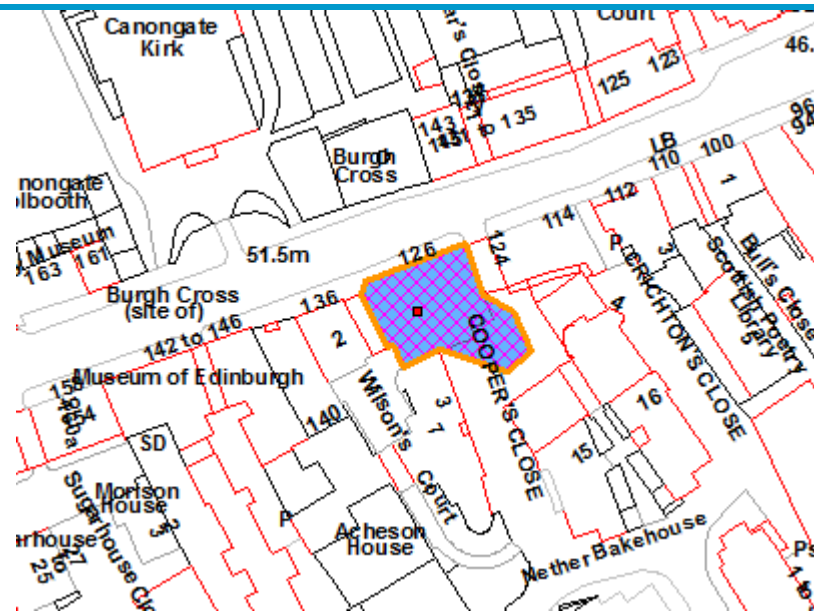
However, if permission is granted for this scheme it is essential that a detailed conservation design is submitted prior to development, for approval, detailing how the date stone and armorial recess and lintel will be removed and reinstated. In addition, works to the building may reveal important evidence for its development and it is recommended that a programme of historic building recording is undertaken during development to record any historic fabric that may be revealed / affected.

Accordingly, it is essential that the following condition is attached to any permission/consent granted to ensure that undertaking of the above elements of archaeological work;

'No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (historic building survey, conservation, 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 conservation architects/conservators and professional archaeological organisation respectively, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

Location Plan



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END

Development Management Sub Committee

Wednesday 28 August 2019

Application for Planning Permission 19/02318/FUL

At 329 High Street, Edinburgh

Change of use from offices to class 1 and 3 uses at ground, basement and mezzanine level, with serviced apartments above; alterations to form new door and altered window openings; alterations at roof level to form new and realigned roof lights and plant enclosure (as amended).

Item number

Report number

Wards

B11 - City Centre

Summary

The proposals comply with the Local Development Plan and non-statutory guidelines, have no adverse effect on the character or appearance of the conservation area or character of the listed buildings and do not harm the Outstanding Universal Value of the World Heritage Site. The development has no detrimental impact on significant architectural remains, residential amenity, road safety or infrastructure. There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LRET01, LRET11, LEN04, LEN06, LEN01, LEN09, LTRA02, LTRA03, NSG, NSBUS, NSLBCA, NSGD02, CRPOLD,

Report

Application for Planning Permission 19/02318/FUL

At 329 High Street, Edinburgh

Change of use from offices to class 1 and 3 uses at ground, basement and mezzanine level, with serviced apartments above; alterations to form new door and altered window openings; alterations at roof level to form new and realigned roof lights and plant enclosure (as amended).

Recommendations

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

Background

2.1 Site description

The application relates to the west wing of the City Chambers on the north side of the High Street, backing onto Roxburgh's Court. The City Chambers by John Adam and John Fergus, dates from 1754-61 with significant alterations and additions by David Cousin in the 1850s and Robert Morham in 1898-1904.

The east and west wings to the High street were built by Ebenezer MacRae in the 1930s and involved the demolition of flanking tenements. These wings are four storey, attic and basement, sandstone structures. The west wing is currently vacant and was last in office use.

The City Chambers is category A listed (listed on 14 December 1970, reference LB17597) and within the World Heritage Site.

The surrounding area is in mixed use in character, including serviced apartments in the Old Town Chambers development directly north of the site, St Giles Cathedral directly opposite, institutional buildings, residences, offices, hotels and restaurants, bars and shops at ground floor level.

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

2.2 Site History

6 February 1995 - listed building consent granted for alterations to entrance area (application reference 94/00074/CEC).

16 February 1995 - planning permission granted to form access ramp and steps. application reference 94/00056/CEC).

5 May 2017 - planning permission granted to alter internal floor plan to create separation of building at no. 329 High Street from rest of City Chambers and form new circulation and protected lobbies within existing corridors and office areas (application reference 17/01217/LBC).

Main report

3.1 Description Of The Proposal

The application is for a change of use from offices to Class 1 (retail) and Class 3 (café/restaurant) uses at ground, basement and mezzanine level, with 24 serviced apartments (sui generis) above. Twenty-one of the apartments are studio type, including three DDA compliant and the remaining three are one-bedroom.

The proposed development is an expansion of the existing serviced apartments at the Old Town Chambers development on Advocate's Close and the reception area for both sets of apartments will be located at 329 High Street.

The proposed external alterations are summarised as follows:

- remove the cills of two existing ground floor windows on the front (south) elevation - the window with side lights and a fanlight to the west of the main entrance and the single window adjacent to Writers' Court entrance and install timber-framed glazed double doors with solid panelled bases;
- lower the cill and raise the lintol height of the existing basement window on the rear (north) elevation facing Warriston's Close and install a new glazed screen and increase the lintol height of the adjacent door;
- lower the cills of the existing basement windows on the rear elevation facing Roxburgh's Court, install louvres in the upper sections and install new timber-framed sash and case windows to match the existing pattern and proportions at the lower level;
- install four Sheffield type cycle stances to the east of the main entrance in Roxburgh's Court;
- remove a section of the slate mansard roof on the west side of the building, install new plant within this area and erect plastic powder-coated louvred screens;
- remove/modify the existing rooflights on the north and south elevations and install new matching rooflights.

The proposed internal alterations form part of the associated application for listed building consent (application reference 19/02319/LBC).

Scheme 1

The original scheme proposed fully glazed doors in the altered window openings on the High Street elevation, new planters on the High Street to the east of the access ramp and no cycle stances.

Supporting Documents

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

- Planning Statement;
- Design Statement;
- Sustainability Statement; and
- Drainage Statement.

3.2 Determining Issues

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the development is acceptable in principle;
- b) the proposals preserve the character of the listed building;

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

a) Principle

The site is located within the City Centre as designated by the Edinburgh Local Development Plan (LDP). Whilst there is no specific policy relating to serviced apartments, this use is similar to a hotel and Policy Emp 10 supports hotel development in the City Centre.

There is no LDP policy applicable to the loss of office use in the City Centre.

The non-statutory Guidance for Business states that for a change of use to short term commercial visitor accommodation, special regard will be made to the following:

- the character of the new use and of the wider area;
- the size of the property;
- the pattern of activity associated with the use including numbers of occupants, the period of use, issues of noise, disturbance and parking demand; and
- the nature and character of any services provided.

The site is located within the heart of the Old Town in which there is a large tourist and transient population. During the Fringe Festival, there are numerous street performers in the High Street directly opposite the building.

The serviced apartments will occupy the upper floors of the property, accessed directly via the High Street, and the rest of the building will be in commercial use, so there will be no direct interaction between users of the serviced apartments and long term residents of the surrounding residential properties.

This is a busy city centre location within easy walking of public transport, so the development will not diminish the quality of the residential environment in terms of noise generation, disturbance and parking demand.

The conversion of the building to residential use has been considered. This would involve the formation of minimum size apartments in accordance with the specifications set out in the Edinburgh Design Guidance. The level of internal alteration required would be significantly greater than for serviced apartments which have no minimum floor area requirements and would involve either a) the raising of floors or b) the alteration of window heights on the front elevation to achieve adequate amenity for the residences. Either of these options would have potentially negative impacts on the character and fabric of this category A listed building, including views into the building from the High Street.

Local Development Plan Policy Ret 1 supports retail use within the City Centre. The site is not within a defined shopping frontage.

Local Development Plan Policy Ret 11: Food and Drink Establishments sets the criteria for judging when a Class 3 use will not be acceptable, with the aim of ensuring that such establishments do not have a detrimental impact on the amenity of nearby residents.

The proposed café/restaurant use in this busy city centre location, where there are many existing such establishments, will not cause any significant disruption for residents.

The development is therefore acceptable in principle.

b) Character of Listed Building

LDP Policy Env 4 permits proposals to alter or extend a listed building where the alterations or extensions are justified; there will be no unnecessary damage to the building's historic structure or diminution of its interest; and any additions are in keeping with other parts of the building.

The east and west wings of the City Chambers are interesting inter-war interpretations of the original circa 1750 building and its 19th alterations with classical Neo-Georgian style rear elevations.

The proposed external alterations will have no significant impact on the overall architectural composition.

The proposed new doorways on the front elevation onto the High Street are to provide DDA compliant access and fire escape from the proposed retail and café/restaurant units. Historic Environment Scotland has no objection to these new doorways in principle, subject to careful detailing of the stonework, but request that the doors are traditionally detailed rather than fully glazed. The proposed doors have been modified in the revised scheme to an appropriate traditional style with solid panelled bases matching the original cill height. A condition has been attached to ensure that the detailing of the doors and stonework is appropriate.

Ventilation is required at basement level and the least visually intrusive way to achieve this is through ventilation louvres in the windows to Roxburgh's Court. These windows are relatively high level as existing and the proposed lowering of the cills and installation of windows to match the original proportions and detailing will preserve an appropriate ratio of solid to void. The colour of the louvres has been conditioned to ensure that it will match the existing stonework.

The proposed conversion of the existing squat window opening facing Warriston's Close to a door and extension of the existing door height are acceptable alterations to maximise views down the close and over the city beyond. The proposed fully glazed screen and door are appropriate contemporary style interventions in this relatively inconspicuous part of the building.

The removal of a section of the slate mansard roof on the west side of the building is an appropriate means of accommodating new plant within this area, given that the alteration will not be conspicuous from public viewpoints in its location between two large chimney stacks. The proposed louvred screens will conceal any plant that is not hidden by the existing roof structure.

The proposed reorganisation of rooflights on all elevations is acceptable on the basis that the new rooflights are similar in number, scale and style as the existing. As requested by Historic Environment Scotland, any individual rooflights have been centred on the windows below to as near an extent as possible without unnecessary disruption to the original roof fabric.

The other proposed external alterations are minor, involving sundry installations and the re-grading of the surface of the existing access ramp for DDA compliance.

The proposals will therefore have no adverse impact on the character of the listed building, in compliance with LDP Policy Env 4.

c) Character and Appearance of Conservation Area

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

The Old Town Conservation Area Character Appraisal identifies the key characteristics of the Old Town as including:

- *the survival of the little altered medieval 'herringbone' street pattern of narrow close, wynds and courts leading off the spine formed by the Royal Mile;*
 - *important early public buildings such as the Canongate Tolbooth and St Giles Cathedral; and*
 - *the quality and massing of stonework.*

The character appraisal also identifies the "*breath of facilities and attractions [that establish] the Old Town as a cultural, leisure, entertainment and tourism centre of national importance*" and emphasises the importance of maintaining "*a productive balance between the interests of residents, businesses, institutions and visitors*".

The proposed use as serviced apartments on the upper floors with retail and café/restaurant uses on the ground and basement floors is in keeping with the mixed-uses and location of uses which characterise the Old Town Conservation Area. The separation of the west wing of the City Chambers from the main central block is acceptable on the basis that the latter has been modified under listed building consent application reference 17/01217/LBC to allow continuing functioning in its current institutional use without any connection to the west wing. However, any proposed further sub-division of the City Chambers involving the loss of institutional use would have an adverse effect on the essential character of the Old Town Conservation Area.

The proposed external alterations will not affect the medieval street pattern nor the essential architectural composition or integrity of the building.

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

d) Outstanding Universal Value of World Heritage Site

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

The Statement of Outstanding Universal Value emphasises the importance of maintaining the authenticity of the Site which "*continues to retain its historic role as the administrative and cultural capital of Scotland, while remaining a vibrant economic centre.*"

For the reasons stated in section c), the proposed development will not threaten this authenticity.

The proposed external alterations will have no detrimental impact on the character or appearance of the medieval Old Town, nor its relationship with the Georgian New Town.

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

e) Archaeological Remains

The site lies within an area of archaeological significance. The remains of the earlier 17th/18th century tenements, which were demolished to accommodate the current building, survive over Roxburgh's Close and the site is at the heart of Edinburgh's medieval Old Town, opposite the 12th century St Giles Cathedral, occupying the site of several medieval burgh plots.

The proposed external and internal alterations and excavations could reveal important evidence regarding earlier buildings on the site and its development and ground/ground floor breaking works could disturb earlier archaeological remains.

A condition has therefore been applied to ensure that an archaeological investigation is undertaken prior to works commencing.

f) Residential Amenity, Road Safety and Infrastructure

Environmental Protection has raised concerns regarding noise from the proposed Class 3 use and has requested a noise impact assessment to demonstrate that all associated plant machinery noise will meet NR25 in the nearest noise-sensitive receptor (with window open for ventilation). This is not necessary in planning terms given the level of ambient noise in the vicinity and any condition to restrict noise levels would be essentially unenforceable given the number of noise sources that are in close proximity to the site. Also, soundproofing measures will be required to obtain a building warrant for the development.

The nearest residential properties are on the upper floors of the neighbouring tenements to the west on Advocates Close and Roxburgh Court. These are currently subject to noise and disruption due to their location in this busy tourist and events area and the proposed serviced apartments and café/restaurant uses will not generate any significant additional noise. There are existing serviced apartments on Advocates Close and restaurants and bars in the immediate vicinity, so residents are accustomed to living within a mixed-use environment.

The plant rooms will be at basement level with air source heat pumps and ventilation termination points at roof level. To address any odour issues, any ventilation systems for the proposed café/restaurant unit will terminate above the eaves height of any sensitive receptor within 30 metres and be capable of at least 30 air changes per hour. These details are shown on the submitted drawings.

There are no overshadowing or privacy issues arising from the proposed physical alterations.

No car parking spaces are proposed which complies with the Council's 2017 parking standards in Zone 1 and four Sheffield cycle parking stances have been provided in Roxburgh's Court. Whilst these will accommodate eight parking spaces, they will not be secure or covered. However, opportunities for such cycle parking are limited due to the basement area's restricted footprint, the building's location on a busy public highway and the steep, stepped access routes to the rear of the site. A condition has been added requiring further details of the proposed cycle stances to ensure that the cycle parking provision is of appropriate specification.

The development will not generate any significant additional traffic being within easy walking distance of major public transport links. An informative has been applied recommending the development of a Travel Plan by the applicant.

No financial contribution towards the tram infrastructure is required as the existing office use would generate a higher sum than the serviced apartments and retail/restaurant uses.

There is sufficient refuse storage space within the building for the proposed serviced apartments and waste management vehicles can stop on the High Street for bin collections.

The site is not at risk from flooding from any source and the development is for change of use and alterations to an existing building with no change in the impermeable surface area.

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

g) Equalities and Human Rights

The development respects the provisions of the Equality Act 2010 by including accessible access to the building via the main entrances, lift access to all floors and three accessible serviced apartments.

h) Public Comments

Material Objections

- there is an over-provision of hotels and holiday lets in this part of the Old Town - this has been addressed in section 3.3 a);
- permanent residents are being pushed out of the city centre - this has been addressed in section 3.3 a);
- the lowering of window cills to the High Street and installation of glazed doors is unacceptable - this has been addressed in section 3.3 b);
- the louvres on the rear elevation are detrimental to Roxburgh's Court - this has been addressed in section 3.3 b); and
- the street tables and planters will clutter the High Street - these have been omitted in the revised scheme.

Non-material comments

- The objections on the grounds of the Council selling off its property for profit are non-materials in planning terms.

Conclusion

The proposals comply with the Local Development Plan and non-statutory guidelines, have no adverse effect on the character or appearance of the conservation area or character of the listed buildings and do not harm the Outstanding Universal Value of the World Heritage Site. The development has no detrimental impact on significant architectural remains, residential amenity, road safety or infrastructure. There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. 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.
2. Details of the new doors hereby approved on the High Street elevation, including the alterations to the flanking stonework shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
3. The louvres hereby approved on the Roxburgh Court elevation shall be coloured to match the surrounding stonework.
4. The approved ventilation system shall be installed and operational before the change of use is effected.
5. Details of the cycle stances hereby approved shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to safeguard the character of the statutorily listed building.
4. In order to safeguard the amenity of neighbouring residents and other occupiers.
5. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities) and timetables for local public transport.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 24 May 2019. A total of 11 objection comments were received, including one from the Old Town Development Trust.

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

Background reading/external references

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

**Statutory Development
Plan Provision**

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

Date registered

14 May 2019

Drawing numbers/Scheme

01-08, 09A, 10A, 11-14, 15A, 16, 17, 18A, 19A + 20-23,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Clare Macdonald, Senior Planning Officer

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

Links - Policies

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

LDP Policy Ret 1 (Town Centres First Policy) sets criteria for retail and other town centre uses following a town centre first sequential approach.

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

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

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

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

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

Appendix 1

Application for Planning Permission 19/02318/FUL

At 329 High Street, Edinburgh

Change of use from offices to class 1 and 3 uses at ground, basement and mezzanine level, with serviced apartments above; alterations to form new door and altered window openings; alterations at roof level to form new and realigned roof lights and plant enclosure (as amended).

Consultations

Historic Environment Scotland

The works are proposed for the western wing of the Category A listed City Chambers. Both the western and eastern wings were added by City Architect, E.J. MacRae in the early 1930s. The added wings are an interesting inter-war interpretation of both the original c1750 building and its C19th alterations, with the western wing replicating the general form and design of the original City Chambers' western wing. The rear elevation of the western wing is a classical Neo-Georgian composition, matched on the rear of the eastern wing. Whilst, the interiors of these wings are rarely of great architectural interest, we would recommend any internal finishes e.g. panelling, doors etc. are retained or at least recorded.

As before, the main issues for HES will be the proposed new doorways on the High Street and the proposed roof alterations on the front and rear elevations.

New doors

We have no objection to new doorways being opened onto the High Street, subject to the careful detailing of stonework. We would suggest, however, that the new doors are detailed traditionally, either panelled, with upper panels glazed if required, or ideally, glazed internal doors fronted by solid timber storm doors, to match the adjacent Mary King's Close High St entrance. These could be conditioned.

Care should be taken with the positioning of uplighters (shown on drawings on the architrave of the adjacent door).

Rooflights

We would also have no objection to the reorganisation of rooflights on the front elevation to the High Street, and the side hipped roofs. We welcome the change to use rooflights on the rear elevation, rather than horizontal box dormers, which would have been harmful. As before, MacRae's facades are polite and Neo-Georgian, obviously designed to be visible, and with a surprisingly fine architectural treatment, including a pediment and partial balustrade parapet centred on the openings below. Although rooflights will have less impact, we would still recommend that individual rooflights are symmetrically centred on the windows below.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

Old Town Community Council

The Community Council objects most strongly to this proposed development. To us it seems another example of the Council disposing, albeit as a long lease, of public assets to developers with the assumption of planning consent being granted. Although this proposal might return the highest financial return for the Council, it does not follow that it would provide best value in the long term, or even would be in the best public interest at all. It is now being realised that over-saturation by tourism is ultimately adverse to the universal value of the City.

For certain it has already proven to be extremely adverse to the local community through the loss of residential accommodation, loss of employment due to loss of business space, local shops becoming tat emporiums, local pubs becoming entertainment venues. The loss of amenity through over crowded streets, general noise in addition to noisy events, litter, smell from many extra food outlets, etc cannot be measured, but for certain has resulted in a decline in the genuine population of the Old Town.

Over the last few years, every single development of any significance in the Old Town, has resulted in an increase in visitor accommodation, and in nearly all cases a loss of provision for the local population. If this is allowed to continue, the end result will soon be a dead City, of less attraction.

For these reasons we consider that this application should only be considered only on its merits, of which the only one we see is a notionally higher income for the Council, whereas the demerits certainly outweigh that heavily. To help compensate for some of what has already been lost, this important piece of publicly owned property should instead be converted to residential accommodation, homes for the people of Edinburgh. Alternately, it should become small business office space to stimulate local employment. The Council has the power to do this.

Archaeology

This A-listed former council office was designed by E J Macrae and constructed in the early 1930's and formed part of the larger City Chambers. It replaced earlier 17th/18th century tenements, the remains of the western most still survive over Roxburgh's Close and for the western side of this building. The Eastern side of the building is formed by an earlier 18th century wing of the City Chambers. The building is also situated at the heart of Edinburgh's medieval Old Town's UNESCO World Heritage site occurring opposite the 12th century St Giles Cathedral. The site therefore occupies the site of several medieval burghage plots date back to the foundation of the burgh in the 12th century, with evidence from beneath St Giles suggesting possible earlier Anglo-Saxon development in this area.

Accordingly, this building and site is regarded as being of archaeological and historic significance and important contributor to the character of this section of the UNESCO World Heritage site. Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and CEC's Edinburgh Local Development Plan (2016) Policies 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.

The proposals will require internal alterations and excavations. Such works, in particular those affecting the western and eastern gables formed by earlier historic buildings, could reveal provide important evidence regarding these earlier buildings and the development of the site. Similarly ground/ground floor breaking works such as for new services and construction of new lift shafts may disturb earlier archaeological remains dating back to the medieval period. It is therefore considered that this scheme will have some low but potentially significant localised archaeological impacts.

It is recommended therefore that a programme archaeological work combining historic building survey (phased elevations, photographic and written survey) and excavation are undertaken prior to and during development to provide a permanent record of any historic fabric exposed and affected and to fully excavate and record any buried remains affected. It is recommended that the following condition is attached to any granted permissions to ensure that this programme of archaeological works is undertaken prior to construction.

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

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

Flood Prevention

Flood Prevention have no concerns or comments about this application and so it can proceed to determination without further comment from our department.

Roads Authority

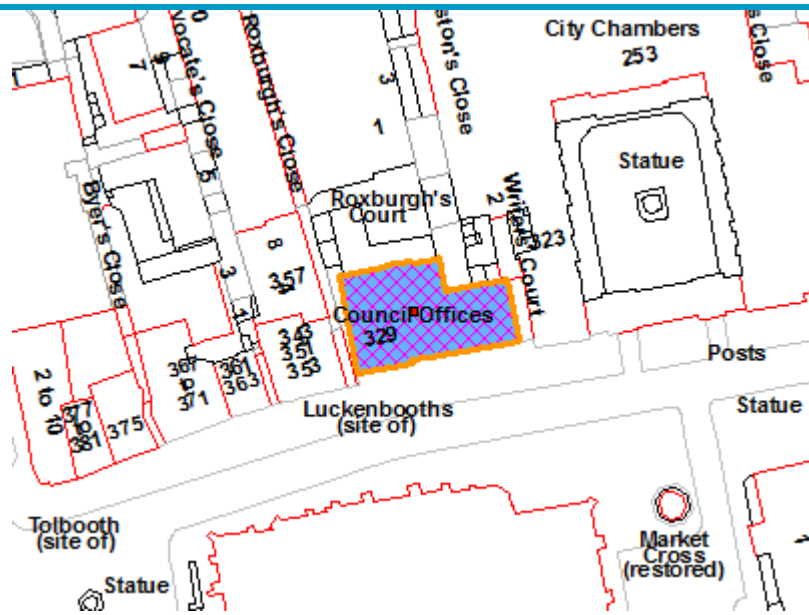
No objections to the application subject to the following being included as conditions or informatives as appropriate:

- 1. The applicant should be required to provide 4 cycle parking spaces for the serviced apartments, 2 cycle parking spaces for the retail element and 2 cycle parking spaces for the food / drink element in a secure and under cover location. It is noted that the opportunities for such cycle parking are limited;*
- 2. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*
- 3. The proposed planters are not approved at this stage. The applicant should note that the proposed planters are on an area of adopted footway and will require further discussion and application. The applicant should note that such approval may not be granted.*

Note:

- The proposed zero car parking is acceptable.*
- No tram contribution required. Proposed Service apartment 24 rooms= £68,000; proposed 280sqm class 3 use =£43,073.11 or 280sqm class 1 retail use =£14, 512.41. Service apartment with Class 3 use = £111,073 or Service apartment with class 1 use = £82,512; Existing 1806sqm office use = £123,850. Proposed use contribution - existing use contribution = 0; therefore no net tram contribution required.*

Location Plan



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Development Management Sub Committee

Wednesday 28 August 2019

**Application for Listed Building Consent 19/02319/LBC
At 329 High Street, Edinburgh,
Alterations to front and rear elevations to form new door
and altered window openings, alterations at roof level to
form new and realigned roof lights and plant enclosure and
internal alterations (as amended).**

Item number

Report number

Wards

B11 - City Centre

Summary

The proposals have special regard to the desirability of preserving the building and its setting and any features of special architectural or historic interest it possesses and are acceptable.

Links

[Policies and guidance for this application](#)

LDPP, LEN04, LEN06, NSG, NSLBCA, CRPOLD,

Report

Application for Listed Building Consent 19/02319/LBC At 329 High Street, Edinburgh, Alterations to front and rear elevations to form new door and altered window openings, alterations at roof level to form new and realigned roof lights and plant enclosure and internal alterations (as amended).

Recommendations

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

Background

2.1 Site description

The application relates to the west wing of the City Chambers on the north side of the High Street, backing onto Roxburgh's Court. The City Chambers by John Adam and John Fergus, dates from 1754-61 with significant alterations and additions by David Cousin in the 1850s and Robert Morham in 1898-1904.

The east and west wings to the High street were built by Ebenezer MacRae in the 1930s and involved the demolition of flanking tenements. These wings are four storey, attic and basement, sandstone structures. The west wing is currently vacant and was last in office use.

The City Chambers is category A listed (listed on 14 December 1970, reference LB17597) and within the World Heritage Site.
This application site is located within the Old Town Conservation Area.

2.2 Site History

6 February 1995 - listed building consent granted for alterations to entrance area (application reference 94/00074/CEC).

16 February 1995 - planning permission granted to form access ramp and steps. application reference 94/00056/CEC).

5 May 2017 - planning permission granted to alter internal floor plan to create separation of building at no. 329 High Street from rest of City Chambers and form new circulation and protected lobbies within existing corridors and office areas (application reference 17/01217/LBC).

Main report

3.1 Description Of The Proposal

The application is for external and internal alterations to convert the building from offices to retail and café/restaurant uses at ground, basement and mezzanine level, with 24 serviced apartments above.

The proposed external alterations are summarised as follows:

- remove the cills of two existing ground floor windows on the front (south) elevation - the window with side lights and a fanlight to the west of the main entrance and the single window adjacent to Writers' Court entrance and install timber-framed glazed double doors with solid panelled bases;
- lower the cill and raise the lintol height of the existing basement window on the rear (north) elevation facing Warriston's Close and install a new glazed screen and increase the lintol height of the adjacent door;
- lower the cills of the existing basement windows on the rear elevation facing Roxburgh's Court, install louvres in the upper sections and re-install the existing sash and case windows at the lower level;
- remove a section of the slate mansard roof on the west side of the building, install new plant within this area and erect plastic powder-coated louvred screens;
- remove/modify the existing rooflights on the north and south elevations and install new matching rooflights;
- fix new external lights to either side of the west entrance and between second and first floor levels on the High Street facade;
- install a dry riser inlet box to the west of the main entrance.
- The proposed internal alterations are summarised as follows:
 - remove existing partitions in the basement to create an open space with a new stair between basement, ground and ground floor mezzanine level and erect new partitions to form a plant room and back of house facilities;
 - remove existing partitions at ground floor and ground floor mezzanine level to form a reception area and open spaces;
 - re-arrange the existing partitions at first floor to third floor levels to form apartments;
 - extend the lift shaft to third floor attic level to access a new mezzanine floor.

Scheme 1

The original scheme proposed fully glazed doors in the altered window openings on the High Street elevation and signage above the entrance doors.

Supporting Documents

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

- Planning Statement;
- Design Statement.

3.2 Determining Issues

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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

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

3.3 Assessment

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

- a) the proposals preserve the character of the listed building
- b) the proposals preserve or enhance the character or appearance of the conservation area; and
- c) public comments have been addressed.

a) Character of Listed Building

The east and west wings of the City Chambers are interesting inter-war interpretations of the original circa 1750 building and its 19th alterations with classical Neo-Georgian style composition rear elevations.

The proposed external alterations will have no significant impact on the overall architectural composition.

The proposed new doorways on the front elevation onto the High Street are to provide DDA compliant access and fire escape from the proposed retail and café/restaurant units. Historic Environment Scotland has no objection to these new doorways in principle, subject to careful detailing of the stonework, but request that the doors are traditionally detailed rather than fully glazed. The proposed doors have been modified in the revised scheme to an appropriate traditional style with solid panelled bases matching the original cill height. A condition has been attached to ensure that the detailing of the doors and stonework is appropriate.

Ventilation is required at basement level and the least visually intrusive way to achieve this is through ventilation louvres in the windows to Roxburgh's Court. These windows are relatively high level as existing and the proposed lowering of the cills to allow re-use of the existing windows will preserve an appropriate ratio of solid to void. The colour of the louvres has been conditioned to ensure that it is a close match to the existing stonework.

The proposed conversion of the existing squat window opening facing Warriston's Close to a door and extension of the existing door height are acceptable alterations to maximise views down the close and over the city beyond. The proposed fully glazed screen and door are appropriate contemporary style interventions in this relatively inconspicuous part of the building.

The removal of a section of the slate mansard roof on the west side of the building is an appropriate means of accommodating new plant within this area, given that the alteration will not be conspicuous from public viewpoints in its location between two large chimney stacks. The proposed louvred screens will conceal any plant that is not hidden by the existing roof structure.

The proposed reorganisation of rooflights on all elevations is acceptable on the basis that the new rooflights are similar in number, scale and style as the existing. As requested by Historic Environment Scotland, any individual rooflights have been centred on the windows below to as near an extent as possible without unnecessary disruption to the original roof fabric.

The other proposed external alterations are minor, including lighting installations. The proposed lights are minimal in number and scale and a condition has been applied to ensure that the fittings are appropriate.

Internally, the original floor plan is functional and has been altered. There are no significant architectural spaces or features, with the exception of the main stair and stairwell which will remain intact. Original doors will be re-used where possible and any interesting original internal finishes, e.g. panelling and doors, will be recorded.

The proposals therefore have special regard to the desirability of preserving the building and its setting and the special features of historic and architectural interest that it possesses.

b) Character and Appearance of Conservation Area

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

The Old Town Conservation Area Character Appraisal identifies the key characteristics of the Old Town as including:

- *the survival of the little altered medieval 'herringbone' street pattern of narrow close, wynds and courts leading off the spine formed by the Royal Mile;*
- *important early public buildings such as the Canongate Tolbooth and St Giles Cathedral; and*
- *the quality and massing of stonework.*

The proposed external alterations will not affect the medieval street pattern nor the essential architectural composition or integrity of the building.

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

c) Public Comments

No comments have been received.

Conclusion

The proposals have special regard to the desirability of preserving the building and its setting and any features of special architectural or historic interest it possesses and are acceptable.

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

3.4 Conditions/reasons/informatives

Condition:-

1. A historic building survey (photographic and written) of any original internal architectural features shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
2. Details of new doors hereby approved on the High Street elevation, including the alterations to the flanking stonework, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
3. The louvres hereby approved on the Roxburgh Court elevation shall be coloured to match the surrounding stonework.
4. Details of the external light fittings hereby approved shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to safeguard the character of the statutorily listed building.
4. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 24 May 2019. No comments 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**

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

Date registered

14 May 2019

Drawing numbers/Scheme

01-08, 09A, 10A, 11-14, 15A, 16, 17, 18A, 19A + 20-23,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Clare Macdonald, Senior Planning Officer

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

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

Relevant Non-Statutory Guidelines

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

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

Appendix 1

Application for Listed Building Consent 19/02319/LBC At 329 High Street, Edinburgh, Alterations to front and rear elevations to form new door and altered window openings, alterations at roof level to form new and realigned roof lights and plant enclosure and internal alterations (as amended).

Consultations

Historic Environment Scotland

The works are proposed for the western wing of the Category A listed City Chambers. Both the western and eastern wings were added by City Architect, E.J. MacRae in the early 1930s. The added wings are an interesting inter-war interpretation of both the original c1750 building and its C19th alterations, with the western wing replicating the general form and design of the original City Chambers' western wing.

The rear elevation of the western wing is a classical Neo-Georgian composition, matched on the rear of the eastern wing. Whilst, the interiors of these wings are rarely of great architectural interest, we would recommend any internal finishes e.g. panelling, doors etc. are retained or at least recorded.

As before, the main issues for HES will be the proposed new doorways on the High Street and the proposed roof alterations on the front and rear elevations.

New doors

We have no objection to new doorways being opened onto the High Street, subject to the careful detailing of stonework. We would suggest, however, that the new doors are detailed traditionally, either panelled, with upper panels glazed if required, or ideally, glazed internal doors fronted by solid timber storm doors, to match the adjacent Mary King's Close High St entrance. These could be conditioned.

Care should be taken with the positioning of uplighters (shown on drawings on the architrave of the adjacent door).

Rooflights

We would also have no objection to the reorganisation of rooflights on the front elevation to the High Street, and the side hipped roofs. We welcome the change to use rooflights on the rear elevation, rather than horizontal box dormers, which would have been harmful. As before, MacRae's facades are polite and Neo-Georgian, obviously designed to be visible, and with a surprisingly fine architectural treatment, including a pediment and partial balustrade parapet centred on the openings below. Although rooflights will

have less impact, we would still recommend that individual rooflights are symmetrically centred on the windows below.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

Archaeology

This A-listed former council office was designed by E J Macrae and constructed in the early 1930s and formed part of the larger City Chambers. It replaced earlier 17th/18th century tenements, the remains of the western most still survive over Roxburgh's Close and for the western side of this building. The Eastern side of the building is formed by an earlier 18th century wing of the City Chambers. The building is also situated at the heart of Edinburgh's medieval Old Town's UNESCO World Heritage site occurring opposite the 12th century St Giles Cathedral. The site therefore occupies the site of several medieval burgage plots date back to the foundation of the burgh in the 12th century, with evidence from beneath St Giles suggesting possible earlier Anglo-Saxon development in this area.

Accordingly, this building and site is regarded as being of archaeological and historic significance and important contributor to the character of this section of the UNESCO World Heritage site. Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and CEC's Edinburgh Local Development Plan (2016) Policies 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.

The proposals will require internal alterations and excavations. Such works, in particular those affecting the western and eastern gables formed by earlier historic buildings, could reveal provide important evidence regarding these earlier buildings and the development of the site. Similarly ground/ground floor breaking works such as for new services and construction of new lift shafts may disturb earlier archaeological remains dating back to the medieval period. It is therefore considered that this scheme with have some low but potentially significant localised archaeological impacts.

It is recommended therefore that a programme archaeological work combining historic building survey (phased elevations, photographic and written survey) and excavation are undertaken prior to and during development to provide a permanent record of any historic fabric exposed and affected and to fully excavate and record any buried remains affected. It is recommended that that the following condition is attached to any granted permissions to ensure that this programme of archaeological works is undertaken prior to construction.

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.

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Development Management Sub Committee

Wednesday 28 August 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 Gilmore 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 Gilmore 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 site 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 bedrooomed 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 protection

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 2019 shall 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, unsatisfactory 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 2019 shall 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 ($1,277 \div 47$). 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) ($27 \times £62,525$).

- 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 ($202 \div 12$). 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) ($17 \times £68,845$).

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 pond. 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 ($186 \div 12$). 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) ($16 \times £68,845$).

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 over 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 as 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 of 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.

Affordable Housing

1. Introduction

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

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

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

- This is consistent with Policy Hou 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 Design Guidance size and space standards
- In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be expected to be identical in appearance to the market housing units, an approach often described as "tenure blind"
- The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.

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 in 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 of 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 emphasise 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.

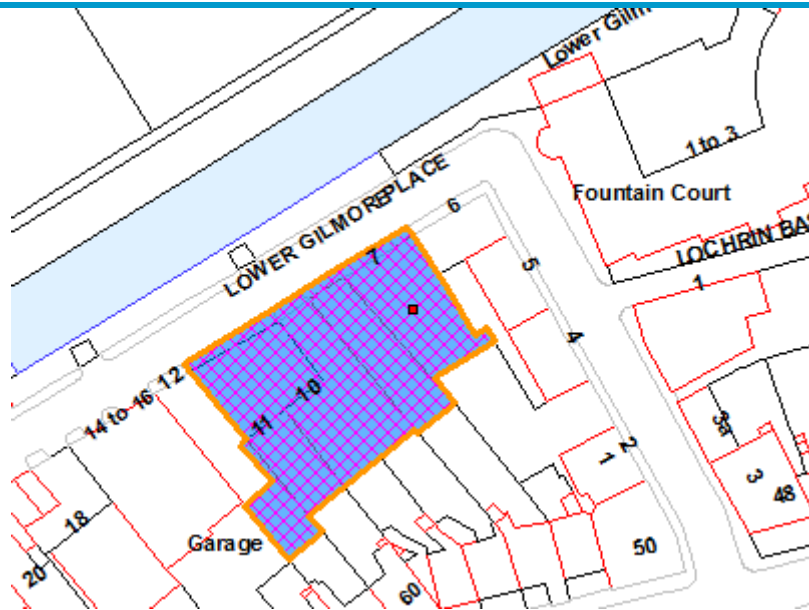
9.3 The Panel noted that high metal fencing along the canal also detracts from the amenity of the area and solutions to this should also be explored.

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 28 August 2019

Application for Planning Permission 18/07354/FUL At Land To East Of 5, Port Hamilton, Edinburgh Erection of offices (Class 4) and associated works at land.

Item number

Report number

Wards

B11 - City Centre

Summary

The site is located within the City Centre where office development is supported by Local Development Plan policies Del 2 City Centre and Emp 1 Office Development. The proposal will not detrimentally harm the character or appearance of the adjacent conservation area or the setting of the nearby listed buildings. The design, materials and layout reflect that of an office development within a city centre location. Overall, there will be some impacts on neighbouring residential amenity and loss of open space, but these need to be considered against the backdrop of a city centre location and the benefits which the proposal will bring. The development is acceptable in relation to transport, drainage, archaeology and sustainability matters. A legal agreement in relation to a contribution to the tram and conditions in relation to materials and contaminated land are recommended. There are no other material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

CRPWEN, LDPP, LDEL01, LDEL02, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LEN03, LEN06, LEN09, LEN12, LEN18, LEN21, LEN22, LEMP01, LTRA02, LTRA03, LTRA04, LTRA09, LRS06, SUPP, SGDC, NSG, NSGD02, NSLBCA,

Report

Application for Planning Permission 18/07354/FUL At Land To East Of 5, Port Hamilton, Edinburgh Erection of offices (Class 4) and associated works at land.

Recommendations

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

Background

2.1 Site description

The site, covering 0.2 hectares, is located at Port Hamilton in the Exchange District area of the city. The site is crescent shaped and follows on from the existing circular office buildings on the adjacent land. There is a change in height from the east to west across the site.

Currently, the site contains a landscaped public realm area consisting of seven trees and ground cover planting. The Millennium Cycle Way cuts through the site linking Port Hamilton through the Scottish Widows offices and on to Morrison Street.

To the north is the Scottish Widows office building which rises up to six storeys. To the east is a central circular area of green space associated with the existing office buildings.

To the south/west of the site is the exchange 3 office building, which is five storeys in height.

To the east is the existing four storey residential development and associated hardstanding/car parking. Further to the east and northeast are the rear elevations and gardens of the A listed properties on Gardner's Crescent (listing reference, 28797, listing date 14.12.1970).

2.2 Site History

23 June 1993 - Outline planning permission granted for offices, flats and parking (application reference A 00897 93).

18 January 1995 - Reserved Matters consent granted for erection of 60 387 sq. metres of office, 75 flats and 450 parking spaces (application reference A 02542 94). This consent reserved the detail of the housing for a further application.

3 July 1997 - Planning permission granted for 64 flats at Gardner's Crescent, to rear of Scottish Widows and to the west of the site (application reference A 02381 96).

10 January 2007 - planning permission granted for the demolition of existing buildings, partial relocation of existing frontage and erection of an office development with associated landscaping, car parking and accesses (as amended) on land at Fountainbridge/Semple Street. The application site was contained within the redline boundary, but permission related to two buildings (Buildings A and B) to the east of the site. Condition 4 of this permission required a public realm strategy to be submitted which covered the site (application number 04/02845/FUL).

10 January 2007 - planning permission for the erection of an office development (Building C) at land to rear of Port Hamilton and the Chalmers Building. This is to the east of the application site (application reference 04/02851/FUL).

7 December 2017 - planning permission granted for a change of use of cafe (class 3) to office (class 4) at Building C, 3 Semple Street (application number 17/04712/FUL).

Main report

3.1 Description Of The Proposal

The proposed development is for the erection of a six storey Class 4 office building covering 4,465 square metres (sqm) and associated works.

The building is curved in shape, following the lines of the neighbouring office development. There is a change in height of the building at the northern end where it drops to five storeys.

The ground floor level of the building is cut away, with the building supported by columns. This forms a pend allowing the walkway/cycle path route to be provided through the site.

The materials proposed are primarily glazed curtain walling, anodised metal panels and fins (brown in colour), alongside green living walls on the lower levels (first and second floors) between the glazing.

Access to the site remains as existing from Port Hamilton. No car parking is proposed. A total of 48 cycle spaces are proposed, 36 internal and 12 external. There are also five motorcycle spaces provided.

Scheme 1:

Overall very similar. Alterations made to widen the cycle path through the site and additional information provided in relation to daylighting.

Supporting Documents

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

- Planning Statement;
- Design and Access Statement;
- Urban Context Document;
- Transport Statement;

- Archaeological Assessment;
- Daylighting Report and Revisions;
- Noise Impact Assessment;
- Office Marketing Assessment;
- Sustainability Assessment;
- Geotechnical Design and Environmental Assessment Report; and
- Drainage Strategy.

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

3.2 Determining Issues

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of the development is acceptable;
- b) the proposals preserve or enhance the historic environment;
- c) the design, scale and layout is appropriate to the site;
- d) there is an acceptable level of amenity;
- e) there are any transport issues;
- f) there are any other material considerations; and

g) comments raised have been addressed.

a) Principle

The site is located within the City Centre as defined by the Local Development Plan Proposals Map.

Policy Del 2 City Centre states that development will be permitted which retains and enhances its character, attractiveness, vitality and accessibility and contributes to its role as a strategic business and regional shopping centre and Edinburgh's role as a capital city. The policy sets out a number of principles for development, including that proposals should be comprehensively designed, for uses appropriate for the site including accessibility and character of the surrounding area and the creation of traffic-free pedestrian routes where achievable.

The supporting text for the policy references the demand for office space within the City Centre and importance of office jobs to the economy.

Policy Emp 1 Office Development supports high quality office development within the city centre. Again, the supporting text recognises the importance of office based businesses in providing jobs and contributing to economic growth. It notes that the city centre remains the prime location for office development, due to proximity to other office, service and transport hubs.

The applicant has submitted an Office Market Statement in support of the application. This states that Edinburgh is experiencing record office take up with the technology and university sectors responsible for the growth. Financial, professional and public services also continue to be important occupiers.

The statement goes on to say that Edinburgh is suffering from a lack of modern office space and new development land in the city centre, with old stock being converted into other uses. Demand and take up continues to be high, but the city centre is suffering a shortage of quality accommodation with a little over one year's take up remaining and a lack of new office buildings scheduled to be complete within Edinburgh. This proposal will therefore respond to market demand and offers the flexibility to be subdivided.

Representations have queried the demand for office space in the area noting a number of vacant properties in the area.

Economic Development considers that the proposal and the applicant's summary of the pressures on the office market is consistent with Economic Development's own understanding. There is a mismatch between supply and demand with demand heavily focused on the city centre which accounts for a relatively small proportion of the city's office pipeline. Whilst the intention to deliver floorplates of 2,500 sq ft to 5,000 sq ft (circa 20 to 50 employees) is very positive with many developers are focused on larger tenants leaving the "mid-market" largely unserved.

This is a highly strategic location within the Exchange District and close to Haymarket and from an Economic Development perspective the proposal is very positive. If fully-let to a financial services occupier, it would be expected that the building could directly support approximately 390 full-time equivalent jobs.

At present, the site incorporates an open landscaped area between the existing office buildings that allows for an open visible link through the area, including a footpath/cycleway. Representations have been received objecting to the loss of this open aspect within the locality and the loss of trees / greenspace.

A condition of application number 04/02845/FUL for office development to the east of the site required the submission of a public realm strategy. The public realm strategy includes this site and walkway (along with other surrounding areas). This strategy set out the landscape detail for what is currently in place and showed how the public realm linked together in the locality.

The applicant indicates that it was always the intention that the site would be built out for office development and has submitted plans for the adjacent residential development that show the site earmarked for office development.

A walkway/cycleway linking Port Hamilton with Morrison Street to the north will be maintained as part of the proposal. The walkway will run under the first floor of the building.

The landscaped area is not formally designated as open space within the LDP. While this area does hold some limited visual amenity value, it does not form actively useable recreational space and its overall contribution to the quality and character of the local environment is not of a significant nature. The trees on the site are not located within a conservation area and are not covered by a Tree Preservation Order. The loss of this area of open space is considered acceptable having regards to the overall benefits which the proposal will bring, and an infringement of LDP policy Env 18 is justified in the context of this application.

There is a demand for office space in such city centre locations and this is supported by policy. Subject to detail consideration of the design and links through the site, the proposal is acceptable in principle.

b) Historic Environment

LDP Policy Env 6 Conservation Areas - Development sets out that development within the conservation area or affecting its setting will be permitted where it preserves or enhances the special character or appearance of the conservation area and is consistent with the character appraisal, preserves existing features which contribute positively to the character of the area and demonstrates high standards of design and utilises materials appropriate to the historic environment.

Scottish Planning Policy states that proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance.

The site is adjacent to the West End Conservation Area. The boundary runs along the rear gardens of the listed buildings on Gardner's Crescent to the west of the site.

Of note within the Conservation Area Character Appraisal, 2006 (CACA) is that, *"Port Hamilton, immediately behind Gardner's Crescent, was developed by St Cuthbert's Cooperative Society as a large bakery and milk depot."*

Historic maps and photos show this as a large building abutting up to the adjacent older existing tenemental buildings and the rear boundary of the properties on Gardner's Crescent.

The CACA also states that, *"Large scale development has, and is taking place, on the margins of the conservation area. It is important that where there are development opportunities lying adjacent to the conservation area boundary, the design of new buildings should reflect the scale, massing and materials of the conservation area. Development opportunities both within and adjacent to the conservation area must respect views out of and into the conservation area."*

Modern buildings adjacent to the conservation area take the form of curved blocks with squares and crescents. This proposal continues this spatial pattern of development. Furthermore the design concept for the building shows the buildings within the area stepping down from the east through to west.

It is not uncommon to find varying scale and heights of development adjacent to one another in Edinburgh. The proposal and built form carries on from the existing office development to the east.

In terms of views, the main local view from between the tenements along Gardner's Crescent will be altered from one showing the existing trees, to the office development. However, given the backdrop of the existing Scottish Widows office building this view will not be significantly altered.

The site is also within a protected viewcone W03c from Telford Road to St Mary's spires. This area forms part of the backdrop to the spires. The proposed building will not rise above the existing buildings in the area and will have no further detrimental impact on this view.

The proposed materials are not traditional ones associated with the conservation area and identified in the CACA (stone and slate in the western area of the conservation area). The building is modern and has been designed to relate to the existing office developments, rather than the traditional stone built properties in the conservation area itself. This is an appropriate approach for a modern office development in this area and a more traditionally styled building would be at odds within the wider Exchange area.

The proposal would be a different style to that within the adjacent conservation area, but would not harm the character and appearance of the area.

Policy Env 3 Listed Buildings - Setting sets out that development affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

The primary elevation of the adjacent listed buildings is onto Gardner's Crescent with the setting largely formed by the adjacent open space. The proposed development is to the rear of the listed building, where some of the rear windows will overlook onto the site. There is already a large office building adjacent to the site and this building seeks to complete the development. There are also a number of trees within the rear gardens which will restrict views of the development in the summer months.

The building will alter the views from the rear of the listed building, but will not detrimentally impact on the setting of the listed building. The site has also historically been occupied by a large bakery that was much closer to the rear gardens of Gardner's Crescent.

In summary, the proposed building is not within the conservation area and rather than providing a more traditional design approach, the building is modern in appearance and relates to its existing office neighbours. The proposal will not detrimentally harm the character and appearance of the conservation area or the setting of the nearby listed buildings.

c) Design and Layout

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

Layout:

LDP Policies Des 4 Development Design - Impact on Setting and Des 7 Layout Design set out that developments should have regard to the position of buildings on the site and should include a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths and open spaces.

The proposal reflects the existing office development and continues the perimeter style form set around the existing central courtyard, completing a ring of office development that has been developed over a number of years.

Taken in isolation, the completion of the circle of office development is a clear response to the site. However, the development is in close proximity to the existing flats - as close as five metres at one point.

An Urban Context Study has been provided to explain the approach taken to the site considering open space, urban grain and building relationships. This stresses that successful urban developments elsewhere within the city are achieved by having a balanced approach to planning policy.

The study considers development between Canongate and the Royal Mile where development took urban cues from the Old Town creating an urban form and building relationships which would not comply with guidance on daylight, sunlight and privacy.

The study also references the Quartermile development where the heights, form and relationships of buildings create a tight urban context.

In terms of the Exchange/Fountainbridge area there have been a number of developments and associated infill developments that have resulted in a commercial core of development. These have been developed with a series of interlinked squares. Permeability has been a driving factor of the development.

An appeal decision for an application at 36 Morrison Street for flatted development (application reference 14/02232/FUL) is also cited by the applicant. The Reporter upheld the appeal for flatted development which was developed closely to existing housing. The Reporter held that the development reflected the tight historic urban pattern of the area and therefore even though the development would breach the Council's non-statutory guidelines on matters such as daylighting, overshadowing, privacy and outlook it was deemed acceptable.

Within Edinburgh there have been developments that have been built in close proximity to each other, particularly within the Old Town and city centre locations (which this application site is within), which have led to successful, interesting spaces.

This development would continue to build on the urban context established by the adjacent office development and link in with the existing paths and public realm.

A principle design concept of the proposal has been to ensure that the pedestrian and cycle link through the site is retained. This has been achieved by opening up the built form of development at the ground floor level to allow a route under the upper storeys.

The existing cycle / footpath through the site is 2.1 metres in width. The proposed new path is three metres wide and continues to link into the existing path through the Scottish Widows building. The proposed wider path now provides a more user friendly natural sweep. A dropped kerb is proposed at the entrance to the site. The Roads Authority does not object to the application.

The layout is acceptable.

Design and Materials:

The proposed building is a modern design that responds to the adjacent office buildings. It continues the curved style of the adjacent buildings. The design is relatively simple, using repetitive detailing of glazing, interspersed by green wall panels on the first and second floor and anodised cladding panels on the third and fourth floor. The glazing continues to the gable ends of the buildings. The use of the materials and depth added by the finned banding results in a bold and contemporary office development.

The internal elevation of the building is largely comprised of glazing broken up again by fin elements. This side of the building overlooks the internal courtyard area.

The cut-away at the ground floor level opens up the building at this level leaving an interesting glazed entrance point to the building, which at the street level will aid in reducing the impact of the building and enable a wider area of public realm.

The design and materials proposed are acceptable to the locality.

Height:

LDP Policy Des 4 states that development should have a positive impact on its surroundings, including the wider townscape and landscape, and impact on existing views including (amongst other matters) height and form.

The proposed development is designed to complement the height, form and scale of the ring of office development that it completes, rather than the context provided by the adjacent residential flats.

The proposed building equals the height of the six storey Scottish Widow building and bridges the difference in height down to five storeys of the adjacent Exchange 3 office building. The height is therefore commensurate with the adjacent contemporary office buildings and is designed to complete the perimeter block.

The height of the office is larger than the adjacent four storey residential flats. The submitted design and access statement sets out that within the wider context there is a general reduction of scale from the higher office and commercial development to the east of the site through to the lower two and three storey scale to the west. The impact of any views has been assessed in section 3.3b) and is acceptable.

As states above, the general proposal of completing the circle of development whilst creating an urban form of tight streets is acceptable.

The general height and scale of the development is acceptable.

The proposal completes the circle of office development and although in close proximity to existing residential development, this is not an unusual form of development within the city centre. The proposal allows for the foot/cycle path to run through the site. The design, materials and layout reflect that of an office development within a city centre location.

d) Amenity

LDP Policy Des 5 Development Design - Amenity requires consideration to be given to impacts on neighbouring properties to ensure no unreasonable noise impact or loss of daylight, sunlight or privacy.

Noise and Odour:

A Noise Impact Assessment (NIA) has been provided, with the nearest residential properties approximately 5 metres away from the west facade of the proposed building. External plant has been located within the proposal to minimise impacts. The NIA states that the predicted internal noise levels within the nearby residential properties will be within the Council's night-time criterion of NR 25. Environmental Protection does not object to the proposals and has not raised any concerns in relation to odour.

Daylighting and Overshadowing:

A Daylighting Study has been provided to consider the potential impact of the proposed building on the adjacent residential development. A number of objections have been received in relation to this issue and the detrimental impact the development will have on daylighting.

In the first instance, Vertical Sky Component (VSC) modelling has been used to demonstrate if there would be any impact on the existing residential buildings opposite the proposed development. Acceptable results would be a figure of 27% or 0.8 of its former value, as indicated in the Edinburgh Design Guidance.

This indicates that a number of the facades on the adjacent residential properties, such as the rear of the listed properties on Gardner's Crescent, will either meet the 27% figure or be at least 0.8% of the its former value. Accordingly, the impact on daylighting will be acceptable and no further studies are required for these windows.

Further information has been provided for the two nearest residential blocks. This divides the blocks to the west into four viewpoints, covering both the eastern elevations and the curved elevations. The results show that a number of the windows do not meet the 27% threshold and/or are reduced by more than 20% when comparing existing levels with those proposed.

All the windows in the eastern elevation (view 4) of the nearest northern block do not meet the required VSC values, whilst for the curved elevation (view 7) of this block 18 of the 34 windows tested do not meet the required values.

For the more southerly block, in the eastern elevation (view 1) six of the 12 windows do not achieve the VSC values and for the curved elevation (view 2) 22 of the 31 windows tested do not meet the required values.

Consequently, for the rooms not meeting the VSC thresholds, further analysis using the Average Daylight Factor (ADF) methodology has been undertaken. The ADF results shows that all the windows in the crescent elevations of both blocks meet the ADF requirements. However, there are four windows in both the eastern elevation of the northern block (view 4) and the eastern elevation of the southern block (view 1) that fail the ADF assessment.

The study goes on to state that these windows are already failing to meet the required standard without the proposed development in place. Post development, three of the windows (one lounge and two kitchen) have reduced ADF levels, but only by 4% to 7%. These locations are identified in the revised Design and Access Statement.

Consequently, for a city centre location the impact on daylighting is minimal.

An objection has been received in relation to the daylighting impacts on existing office blocks. The amenity of office and commercial use buildings is not protected by the planning system.

A sun path analysis has also been submitted to demonstrate the impact of any potential overshadowing and loss of sunlight which may result from the construction of the development. The analysis details the level of overshadowing which will affect the neighbouring properties on Gardner's Crescent, and Port Hamilton, and provides plans showing shadows for each hour between 6 am and 12 pm on both the spring equinox, March 21st, and the summer solstice, June 21st.

The analysis highlights that on March 21st, the rear gardens of the properties on Gardner's Crescent opposite the development will be subject to overshadowing which they would not otherwise experience between the hours of 8am and 10am. However, after this time, the gardens will not experience any additional overshadowing beyond that which they already encounter owing to the position of the tenement buildings on Gardner's Crescent and Port Hamilton. The proposal will not therefore result in an unacceptable increase in the overall level of overshadowing which these properties encounter and, having regard to the character of the surrounding urban environment and townscape, the level of overshadowing is considered to be acceptable in the context of this application.

Outlook and Privacy:

In terms of outlook and privacy the proposal has been designed with green walling elements to break up the glazing on the first and second floors and limit the impacts on privacy and outlook. As set out in the Edinburgh Design Guidance privacy distances are dependent on the pattern of development within the area and there are no set privacy distances. It is also noted that the rooms in the residential properties closest to the proposed development are mostly dual aspect living rooms or kitchens accessed from the lounge.

The proposal will have an acceptable impact in terms of noise. The submitted daylighting information demonstrates that by using various modelling techniques that there will be limited impact on daylighting and overshadowing. The impact on privacy and outlook is acceptable for such a location. Overall, there will be some impacts on amenity, but these need considered against the backdrop of a city centre location.

e) Transport

Access and Parking:

A Transport Statement has been submitted in support of the application. This provides an assessment of the transport considerations associated with the proposal.

Vehicular access and waste collection continue to be as existing from Port Hamilton. The applicant has demonstrated that the existing and proposed transport infrastructure will be able to support the proposed development. The Roads Authority does not object to the planning application.

It is expected that that most trips of the proposed development will be by sustainable travel, with the Transport Statement anticipating that the proposal will generate a total of 104 and 88 two-way people trips during the weekday AM and PM Peak periods respectively.

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

The 2017 parking standards contain no minimum amounts for car parking, but would allow for a maximum of nine spaces. The proposed development is in the city centre with good access to public transport and within a Controlled Parking Zone, consequently the provision of no car parking is acceptable. The five motorcycle spaces comply with the Council's minimum motorcycle parking requirement for the proposed development.

LDP Policy Tra 3 - Private Cycle Parking requires that cycle parking complies with Council guidance. The Council's parking standards require a minimum 35 cycle spaces. The proposal meets this by providing 36 basement cycle parking spaces and 12 external cycle spaces. The basement cycle spaces are accessed via a spiral stair with incorporated cycle wheel ramp. Showers and changing is also provided in the basement.

The access and parking arrangements are acceptable.

Transport Contributions:

A contribution of £204,501 is required towards the Edinburgh Tram (Zone 3). This will need to be secured through an appropriate legal agreement.

In summary, the transport implications are acceptable for the site.

f) Other Matters

Flooding and Drainage:

A Drainage Strategy Plan including the appropriate self-certification has been provided as part of the application. Flood Prevention are in acceptance of the proposed plans.

Site Investigation:

The Geotechnical Design and Environmental Assessment Report is being assessed by Environmental Protection. Until this is assessed, Environmental Protection has recommended that a condition is attached to ensure that contaminated land is fully addressed.

Archaeology:

The submitted Archaeology Desk-Based Assessment concludes that this application will have no known significant archaeological impact. The City Archaeologist agrees with this conclusion and no further information is required on this matter.

Sustainability:

The applicant has indicated that it proposes to use Air Source Heat Recovery simultaneous heating and cooling Heat Pumps for the base load with high efficiency (gas boilers providing the domestic hot water requirements to meet the requirements of part A of the sustainability statement form. As the proposal is a local development, part b of the form is not applicable.

g) Public Comments

Scheme 1

Material Representations - objection:

Principle

- Over provision of office developments - assessed in section 3.3a).
- Loss of open space / landscaped area / trees - assessed in section 3.3a).
- No replacement tree planting / public space provided - assessed in section 3.3a).
- Over development of the area - assessed in section 3.3a).

Built Heritage

- Impact on listed buildings and conservation area - assessed in section 3.3b).

Design

- Height and size of the development in comparison to existing residential properties - assessed in section 3.3c).
- Proposed building significantly higher than neighbouring building at Exchange Place - assessed in section 3.3c).
- Detrimental impact on the appearance of the area - assessed in section 3.3c).
- Development too close to existing residential properties - assessed in section 3.3c).
- Design inappropriate and will clash with residential buildings - assessed in section 3.3c).

Amenity

- Impacts on privacy and outlook - assessed in section 3.3d).
- Impacts on daylight/sunlight - assessed in section 3.3c).
- Overshadowing impacts.
- Noise and odour impacts - assessed in section 3.3c).

Transport

- Traffic congestion - assessed in section 3.3e).
- Lack of parking already exists in the area and development will exacerbate this - assessed in section 3.3e).
- Proposal compromises existing cycle route by introducing obstacles, narrowing the route, creating conflict with other users and making the route less obvious than the current one - assessed in section 3.3e).
- Inadequate access to cycle parking - assessed in section 3.3e).
- Increase in pollution - in terms of access and traffic matters this is considered in section 3.3e). An informative has been recommended for air quality matters during the construction phase.

Consultation

- Neighbour notification not carried out correctly - notification carried out following the correct procedures. Additional advertising of the application also taken place as a bad neighbour development.

Non-material Representations

- Construction stage issues including structural damage.
- Lack of pre-application consultation.
- Loss of views.
- Alternative sites for office development.
- Alternative uses for the site.
- Loss of security -any antisocial behaviour issues best covered by separate legislation. Additional office development will provide passive security through the day.
- Light spill from building - the site is within a city centre location. Matters relating to light pollution are regulated through environmental protection legislation.

Scheme 2

Material Representations - objection:

Principle

- No demand for office, a number of office developments not let or offices converted to hotels - assessed in section 3.3a).
- Loss of open space / landscaped area / trees - assessed in section 3.3a).
- No replacement tree planting / public space provided - assessed in section 3.3a).

Built Heritage

- Impact on listed buildings and conservation area - assessed in section 3.3b).

Design

- Green walls element does not adequately replace landscaped area - considered in section 3.3c).
- Detrimental impact on the appearance of the area - assessed in section 3.3c).

Amenity

- Noise and odour impacts - assessed in section 3.3d).
- Impacts on privacy and outlook - assessed in section 3.3d).
- Impacts on daylight/sunlight - assessed in section 3.3d).
- Overshadowing impacts - addressed in section 3.3d).

Transport

- Traffic congestion - assessed in section 3.3e).
- Lack of parking already exists in the area and development will exacerbate this - assessed in section 3.3e).
- Increase in pollution (including from loss of trees) - assessed in section 3.3a and 3.3e).
- Inadequate cycle route proposed - assessed in section 3.3e).

Drainage

- Area subject to flooding, removal of landscaped area will exacerbate this - assessed in section 3.3f).

Consultation

- Neighbour notification / advertisements not carried out correctly - notification carried out following the correct procedures. Additional advertising of the application also taken place as a bad neighbour development.

Non-material Representations

- Construction stage issues including structural damage.
- Traffic congestion.
- Alternative proposals.
- Alternative sites for development.
- Light spill from building - the site is within a city centre location. Matters relating to light pollution are regulated through environmental protection legislation.

Conclusion

The site is located within the City Centre where office development is supported by Local Development Plan policies Del 2 City Centre and Emp 1 Office Development. The proposal will not detrimentally harm the character or appearance of the adjacent conservation area or the setting of the nearby listed buildings. The design, materials and layout reflect that of an office development within a city centre location. Overall, there will be some impacts on neighbouring residential amenity and loss of open space, but these need to be considered against the backdrop of a city centre location and the benefits which the proposal will bring. The development is acceptable in relation to transport, drainage, archaeology and sustainability matters. A legal agreement in relation to a contribution to the tram and conditions in relation to materials and contaminated land are recommended. There are no other material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

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

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

Reasons:-

1. In order to protect the development's occupants and human health.
2. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

1. Legal Agreement:

Permission should not be issued until a suitable legal agreement has been entered into for a contribution of £204,501 to the Edinburgh Tram Line. The sum is to be indexed and the use period to be 10 years from the date of payment.

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
5. Charging outlet (wall or ground mounted) should consider for the front turning circle area and be of the following standard. 70 or 50kW (100 Amp) DC with 43kW (63 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.
6.
 - 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.
7. The applicant is encouraged to develop a Construction Environmental Management Plan.
 8. The developer will be required to contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary (to extend the existing double yellow line on the turning area to cover access to the walking and cycling route) and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;
 9. All doors must be opened inwards and not outwards onto the proposed walking and cycling route except emergency doors.
 10. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;

11. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
12. Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984.
13. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.
14. Any works affecting an adopted carriageway or footway must be carried out under permit and in accordance with the specifications. See Road Occupation Permits.
http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was originally neighbour notified on 26 September 2018 and 38 letters of representation were received.

The application was subsequently advertised on 28 June 2019 and 15 letters of representation were 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 within the Urban Area of the Edinburgh Local Development Plan. The land is within the city centre as covered by Policy Del 2 City Centre.

Date registered

12 September 2018

Drawing numbers/Scheme

01-08, 09A, 10-17, 18A,

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:

The West End Conservation Area Character Appraisal emphasises that the area is characterised by mixed, residential commercial buildings. The central section of the conservation area is a major modern financial area consisting of modern offices. The Georgian and Victorian tenements within the area are mainly 4-6 storeys, and constructed of stone with pitched, slated roofs.

Relevant policies of the Local Development Plan.

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

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

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

LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

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

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

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

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

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

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

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

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

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

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

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

LDP Policy Emp 1 (Office Development) identifies locations and circumstances in which office development will be permitted.

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

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

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

LDP Policy Tra 9 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

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

Draft Developer Contributions and Infrastructure Delivery SG sets out the approach to infrastructure provision and improvements associated with development.

Relevant Non-Statutory Guidelines

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

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

Appendix 1

Application for Planning Permission 18/07354/FUL At Land To East Of 5, Port Hamilton, Edinburgh Erection of offices (Class 4) and associated works at land.

Consultations

Archaeology Officer Response - dated 1 October 2018

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the erection of offices (class 4) and associated works.

Historically the site formed a coal yard along the western side of Port Hamilton, one of three basins forming the eastern terminus of the 1820's Union Canal, and in the mid-20th century the site of St Cuthbert's Bakery.

As such the site occurs within an area of archaeological interest. However, both the demolition of the bakery and the construction of the current office complex of which this site forms part has almost certainly had a significant impact resulting in the probable removal of any surviving insitu remains. Accordingly I concur with the applicants archaeological consultants (Headland Archaeology) opinion that this application will have no known significant archaeological impact.

Economic Development Response - dated 15 July 2019

Knight Frank market statement

- The summary of the acute pressures on the office market is consistent with Economic Development's own understanding and the recent market research commissioned by the Council from Ryden. The loss of investment due to a shortage of office space is a real threat; for example, this is understood to be one of the main reasons why Barclays selected Glasgow for its new technology hub (2,500 jobs) over Edinburgh. There is a mismatch between supply and demand with demand heavily focused on the city centre which accounts for a relatively small proportion of the city's office pipeline and a smaller proportion of land zoned for new office development.*
- As noted, the Port Hamilton development would be highly timeous, bridging the gap between the completion of Capital Square and the completion of The Haymarket, the Dewar Place development, and the two Fountainbridge office developments.*
- The intention to deliver floorplates of 2,500 sq ft to 5,000 sq ft (circa 20 to 50 employees) is very positive. Many developers are focused on larger tenants and the "mid-market" is largely unserved.*

Planning statement

- As noted, the development is a natural follow-on to the Port Hamilton and Exchange Place Three developments. This is a highly strategic location within the Exchange District and close to Haymarket. The site is set back from the surrounding roads with limited visibility which may deter some occupiers but as seen with Exchange Place Three office developments can work in this location within limited visibility.

Overall, from an Economic Development perspective this proposal is very positive. If fully-let to a financial services occupier, we would expect the building to directly support approximately 390 full-time equivalent jobs, a major boost at a time of economic fragility.

Environmental Protection Response - dated 17 June 2019

This is a large office development with no proposed carpark and large areas of green wall panels integrated into the proposed building. The building is surrounded by residential properties to the west, and by offices to the east.

Due to the nearby residential properties the applicant has submitted a supporting noise impact assessment to ensure their amenity is protected. The nearest noise sensitive premises are approximately 5 m from the west facade of the proposed building. However, the applicant has demonstrated that they will be protected from any sources of external noise e.g. intake / exhaust grilles, external plant items and louvres as the applicant has located plant to minimise impacts.

The applicant has also confirmed that the proposed energy for the site will be mainly from the electric grid with a maximum of 300kw of heat energy from gas which is below our threshold. Environmental Protection welcome the application includes no car parking provisions. There is a turning circle to the front of the building which would likely be used by taxis to drop off staff. It is recommended that a rapid electric vehicle charging point is installed in this area to serve the taxi trade. The applicant may be able to secure funding for this from Scottish Energy Saving Trust. Environmental Protection shall recommend an informative is attached regarding charging point.

As the site is located near to residential properties that will be exposed to noise, dust and fumes during the construction phase of this development. The applicant is encouraged to develop a Construction Environmental Management Plan to address these issues and minimise impacts. The applicant should be aware that noisy construction works are regulated and actively enforced under the Control of Pollution Act 1974. Noisy construction works are permitted Monday to Saturday between 07:00 - 19:00 hours and in accordance with BS5228 Construction Noise Control. Environmental Protection will recommend an informative regarding local air quality impacts during the construction phase.

Contaminated Land

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

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

Conditions

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

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

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

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

Informative

a) Charging outlet (wall or ground mounted) should consider for the front turning circle area and be of the following standard. 70 or 50kW (100 Amp) DC with 43kW (63 Amp) AC unit. DC charge delivered via both JEVs G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

b) 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.

c) 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.

d) 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.

e) 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.

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

g) 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.

h) *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.*

i) *No bonfires shall be permitted.*

Roads Authority Response - dated 15 October 2018

The application should be continued.

Reasons:

1. *The proposed cycle route is restricted in width or compromised by the third column/pillar (counting from west to east) and is contrary to Policy Tra 9 a and b(planning permission will not be granted for development which could prevent implementation of proposed cycle paths/paths shown on the proposal map or detrimental to a path which forms part of the core paths network or prejudice the continuity of the off-road network generally)*

2. *The proposed door will restrict the width of the footway and also safety concerns for cyclist unless it is emergency exit door. Applicant is required to clarify all doors affecting the proposed footway/cycle route will be opened inwards unless emergency doors.*

3. *The 2007 Council's Parking Standards requires the applicant to provide a minimum 35 cycle parking provision for the proposed 4465m² office use; 30 secure covered cycle parking for employees and 5 parking provision for customers. The applicant's plan shows 12 level of cycle parking provision and does not meet the Council's minimum cycle parking requirement.*

4. *The Council's parking Standards requires a minimum of 5 motorcycle parking for the proposed development.*

Should you be minded to grant the application; the applicant will be required to;

5. *The applicant is required to safeguard the route of the millennium national cycle network that runs through the proposed site.*

6. *The applicant will be required contribute the sum of £204,501 (based on 4465m² office use in Zone 3) 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;*

7. *All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;*

8. 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 high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;

9. Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984;

10. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.

11. Any works affecting a adopted carriageway or footway must be carried out under permit and in accordance with the specifications. See Road Occupation Permits. http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

Note:

a. The applicant proposes no parking provision and complies with the 2017 Parking Standards which allows a maximum of 9 parking provision for the proposed development in Zone 1.

b. Tram contribution of proposed 4465m² office use in Zone 3= £204,501

Roads Authority Further Response - dated 12 June 2019

The applicant submitted a transport statement in support of the planning application and generally satisfy the requirement of transport statement. The proposed development is anticipated to generate a total of 104 and 88 two-way people trips during the weekday AM and PM Peak periods respectively.

The site is in the city centre with good access to public transport and therefore zero parking provision is acceptable. It is considered that most trips of the proposed development will be by sustainable travel. The applicant has demonstrated that the existing and proposed transport infrastructure will be able to support the proposed development.

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

1. The applicant will be required contribute the sum of £204,501 (based on 4465m² office use in Zone 3) 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. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary (to extend the existing double yellow line on the turning area to cover access to the walking and cycling route) and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;

1. 3m wide walking and cycling route to be provided through the proposed development with dropped kerb access on the turning area of Port Hamilton. The applicant is required to safeguard the millennium national cycle route through the proposed site;
2. All doors must be opened inwards and not outwards onto the proposed walking and cycling route except emergency doors.
3. 36 basement cycle parking spaces and 12 external cycle spaces being provided complies with the minimum 35 cycle parking requirement for the proposed development in Zone 1.
4. 5 motorcycle parking spaces being provided complies with the Council's minimum motorcycle parking requirement for the proposed development in Zone 1.
5. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
6. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
7. Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984;
8. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.
9. Any works affecting an adopted carriageway or footway must be carried out under permit and in accordance with the specifications. See Road Occupation Permits. http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

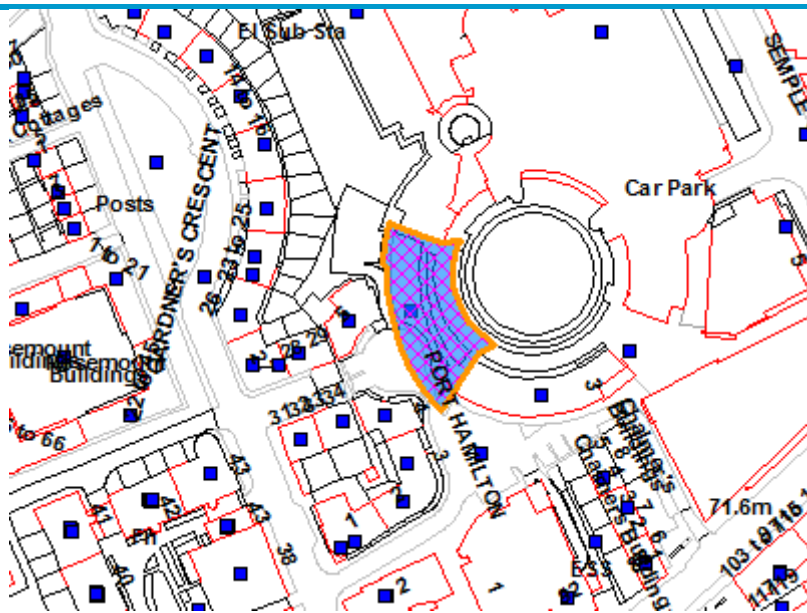
Note:

- a. Tram contribution of proposed 4465m² office use in Zone 3= £204,501
- b. The applicant proposes no parking provision and complies with the 2017 Parking Standards which allows a maximum of 9 parking provision for the proposed development in Zone 1.
- c. Basement cycle parking to be accessed by cycle wheel ramp and lift.
- d. Existing walking and cycling route to be widened from 2.1m wide to 3m wide.
- e. Refuse collection per existing arrangement on Port Hamilton.
- f. The shared walking and cycling route meets the desirable minimum width of 3m (2010 Cycling by Design; revised 2011). Given the change in level of the site the proposed width is acceptable.
- g. No HGV delivery but 2 van delivery per day.

h. No car parking provision being provided for the proposed development. The site is in a Controlled Parking Zone with all on street parking either pay and display or permit controlled. Listed below are publicly available nearby long-stay public and private car parks, how many spaces they provide and their distance from the site;

- o Semple Street: 100m, 198 spaces,
- o Edinburgh Quay: 190m 46 spaces,
- o Sheraton Grand Hotel: 300m 130 spaces,
- o Edinburgh Castle Terrace: 400m 750 spaces.

Location Plan



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