

# Notice of meeting and agenda

## Development Management Sub-Committee

**10.00 am Wednesday, 1st July, 2020**

Virtual Meeting - via Skype

This is a public meeting and members of the public are welcome to view the meeting via the webcast.

### Contacts

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## 1. Order of Business

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### 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 29 June 2020** (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

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### 2.1 Declaration of interests

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 the Development Management Sub-Committee of the 9 - 14  
17 June 2020 – submitted for approval as a correct record

### **4. General Applications and Miscellaneous Business Reports**

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- 4.1 None.

### **5. Returning Applications**

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**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**

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**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**

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

- 7.1 Cameron Toll Shopping Centre, 6 Lady Road Edinburgh- 15 - 40  
Proposed cinema development (Class 11) with ancillary Class 1 (retail), Class 2 (Financial and Professional Services) and Class 3 (Food and Drink) use, reconfiguration of existing car park and landscaping (as amended) - application no 19/06001/FUL - Report by the Chief Planning Officer

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

- 7.2 Torphin Road (Car Park), Edinburgh - Application for a new 41 - 60  
residential building, comprising 9 flats and 2 houses, with associated infrastructure, landscaping and engineering works (as amended) - application no 19/01036/FUL - report by the Chief Planning Officer

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

## **8. Returning Applications Following Site Visit**

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**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.

## **9. Pre-Application Notices**

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**The Pre-Application reports listed below are for noting only and provides the opportunity to raise key issues. Any comments should be emailed direct to the case officer.**

- 9.1** Forthcoming application by Centre For The Moving Image (CMI). 61 - 68  
for Proposal of Application Notice at Land At Festival Square, Edinburgh - Application for planning permission proposing the "development of a new centre for film comprising cinema, offices, education, exhibition and function space, together with retail, cafe, restaurant and bar, and associated facilities, including landscaping and public realm works (Use Classes 1, 2, 3, 4, 10, and 11 and sui generis public house)" at Land at Festival Square, Edinburgh, EH9 9SR - 20/01235/FUL - Report by the Chief Planning Officer

## **10. Extended Delegation Decisions**

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**The reports listed below have been decided by the Chief Planning Officer, in consultation with the Convener and Vice-Convener of the Development Management Sub-Committee, using the Extended Delegated Powers agreed by the Leadership Advisory Panel held on 31 March 2020.**

- 10.1** 1 Grant Avenue, Edinburgh (At Land 20 Metres Northwest Of) -  
Erection of a two-storey, three bedroom dwelling house with associated off-street parking, amenity garden ground, solar panels and an air source heat pump within the grounds of 1 Grant Avenue (as amended) - application no 19/05606/FUL

This application was **GRANTED** by the Chief Planning Officer under Extended Delegated Authority.

- 10.2** Ravelston Dykes Quarry, Ravelston Dykes Road, Edinburgh -  
Material and design amendments to approved dwelling house 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

This application was **GRANTED** by the Chief Planning Officer under Extended Delegated Authority.

- 10.3** Ravelston Dykes Quarry, Ravelston Dykes Road, Edinburgh - 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

This application was **GRANTED** by the Chief Planning Officer under Extended Delegated Authority.

- 10.4** Ravelston Dykes Quarry, Ravelston Dykes Road, Edinburgh - 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

This application was **GRANTED** by the Chief Planning Officer under Extended Delegated Authority.

- 10.5** The Bridge Inn, 27 Baird Road, Ratho, Newbridge - Formation of new bedroom wing and link to existing building; associated car park works - application no 19/04984/FUL

This application was **GRANTED** by the Chief Planning Officer under Extended Delegated Authority.

- 10.6** The Bridge Inn, 27 Baird Road, Ratho, Newbridge EH28 8RU - Demolish side extension and internal alterations to allow formation of new bedroom wing, new entrance and reception area (as amended) - application no 19/04985/LBC

This application was **GRANTED** by the Chief Planning Officer under Extended Delegated Authority.

## **Laurence Rockey**

Head of Strategy and Communications

### **Committee Members**

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Councillors 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 Rob Munn, Councillor Hal Osler and Councillor Cameron Rose

### **Information about the Development Management Sub-Committee**

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The Development Management Sub-Committee consists of 11 Councillors and is appointed by the City of Edinburgh Council.

### **Further information**

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If you have any questions about the agenda or meeting arrangements, please contact Veronica MacMillan, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, [veronica.macmillan@edinburgh.gov.uk](mailto:veronica.macmillan@edinburgh.gov.uk) / [blair.ritchie@edinburgh.gov.uk](mailto:blair.ritchie@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](http://www.edinburgh.gov.uk/cpol).

### **Webcasting of Council meetings**

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

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



# Minutes

## Development Management Sub-Committee of the Planning Committee

10.00 am, Wednesday 17 June 2020

### Present:

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

### 1. Minutes

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#### Decision

To approve the minute of the Development Management Sub-Committee of 3 June 2020 as a correct record.

### 2. General Applications and Miscellaneous Business

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The Sub-Committee considered reports on planning applications listed in Sections 4, 7 and 9 of the agenda for this meeting.

#### Requests for Presentations

The Chief Planning Officer gave a presentation on agenda item 4.1 - 64 Seafield Road, Edinburgh, EH6 7LW – requested by Councillor Rose.

#### Decision

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

#### Dissent

Councillor Booth requested that his dissent be recorded in respect of the decision on Item 7.1 – 13 Clovenstone Gardens, Edinburgh (Land North West Of).

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

### 3. 64 Seafield Road, Edinburgh, EH6 7LW

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Details were provided of the resubmission of application under S42 of the Planning Act to implement use of no. 64 Seafield Road (existing B&M store) without compliance with Condition G08 of planning consent A 02910 96 to permit the sale of food goods from the retail unit to a maximum of 1033 sq. net (sales) floor area for convenience goods – application no 20/00170/FUL

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

#### **Motion**

To refuse planning permission subject to the reasons as set out in section 3 of the report by the Chief Planning Officer.

- moved by Councillor Gardiner, seconded by Councillor Child

#### **Amendment**

To grant planning permission with a condition that prior to the development commencing, the applicant should submit details of appropriate cycle parking for both staff and customers of the store before the operation of the retail unit and add disabled parking in to the additional information and assessment of layout out received and ensure disabled parking complied with current standards.

- moved by Councillor Rose, seconded by Councillor Mowat

#### **Voting**

For the motion: - 7 votes

For the amendment - 4 votes

(For the motion: Councillors Gardiner (Convener), Booth, Campbell, Child, Gordon, Griffiths and Munn.

For the amendment: Councillors Mitchell, Mowat, Osler and Rose.)

#### **Decision**

To refuse planning permission.

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

## Appendix

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register.</p>		
<p>4.1 - <a href="#">64 Seafield Road, Edinburgh, EH6 7LW</a></p>	<p>Resubmission of application under S42 of the Planning Act to implement use of no. 64 Seafield Road (existing B&amp;M store) without compliance with Condition G08 of planning consent A 02910 96 to permit the sale of food goods from the retail unit to a maximum of 1033 sq. net (sales) floor area for convenience goods - application no 20/00170/FUL</p>	<p>To <b>REFUSE</b> planning permission subject to the reasons as set out in section 3 of the report by the Chief Planning Officer.  (On a division)</p>
<p>7.1 - <a href="#">13 Clovenstone Gardens, Edinburgh (Land North West Of)</a></p>	<p>Erection of 69 flats and associated works - application no 19/03613/FUL</p>	<p>To <b>GRANT</b> planning permission subject to the conditions, reasons, informatives and a legal agreement as set out in section 3 of the report by the Chief Planning Officer.  <b>Dissent</b>  Councillor Booth requested that his dissent be recorded in respect of this decision.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p><b>9.1 - <a href="#">Forthcoming application by The City Of Edinburgh Council for Proposal of Application Notice at Land at 15 Turnhouse Road, Edinburgh, EH12 0AX</a></b></p>	<p>Ultra low energy Primary School (2 stream, 420 pupils) with adjoining Nursery (128 children) and Healthcare Centre (10,000 patients). All accommodation is within one building and exceeds a total gross floor area of 5000sqm. The development also includes landscaped school grounds and sports pitch. The building will be designed to allow for future extension to 3 stream (630 pupils) to meet the needs of the surrounding development - application no 20/01746/PAN</p>	<p>1) To note the key issues at this stage.</p> <p>2) To take into account the following issues:</p> <ul style="list-style-type: none"> <li>• Space for commercial opportunities such as a café or shop.</li> <li>• Accessibility to the development by active travel and cycle parking for both the community facility and the school.</li> </ul>
<p><b>10.1 - Edinburgh Hindu Mandir And Cultural Centre, 2 St Andrew Place, Edinburgh, EH6 7EG</b></p>	<p>Rear Extension to Hindu Centre - application no 19/05825/FUL</p>	<p>To note that this application was <b>Granted</b> by the Chief Planning Officer under Extended Delegated Authority</p>
<p><b>10.2 - Edinburgh Hindu Mandir And Cultural Centre, 2 St Andrew Place, Edinburgh, EH6 7EG</b></p>	<p>Form rear extension on existing Edinburgh Hindu Centre - application no 19/05824/LBC</p>	<p>To note that this application was <b>Granted</b> by the Chief Planning Officer under Extended Delegated Authority</p>
<p><b>10.3 - 27A, 27B and 31 Bridge Street, Newbridge, Edinburgh, EH28 8SR</b></p>	<p>Demolish 27A&amp;B Bridge Street to construct two and three storey extensions for an additional 78 suites to the Newbridge Inn hotel - application no 20/00811/FUL</p>	<p>To note that this application was <b>Granted</b> by the Chief Planning Officer under Extended Delegated Authority</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p><b>10.4 - 103</b> Newcraighall Road Edinburgh (Land 445 Metres North Of)</p>	<p>Proposed residential development (including class 8 residential institutions, class 9 houses and sui generis flats) primary school (class 10 non-residential institutions) local centre (including class 1 retail, class 2 financial services, class 3 food and drink, class 10 non residential institutions and class 11 assembly and leisure ), green network, access and transport links, infrastructure and associated ancillary works (as amended.) - application no 16/04122/PPP</p>	<p>To note that this application was <b>Granted</b> by the Chief Planning Officer under Extended Delegated Authority</p>
<p><b>10.5 - West</b> Bonnington Farm, Bonnington, Kirknewton, EH27 8BB</p>	<p>Erection of farmhouse in connection with agricultural use (as amended) - application no 18/10372/FUL</p>	<p>To note that this application was <b>Granted</b> by the Chief Planning Officer under Extended Delegated Authority</p>

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## Development Management Sub Committee

Wednesday 01 July 2020

**Application for Planning Permission 19/06001/FUL  
At Cameron Toll Shopping Centre, 6 Lady Road, Edinburgh  
Proposed cinema development (Class 11) with ancillary  
Class 1 (retail), Class 2 (Financial and Professional  
Services) and Class 3 (Food and Drink) use,  
reconfiguration of existing car park and landscaping (as  
amended).**

**Item number**

**Report number**

**Wards**

B15 - Southside/Newington

### Summary

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The principle of the development in this location is acceptable. The proposal is appropriate in design and in keeping with the character of the immediate surrounding area. The proposal will maintain amenity to existing nearby residential areas and will have no adverse impact on the conservation area or listed buildings. The proposal is in accordance with LDP Policies Des 1, Des 2, Des 3, Des 4, Des 5, Des 6, Des 7, Des 8, Env 3, Env 6, Env 9, Env 21, Env 22, Hou 7, Ret 1, Ret 4, Ret 8, Tra 8, and broadly complies with the council's non-statutory guidance.

The proposal therefore complies with the development plan. There are no other material considerations that outweigh this conclusion.

### Links

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[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LEN09, LRET01, LRET04, LRET08, LTRA01, LTRA07, OTH, NSGD02,

# Report

## **Application for Planning Permission 19/06001/FUL At Cameron Toll Shopping Centre, 6 Lady Road, Edinburgh Proposed cinema development (Class 11) with ancillary Class 1 (retail), Class 2 (Financial and Professional Services) and Class 3 (Food and Drink) use, reconfiguration of existing car park and landscaping (as amended).**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The site lies within the car park of the Cameron Toll Shopping Centre. Cameron Toll consists of the shopping centre, two drive-through units and a petrol filling station. The building is surrounded by two service yards and approximately 1000 surface car parking spaces. The shopping centre is an inward looking design with a large sloping glazed elevation and large blank elevations below. The building sits centrally within the site and has entrances to the north and south. Vehicular access to the site is from Lady Road and directly off Cameron Toll roundabout. The site sits at a lower level than the surrounding roads, park and tennis club.

The application site it is located directly opposite the main entrance of the shopping centre. Currently, this area contains car parking and an entrance to the Craigmillar Park Tennis Club, which is situated to the immediate south of the application site.

In the wider area, the shopping centre is bounded to the east by Inch Park, and to the north and west by residential properties. The southern boundary comprises The Conan Doyle Medical Centre and the Braid Burn, which is a local nature conservation site. Immediately adjacent to the southern boundary is the Craigmillar Park Tennis Club.

Liberton Bank House is situated to the south west, which is category C listed (reference 47155, re-listed in May 2000 when its historical associations with the author Sir Arthur Conan Doyle were recognised).

The west boundary contains mature trees and lies below the level of the adjoining Liberton Road. Immediately outwith the eastern boundary there are mature trees within the landscape of Inch Park.

The Craigmillar Park Conservation Area adjoins the western boundary of the shopping centre car park.



## 2.2 Site History

### Relevant Site History

3 July 2012 - Planning permission granted for an extension to Cameron Toll Shopping Centre to include retail (Class 1), restaurant/cafe (Class 3) and leisure (Class 11) uses, external alterations to existing shopping centre, creation of pedestrian link from Liberton Road, additional car parking including formation of a car park deck and associated landscaping (as amended) (application number: 09/01141/FUL);

28 July 2015 - Planning permission granted for two drive thru units with associated access, car parking and landscaping (application number: 15/02366/FUL);

11 August 2016 - Planning permission granted for change of use of part of the first floor of Cameron Toll Shopping Centre to a Class 11 health and fitness club (application number: 16/02296/FUL);

12 January 2017 - Planning permission granted for a section 42 application to vary the wording of Condition 9 of planning permission (09/01141/FUL) to state that an updated otter survey shall be agreed with the Head of Planning, including mitigation measures. Prior to commencement of development, a timescale for the completion and submission of the updated otter survey shall be agreed with the Head of Planning (application number: 15/02170/FUL) This formed a new planning permission for the development previously granted planning permission under reference number 09/01141/FUL.

## **Main report**

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### **3.1 Description Of The Proposal**

The planning application is for the formation of a cinema, restaurant, retail unit, and community health facility/GP practice within the existing southern car park of the shopping centre. The size of development is as follows:

- Cinema screens totalling 890 seats;
- Unit 1 - 349sqm restaurant;
- Unit 2 - 268sqm retail unit; and
- Unit 3 - 275sqm community health facility/GP practice.

The building is approximately 15.5 metres in height, 57 metres in length and 39 metres in width. The design is a simple box shape with entrance canopy. The materials are proposed to be dark render at the upper levels and brick at ground level. A new area of public realm would be created between the entrances of the existing shopping centre and the proposed cinema building.

The development proposal will result in a net loss of 128 parking spaces, retaining overall provision of 867 spaces. These spaces will be subject to a new management regime as there are currently no restrictions on the amount of time cars can park at present.

A total of 25 new cycle racks are proposed to serve the development.

In terms of the levels across the site, the new cinema building would sit at a level slightly higher than the existing shopping centre. However, levels to the rear of the proposals are such that the level of the tennis club immediately to the rear sits approximately 2.5 metres higher than the site.

#### **Scheme 1**

The access into the tennis club was amended for clarity.

#### **Supporting Information**

The following supporting documents were submitted in support of the application:

- Design and Access Statement;
- Drainage and Flood Risk Assessment;
- Consultation Statement;
- Otter Survey;
- Air Quality Assessment;
- Transport Statement, and;
- Planning Statement (including Leisure Impact Analysis).

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

### **3.2 Determining Issues**

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

Do the proposals comply with the development plan?

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

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

### **3.3 Assessment**

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

- a) The principle of the development complies with the Development Plan;
- b) The proposals provide a development of appropriate design, scale and layout;
- c) The proposals would adversely impact the setting of the nearby listed buildings or the character and appearance of the conservation area adjacent to the site;
- d) The proposals provide an acceptable level of amenity for existing adjoining residents;
- e) The transport, access, parking arrangements and air quality impacts are acceptable;
- f) The proposals address issues of sustainability;
- g) There are any other material issues, and;
- h) The representations have been addressed.

#### **a) The Principle of the Development**

The site is within the Urban Area of the Edinburgh Local Development Plan (LDP) and is allocated as a Commercial Centre.

LDP Policy Ret 1 (Town Centres First Policy) states that planning permission will be granted for retail and other uses which generate a significant footfall (including commercial leisure use, community and cultural facilities and healthcare facilities) following a town centre first sequential approach in order of locational preference, starting with town centres, to edge of centres, other commercial centres and then out of centre locations.

As the site is within a Commercial Centre, LDP Policy Ret 4 (Commercial Centres) states that proposals for additional retail floorspace in a Commercial Centre will not be supported unless it can be demonstrated that certain criteria are met. These criteria relate to the need to address a quantitative or qualitative deficiency within its catchment, and that the scale, format and type of development is compatible with the future role of the centre.

This policy relates to retail development, and although a level of retail floorspace is shown on the ground floor of the proposal, planning permission recently expired (January 2020) for an extension to Cameron Toll Shopping Centre to include retail uses (Class 1), restaurant/cafe (Class 3) and leisure use (Class 11) (application reference: 15/02170/FUL). This permission also included a cinema. In addition, the LDP (in Table 7 - Commercial Centres) notes this permission that was granted for an additional 8600 square metres of retail space and a cinema, and the LDP notes that this will enhance the leisure role of Cameron Toll. The principle of additional retail floorspace is therefore accepted at this location. Likewise, the inclusion of a medical/health centre is also supported.

Under LDP Policy Ret 8 (Entertainment and Leisure Developments - Other Locations), all potential City Centre or town centre options must be thoroughly assessed and discounted as unsuitable or unavailable. In addition, the development site must be easily accessible by a range of public transport options and will not lead to an unacceptable increase in traffic locally; it must integrate satisfactorily into its surroundings with high quality design; and it must be compatible with surrounding uses and will not lead to a significant increase in noise or general amenity.

In order to support the development, a sequential analysis was submitted for both the retail and leisure elements of the proposal. This analysis has examined the existing sites within the city centre and town centres, including the new St James Centre development, sites on New Street, and the former Odeon cinema on Clerk Street. None of these sites were listed as suitable for the applicant as they are either not available, or not large enough to accommodate the requirements of the operator.

Taking these issues into account, and the site history, the proposal accords with LDP policies regarding the principle of the uses contained within the development.

## **b) Design, Scale 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. These are examined below.

### **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 layout has been governed by the constraints of the site, in terms of the space within the car park. The layout design has been based on positioning the development between the southern boundary and the main entrance, which will result in the loss of car parking spaces. It will also restrict the ability to drive around the car park between the entrances at Lady Road to the west and Sharpdale Loan to the north. The only route around the car park will be via a road to the rear of the proposed cinema.

This has enabled a new area of public realm to be created between the entrances of the existing shopping centre and the cinema. It also allows the proposed building to have a direct relationship with the existing building.

Access to the tennis club to the rear has been altered through discussions between the tennis club and the applicant. The access was amended to provide a clearer means of entry/exit for pedestrians from the car park to the tennis club.

The general layout is therefore acceptable.

## **Design and Materials**

The Design and Access Statement sets out the approach to the design and references the elevational treatment of the existing shopping centre.

The external appearance of the proposed building is simple and functional and it is commensurate in height with the existing shopping centre. The proposed dark coloured render is a modern material that will harmonise with the main shopping centre building.

To the rear, the land of the tennis club is higher than the site. This means that the upper levels of the proposed building are visible from the tennis club grounds. Concerns were expressed from the tennis club regarding the impact on amenity and outlook based on the fact that the club currently has clear views across to Arthur's Seat, and that the height and location of this proposal would have a detrimental impact on the membership of the club. The applicant has amended the proposals to include additional tree planting along the boundary and change the colour of the render on the rear of the proposed building in order to lessen the impact.

The predominant material on the rest of the building is a dark render, the details of which are required to be submitted as a condition of the permission.

## **Height**

LDP Policy Des 4 (Development Design - Impact on Setting) 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 site is at a significantly lower level than the surrounding streets. As such, the existing shopping centre is not readily visible in long views. This will largely be the case for the proposed building, although due to its positioning nearer Gilmerton Road/Liberton Road, the upper parts of the proposed building will be visible. It will also be visible from within Inch Park to the east of the site. However, within the context of this commercial centre, it will not be incongruous within its location. Additional tree

planting within the tennis club site will also help with screening the building from this aspect.

Although it will be a new addition to the area, the height of the proposal is not out of context with the immediate area. Overall the height is acceptable.

### **c) Impact on Listed Buildings and the Conservation Area**

LDP Policies Env 3 (Listed Buildings - Setting) and Env 6 (Conservation Areas - Development) both require that consideration is given to the impact of developments on the setting of listed buildings and conservation areas. Development affecting the setting of a listed building will only be permitted where it is not detrimental to the historic interest or its setting. Similarly, developments affecting the setting of a conservation area will be permitted where the development preserves or enhances the special character of the area and is consistent with the relevant conservation area character appraisal.

With regards to Policy Env 3, Liberton Bank House is statutorily listed category C, and is located to the west of the application site. It is an 18th century house, inhabited until the early 1990s. It is of special historic interest owing to its association with two important Scots, Arthur Conan Doyle and Mary Burton. The setting of this building has already been affected by the modern medical centre to its south and the shopping centre car park to the east. This proposal would not present any further impact on the setting of the listed building, over and above the contemporary surrounding developments.

With regards to Policy Env 6, the Craigmillar Park Conservation Area lies to the immediate west of the shopping centre car park. The Craigmillar Park Conservation Area Character Appraisal notes the predominance of high quality stone-built Victorian architecture of limited height which provides homogeneity through building lines, heights, massing and the use of traditional materials, and the predominant residential use.

The character appraisal also notes that there was little change in the overall form of the conservation area during the twentieth century. However, the development of the Cameron Toll shopping centre and the University's King's Buildings complex within the immediate vicinity has altered the character of the environment.

Given the low-lying nature of the site, and the fact that the proposal will sit within the context of the existing shopping centre, the character of the conservation area will be preserved.

Therefore, the proposals are in accordance with LDP Policies Env 3 and Env 6 .

### **d) Impact on Amenity of Existing Adjoining Residents**

LDP Policies Des 5 (Development Design - Amenity) and Hou 7 (Inappropriate Uses in Residential Areas) require that new developments have cognisance to the amenity of existing residential neighbours in relation to noise, daylight, sunlight, privacy or immediate outlook.

The nearest residential properties are located on Mill Lane, which are approximately 150 metres to the south of the site, and Gordon Terrace, which are approximately 200 metres to the west of the site. As there are a number of intervening roads, mature trees, and ground level differences, these properties are not affected in terms of sunlight, daylight or privacy.

With regards to noise, the applicant submitted a noise impact assessment in support of the application. The assessment concludes that noise from the cinema and commercial uses will be suitably controlled so that there will be no adverse impact on adjoining sensitive uses. A condition is recommended which outlines the mitigation measures specified within the noise impact assessment.

In this regard, the proposal accords with policies Des 5 and Hou 7.

### **e) Transport, Access, Parking and Air Quality**

#### **Transport, Access and Parking**

LDP Policies Tra 1 (Location of Major Travel Generating Development) and Tra 8 (Provision of Transport Infrastructure) require that where new developments will generate a significant amount of traffic, mitigation should be provided. In non-city centre locations, the suitability of the proposals will be assessed having regard to the accessibility of the site by modes other than the car; the contribution the proposal makes to Local Transport Strategy objectives in respect of travel patterns; and the impact on any travel demand generated by the new development on the existing road and public transport networks.

The site is well situated due to its proximity to existing public transport facilities and nearby residential areas. The development provides opportunities for direct pedestrian and cycle links to existing walking, cycling, and public transport routes.

Existing access points into the car park from Lady Road and Sharpdale Loan will be utilised.

The nearest bus stops to the site are well within 400 metre (5-minute walk), which complies with the maximum walking distances set out within Scottish Planning Policy.

The Transport Assessment, which was submitted in support of the application, has been prepared in accordance with the Scottish Government's document 'Transport Assessment Guidance'. The guidance on cycling journey times has been followed during the preparation of the statement, which specifies a 30 to 40 minute cycle journey time as reasonable for local trips.

The implementation of a Travel Plan Framework, as proposed by the applicant, would encourage the use of walking and cycling which will help towards achieving the goals of the Cycling Action Plan for Scotland and the Long-Term Vision for Active Travel in Scotland.

The development complies with the Council's Local Transport Strategy and the Active Travel Action Plan as it promotes sustainable transport by providing the facilities required to make sustainable travel more convenient. The use of public transport is also promoted through the proximity of the site to a range of public transport routes and infrastructure.

With regards to car parking, the proposals would require the loss of 128 parking spaces. This leaves a total of around 867 spaces remaining within the car park. Of this, a proportion will be re-marked as accessible spaces.

In assessing the loss of car parking spaces, the applicant has advised that there are currently no restrictions on the amount of time cars can be parked within the centre. This has resulted in this car park being used as an informal 'park and ride' facility into the centre of town, or to the nearby hospital. It is therefore proposed that a parking management system is implemented which limits parking activity to short-stay parking (less than 4 hours), enforced through the application of financial penalties. The Transport Assessment has indicated that this approach will generate sufficient capacity to accommodate future demand, even with the proposed reduction in spaces associated with the implementation of the new development. For example, a conservative assumption that only 8-hour duration vehicles are removed from the car park on a Saturday, would suggest a peak demand of 776 vehicles, 100 vehicles below available capacity.

Further to this, the Transport Assessment states that trips associated with the proposed cinema, restaurant, and retail unit will include trips that are already at the shopping centre for other retail purposes and the peak new trips generated by all development proposals will occur outside the normal commuter and retail peak periods. This will result in a minimal number of additional trips impacting on the local road network.

The introduction of a Travel Plan for the centre alongside reduced and well managed car parking provision is compatible with local and national policy on promoting sustainable travel behaviour, reducing emissions, and reversing climate change.

In terms of cycle parking, an additional 25 spaces for cycles are proposed. This is in accordance with the Council's current parking standards. The location of these is recommended as a condition of the permission.

A total of six electric vehicle (EV) parking spaces will also be provided within the vicinity of the site in the existing car park in order to comply with the Council's current Parking Standards. This is recommended to be controlled as an informative of the permission.

Transport Planning has reviewed the transport information submitted with the application and is satisfied that the proposals will not have an adverse impact on the road network. This is on the basis of the findings of the transport assessment, which demonstrates that the peak time for the proposed uses all occur at different times and outside of the normal morning and evening peaks. However, to provide a worst case scenario it has been assumed that the peaks for these uses all occur at the same time. This analysis predicts that the proposed development will generate 99 two-way vehicle trips during the weekday peak and 118 two-way vehicle trips at the weekend peak. The Applicant has also provided a threshold assessment to consider the predicted increase in traffic on the surrounding road network. This has been assessed by Transport



Planning and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The submitted document is generally in line with the published guidelines on transport assessments and indicates that there is sufficient capacity to support the development.

The proposal therefore accords with LDP Policies Tra 1 and Tra 8.

### **Air Quality**

LDP Env 22 (Pollution and Air, Water and Soil Quality) requires that new developments will have no adverse impacts on air quality, or that mitigation can be put in place.

The application is likely to increase trips to the site as customers visit the developed site. Therefore, localised air quality impacts could increase due to this development if customers arrive by car. However, the applicant has advised that the application will reduce the overall number of car parking spaces within the development from 1049 to 867 due to the build occurring on existing parking spaces. This reduction is supported in principle, as the site is well served by public transport and easily reached by walking and cycling. The applicant has indicated that there will also be initiatives to encourage customers and staff to access the site via public transport, including providing bus timetables, providing induction packs for new employees regarding public transport accessibility, and liaising with public transport providers to ascertain if improvements can be made.

In addition, the applicant has sought to offset any additional air quality impacts by adding electric vehicle charging points into the development and has provided a referenced drawing in this regard. Environmental Protection is satisfied that these proposals will offset any air quality impact.

Therefore, the proposal is acceptable in terms of policy Env 22.

### **f) Sustainability**

LDP Policy Des 6 (Sustainable Buildings) requires that new developments take cognisance of measure to promote sustainability including reducing carbon emissions and encouraging sustainable transport.

The applicant has indicated that the building will be constructed to allow for enhanced u-values. In addition, there will be increased cycle parking and general promotion of sustainable transport methods.

This is acceptable and in accordance with policy Des 6.

### **g) Other Material Issues**

#### **The Impact on the Local Nature Conservation Site**

LDP Policies Env 15 (Sites of Local Importance) and Env 16 (Species Protection) requires that development will not have an adverse impact on flora, fauna or landscape unless mitigation is proposed and acceptable; and where a full survey has been carried out to ascertain the status of a protected species potentially affected by the proposals.

In this case, the site is adjacent to the Braid Burn Local Nature Conservation Site and a survey of the sections of the Braid Burn within 250 metres of Cameron Toll Shopping Centre was carried out. The aims of the survey were to identify the potential for, or presence of, otters within the site and to advise on any potential effects that the development may have on otters.

Evidence of otter in the form of spraints was found within the site. However, as there was no evidence of any otter resting places found within 250 metres of the proposed works, the report concluded that otters are likely using the Braid Burn as a commuting route only. The proposal is therefore unlikely to affect otters, as the area of proposed works is within the existing footprint of the shopping centre.

Additionally, the Braid Burn runs throughout an active urban area and as such already suffers a degree of disturbance from its proximity to both roads and pedestrian areas. Therefore, the operational aspects of the proposed cinema development are unlikely to cause additional levels of disturbance to that which otters are experiencing at present.

Provided that the requirements and recommendations, discussed within Section 6 of the Otter Survey Report, with regards to otters and the proposed works at the site are adhered to, the development can go ahead without the need for further survey.

This is dealt with as a condition of the planning permission. Therefore, the proposal accords with LDP policies Env 15 and Env 16.

### **Flooding and Drainage**

LDP Policies Env 21 (Flood Protection) and Env 22 (Pollution and Air, Water and Soil Quality) requires that developments should demonstrate that there would be no increased risk of flooding, impede the flow of flood water or deprive a river system of flood water storage. Appropriate mitigation is required to minimise any adverse impacts.

With regards to surface water, due to the presence of cohesive soils and deep made ground, infiltration for the disposal of surface water will not be possible. It is proposed to capture and attenuate all surface water from the building before attenuating and discharging to the existing water course, as is currently the case. An underground tank is proposed as the SUDS feature best suited to the development with a connection to the culverted water course. Although this approach is generally not supported, the site options for surface water attenuation are limited. The tank will be privately managed, and therefore is acceptable in this instance.

Given that the surface water outfall from the site will connect into a culverted watercourse, it is proposed that the flows from the site are restricted to a rate based on a typical greenfield runoff rate of 4.5 litres per second per hectare. In this instance, it is proposed to attenuate flow from the site to 3.0l/s up to the 1:200 (plus 40% climate change) level. This has been chosen as the lowest recommend flow rate to minimise potential for blockages in line with Council guidelines.

Final details of surface water management are recommended as a condition of the planning permission, in conjunction with SEPA and CEC Flooding requirements.

## **Archaeology**

Although the site has been significantly affected by the construction of the shopping centre, it historically overlies the northern limits of the medieval village of Nether Liberton. Occurring over part of the existing car park, the development site is regarded as being of archaeological potential given that no archaeological work was undertaken at the time of the shopping centre's construction. Although affected by the construction of the centre and car-park, it is considered possible that significant remains may still underly this area. Therefore, given the extensive nature of excavations required for development, it is recommended that a programme of archaeological work is undertaken prior or during development to ensure the appropriate protection and/or full excavation, recording and analysis of any surviving archaeological remains.

This is recommended as a condition of the planning permission.

## **h) Representations**

The application was advertised on 17 January 2020 and 211 letters of representations were received. This comprised 196 letters of objection, 10 of support and 5 of general comment. These included comments from the local community councils and adjoining tennis club.

## **Material Objections**

- The principle of the development and the need for an additional cinema (addressed in (a));
- Road capacity issues (addressed in (e));
- Amenity issues (addressed in (d));
- Air quality issues (addressed in (g));
- Height of the building (addressed in (b));
- Design of the building (addressed in (b));
- Materials (addressed in (b));
- Impact of potential parking on neighbouring streets (addressed in (e));
- Impact on the access into the adjacent tennis club (addressed in (e));
- Impact on listed buildings (addressed in (c));
- Lack of details on ventilation and plant and waste collection (addressed in (g)).

## **Support**

- Location of cinema and ability to travel locally to the proposed amenity;
- Beneficial to local community;
- General enhancement to the area;
- The site is served by good transport links;

## **General Comments**

- Impact on parking spaces;
- Impact on pedestrian accesses;
- Impact on accessible parking spaces.

## **Non-material Issues**

Increase in anti-social behaviour;  
Licensing issues;  
Impact of construction works on adjacent tennis club.

It should be noted that the planning system does not operate to protect the amenity of facilities such as the adjacent tennis club. However, through discussions, the developer and the tennis club have reached an agreement through a memorandum of understanding in relation to access, promotion of the club and sponsorship.

All representations have been considered and taken into account during the assessment of the application.

## **Conclusion**

The principle of the development in this location is acceptable. The proposal is appropriate in design and in keeping with the character of the immediate surrounding area. The proposal will maintain amenity to existing nearby residential areas and will have no adverse impact on the conservation area or listed buildings. The proposal is in accordance with LDP Policies Des 1, Des 2, Des 3, Des 4, Des 5, Des 6, Des 7, Des 8, Env 3, Env 6, Env 9, Env 21, Env 22, Hou 7, Ret 1, Ret 4, Ret 8, Tra 8, and broadly complies with the council's non-statutory guidance.

The proposal therefore complies with the development plan. There are no other material considerations that outweigh this conclusion.

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

## **3.4 Conditions/reasons/informatives**

### **Conditions:-**

1. A 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. No development shall take place until the Flood Risk Assessment and Surface Water Management Plan information has been submitted and approved in writing by the Planning Authority in consultation with SEPA.
3. Prior to the commencement of works on site, a plan shall be submitted showing the provision of cycle parking for at least 25 additional cycles, for approval by the Planning Authority. The cycle parking shall be installed prior to the occupation of any part of the development, and maintained as per the approved plan.
4. No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, reporting and analysis and publication) in accordance with a written scheme of investigation

which has been submitted by the applicant and approved by the Planning Authority.

5. The noise mitigation measures for the air handling units, as defined in the Sharps Redmore Report (No. 1717572 dated 5th May 2020): paragraph 3.9 (performance requirement for AHU attenuators) shall be installed prior to operations beginning.
6. The sound insulation measures for the cinema building, as defined in the Sharps Redmore Report (No. 1717572 dated 5th May 2020): paragraph 3.11 (performance requirement specification) and shown on drawing 190096(T)023 Rev D shall be installed prior to operations beginning.
7. The ventilation measures as shown on drawing numbers 190096(D)007 Rev B, 190096(D)008 Rev B and 190096(D)009 Rev B shall be fully installed prior to the use of the development beginning.
8. The requirements and recommendations, including mitigation, as recommended within Section 6 of the Echoes Ecology Otter Survey dated 30 January 2018 with regards to otters and the proposed works at the site shall be carried out.

**Reasons:-**

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In the interests of management of surface water and drainage.
3. In the interests of sustainable travel.
4. In the interests of cultural heritage.
5. In the interests of amenity.
6. In the interests of amenity.
7. In the interests of amenity.
8. In the interests of nature conservation.

**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. The applicant will be required to provide 6 electric vehicle (EV) parking spaces in order to comply with the Councils current Parking Standards.
5. In support of the Council's LTS Cars1 policy, the applicant should consider contributing the sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area.
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.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

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

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

## **Equalities impact**

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### **6.1 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**

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### **7.1 The sustainability impact has been assessed as follows:**

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

## Consultation and engagement

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### 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 17 January 2020 and 211 letters of representations were received. This comprised 196 letters of objection, 10 of support and 5 of general comment. These included comments from the local community councils and adjoining tennis club.

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

### Background reading/external references

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- 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**

Cameron Toll Shopping Centre is a commercial centre in the Edinburgh Local Development Plan. A tram route safeguard runs along the northern boundary of the shopping centre site.

**Date registered**

18 December 2019

**Drawing numbers/Scheme**

10-04, 05A, 06A, 07, 08, 09A, 10A, 11-13,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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**Links - Policies**

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**Relevant Policies:**

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

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

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

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

LDP Policy Des 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 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 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 4 (Commercial Centres) sets criteria for assessing proposals for additional retail floorspace in a commercial centre.

LDP Policy Ret 8 (Entertainment and Leisure Developments - Other Locations) sets out the circumstances in which entertainment and leisure developments will be permitted outwith the identified preferred locations.

LDP Policy Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

LDP Policy Tra 7 (Public Transport Proposals and Safeguards) prevents development which would prejudice the implementation of the public transport proposals and safeguards listed.

### **Other Relevant policy guidance**

**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 19/06001/FUL At Cameron Toll Shopping Centre, 6 Lady Road, Edinburgh Proposed cinema development (Class 11) with ancillary Class 1 (retail), Class 2 (Financial and Professional Services) and Class 3 (Food and Drink) use, reconfiguration of existing car park and landscaping (as amended).**

### **Consultations**

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#### **Archaeology response dated 27 January 2020**

*Further to your consultation request I would like to make the following comments and recommendations in respect to this application for a proposed cinema development (class 11) with ancillary class 1 (retail), class 2 (financial and professional services) and class 3 (food and drink) use, reconfiguration of car park and landscaping.*

*The site adjacent to the medieval estate of Inch House and overlies the northern limits of the small historic rural settlement of Nether Liberton, first recorded in 1369. The layout of this small medieval village can be seen on General Roys 1750s Military Survey and J Lauries 1766 A plan of Edinburgh and places adjacent and comprised a small number (8) of buildings spread on each side of the Braid Burn with the focus being the former Nether Liberton Mill.*

*The site is therefore regarded as occurring within an area of archaeological importance both in terms of late-medieval and post-medieval development of Neither Liberton. Accordingly, this application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and Edinburgh Local Development Plan (2016) ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

*Although the site has been significantly affected by the construction of the shopping centre, the site historically overlies the northern limits the medieval village Neither Liberton. Occurring over part of the centre's car-park the development site is regarded as being of archaeological potential given that no archaeological work was undertake at the time of the centre's construction. Although affected by the centres and car-parks construction, it is considered possible that significant remains may still underly this area. Therefore, given the extensive nature of excavations required for construction, it is recommended that a programme of archaeological work is undertaken prior / during development. to ensure the appropriate protection and/or full excavation, recording and analysis of any surviving archaeological remains.*

*Accordingly, it is essential that the following condition is attached to this consent to ensure that undertaking of the above elements of archaeological work are undertaken.*

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

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

### **Gilmerton and Inch Community Council response dated 11 February 2020**

*It is recognised that a development of this kind situated at the edge of the Gilmerton and Inch community council area could provide a valuable resource for the whole of the south-east sector of Edinburgh which is currently not well served with entertainment facilities. It would reduce the need for lengthy car journeys to town centre and other facilities and would encourage the use of the convenient shorter duration and more direct public transport links in the area. This is an important consideration in view of the substantial housing development taking place towards the outskirts of the community council area. Furthermore, it would be located within a very reasonable walking distance for a large number of residents including University of Edinburgh students who are to be housed at the proposed Peffermill development.*

*However it also has to be recognised that the box-like structure proposed for the multiplex development is disappointing and we would like to see further consideration given by the developers in consultation with planning officers to a more sympathetic design with some architectural merit which sits low rise within the environment ensuring a limited adverse visual impact such as has been achieved with the shopping centre. As far as possible, it should mirror what has been achieved with the Cameron Toll shopping centre design and certainly should not, if at all possible, obtrude on the skyline above that height.*

*Operational arrangements should be put in hand to ensure effective noise control and the absence of littering in order to minimise inconvenience and loss of amenity to local residents and businesses.*

*It is claimed by the developers that the loss of car parking spaces necessary to accommodate this development will have no adverse effect on the customers of the shopping centre on the basis that there is currently an overprovision of spaces necessary to meet demand. We are prepared to accept that statement at face value, subject to information to the contrary, but would not wish to see at a future date a request for additional car parking, whether multi-storey or not, in recognition of later perceived difficulties in this regard.*

*There are special circumstances which relate to local residents and patrons of neighbouring Inch Park and Inch House Community Centre, the 75th Braids Scout Hall, the Conan Doyle Medical Centre and GP Surgery and perhaps especially the Craigmillar Park Tennis Club whose premises, despite the name, sit right on the boundary of, and*

*whose only access is from, that point in the shopping centre car park where the multiplex is to be located. All existing rights of access and car park provision within the shopping centre car park by these groups and organisations should be recognised, protected and, where appropriate, improved. It should be noted that the Tennis Club require the continuation of vehicular as well as pedestrian access for reasons which they will detail in their submission.*

*Of the local organisations, the Tennis Club is likely to be the most adversely affected during the construction phase and their legitimate concerns during this period should be addressed sympathetically with effective communication channels providing full consultation and consideration. The integrity and stability of their boundary wall and verge and associated security must be maintained throughout the construction phase. In addition, their close proximity to the finished development, a planned mere road width, strengthens the need for a sympathetic attractive design.*

*This development, should it go ahead, supports the case for improved access as part of an integrated pedestrian and cycle provision in the Cameron Toll, Lady Road, Liberton Road and surrounding area which, at the same time, recognises the continuing needs of other road users including bus, car and the disabled. The Community Council hopes that this opportunity will be grasped at this time.*

*This submission on behalf of the Community Council should be regarded as a qualified approval to this development subject to the matters of concern as described above being met.*

## **Transport 2 March 2020**

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

- 1. The applicant will be required to provide 25 cycle parking spaces in order to comply with the Councils current Parking Standards;*
- 2. The applicant will be required to provide 6 electric vehicle (EV) parking spaces in order to comply with the Councils current Parking Standards;*
- 3. In support of the Council's LTS Cars1 policy, the applicant should consider contributing the sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area;*
- 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. The Applicant should review cycling facilities across the Cameron Toll Centre, and consider additional and improved cycle parking (including provision for e-bikes), staff showers, changing rooms and drying facilities;*

Note:

I. The application has been assessed under the 2017 Parking Standard. These permit the following for a development of this size and nature in zone 2:

a. A maximum of 132 car parking spaces, 37 parking spaces are proposed within the boundary of this application. The assessment is as follows:

i. 890 seat cinema (1 space per 10 seats) = 89 spaces;

ii. 349m<sup>2</sup> restaurant (1 per 14m<sup>2</sup>) = 25 spaces

iii. 268m<sup>2</sup> retail (1 per 50m<sup>2</sup>) = 5 space

iv. 275m<sup>2</sup> GP practice (1 per 35m<sup>2</sup>) = 8 spaces

b. A minimum of 25 cycle parking spaces, the assessment is as follows:

i. 890 seat cinema (1 space per 50 seats) = 18 spaces;

ii. 349m<sup>2</sup> restaurant (1 per 75m<sup>2</sup>) = 5 space

iii. 268m<sup>2</sup> retail (1 per 250m<sup>2</sup>) = 1 space

iv. 275m<sup>2</sup> GP practice (1 per 250m<sup>2</sup>) = 1 space

c. A minimum of 8% of the total car parking capacity should be designated as accessible. 15 accessible spaces are proposed, equating to 40% of the parking;

d. A minimum of 1 of every 6 car parking spaces should be equipped for electric vehicle charging, equating to 6 EV spaces;

II. A transport assessment has been submitted in support of the application. Travel demand has been prepared utilising the TRICs database and applying local mode share data to develop relevant trip generation information that can be utilised to consider the impacts of trips, particularly vehicle trips generated by the proposals, which will need to be considered against existing traffic volumes and junction capacity. The results of the TRICs analysis has shown that the peak time for the proposed uses all occur at different times and outside of the normal morning and evening peaks. However, to provide a "worst case" scenario it has been assumed that the peaks for these uses all occur at the same time. This analysis predicts that the proposed development will generate 99 two-way vehicle trips during the weekday peak and 118 two-way vehicle trips at the weekend peak. It should be noted that based on similar applications across Scotland of similar facilities within existing retail parks and centres where assumption of 75% of trips are linked. The applicant has assumed a 50% linked journey rate with the restaurant (Centre and Cinema) and all Cinema trips will be new however the applicant has highlighted that these trips are also likely to be linked as well. The Applicant has also provided a Threshold assessment to consider the predicted increase in traffic on the surrounding road network. Traffic count data collected from Lady Road and Sharpdale Loan in 2018 at both Centre access points was utilised for this assessment. The distribution of the development traffic is predicted to be:

a. Lady Road - 46% Arrival / 53% Departure

b. Sharpdale Loan - 54% Arrival / 47% Departure

The proposed development peaks all fall out with standard peak times so the assessment was undertaken on the Saturday lunchtime peak 1230-1330 and shows the development would have a maximum impact of:

a. Lady Road is estimated as a 3% increase in traffic, which equates to 20 additional veh/hr above the existing 756 veh/hr (1 additional vehicle every 3 mins)

b. Sharpdale Loan is estimated as a 2% increase in traffic, which equates to 21 additional veh/hr above the existing 768 veh/hr (1 additional vehicle every 3 mins).

This has been assessed by transport officers and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The submitted document is generally in line with the published guidelines on transport assessments.

III. The proposals will lead to a net loss of 182 car parking spaces across the Cameron Toll Centre from 1,049 to 867 parking spaces. In order to justify this a parking assessment has been provided to estimate parking demand for the Cameron Toll Centre with the addition of the proposed development. Existing parking demand was determined using parking surveys that took place on Thursday 14th November and Saturday 16th November 2019 between 0530-2330. These surveys found that that peak parking period for the weekday was 1100-1200 and 1400-1500 at the weekend. Both peaks are well within capacity of the current parking provision at 803 and 849 vehicles respectively. Predicted Parking demand for the proposals was calculated using accumulation values based on the trip generation data then combined with existing demand to provide a forecast for the whole Cameron Toll Site, which found:

- a. Weekday peak demand of 830 vehicles parked between 1100-1200;
- b. Weekend peak demand of 885 vehicles parked between 1400-1500;
- c. Predicted weekday peak still within proposed parking capacity;
- d. Predicted weekend peak shows shortfall of 18 car parking spaces;

The Applicant has highlighted that currently the Cameron Toll Centre car park has no parking controls on it and evidence from the parking surveys shows that the car park is being utilised as a long stay car park by what is assumed as commuters and staff. As this parking is not the primary role of the car park the Applicant is proposing the use of an ANPR based parking management system to limit the maximum stay of any one vehicle which it will enforce through financial penalties. By applying this system and effectively removing the vehicles that stay for 8 or more hours the peak predicted parking demand for weekend will be 776 vehicles, 90 vehicles below capacity. Whilst there are minor concerns about the level of supporting data used in establishing the existing demand, based on the proposed parking management system and that the reduction of car parking contributes to several of the Council's aims and objectives around car use and ownership, the proposals in terms of car parking are considered acceptable;

IV. The Cameron Toll area is currently on the boundary of the existing Priority Parking Area (PPA) B6. As per the Strategic Parking Review that was reported to the Council's Transport and Environment Committee in September 2019 the Cameron Toll area is not earmarked for any form of parking controls. However, the areas to the north are earmarked for either a form of controlled parking or further monitoring from the Parking and Enforcement team. These are as follows:

- a. PPA B6 - Further Monitoring
- b. Blackford - Further Monitoring
- c. Prestonfield - PPA
- d. PPA B1 (Newington) - CPZ
- e. PPA B7 - CPZ

V. The Applicant has committed to producing a Travel Plan in line with the current Travel Plan Framework and has set out proposed measures to encourage staff and visitors to use alternatives to private car travel to and from Cameron Toll. The Applicant proposes the following as part of the travel plan:

- a. Travel Plan Co-ordinator to develop, implement and monitor the measures set out in the Travel Plan;
- b. Encourage cycling through monitoring of the existing and proposed cycle parking and provide additional where required;
- c. Provide up-to-date information on notice boards related to active travel and public transport;
- d. Liaise with public transport operators in advance of the facilities opening and ensure that services will cover the needs of future users;
- e. Encourage multi-occupancy car travel through the liftshare scheme

## **Environmental Health 20 May 20**

*I refer to the above and would advise that Environmental Protection has no objections to the proposed development.*

*The application proposes a new cinema development with ancillary Class 1, 2 and 3 Uses and includes a reconfiguration of the existing car park.*

*The applicant has confirmed that any premises with an operational kitchen will vent odours to roof level and attain a minimum of 30 air changes per hour ventilation rate. It is expected that this will ensure that odours will not impact upon localised residential amenity.*

*The application is likely to increase vehicular trips as customers visit the developed site. Therefore localised air quality impacts could increase due to this development. The applicant has advised that the application will reduce the overall number of car parking spaces within the development from 1049 to 867 due to the build occurring on existing parking spaces. The local area is well served by public transport and easily reached by walking and cycling so any reduction is supported. In addition, the applicant has sought to offset any additional air quality impacts by adding electric vehicle charging points into the development and have provided a referenced drawing in this regard. The applicant is also strongly encouraged to install further sustainable measures to assist the city to meet its climate change targets (e.g. heat pumps/solar panels etc)*

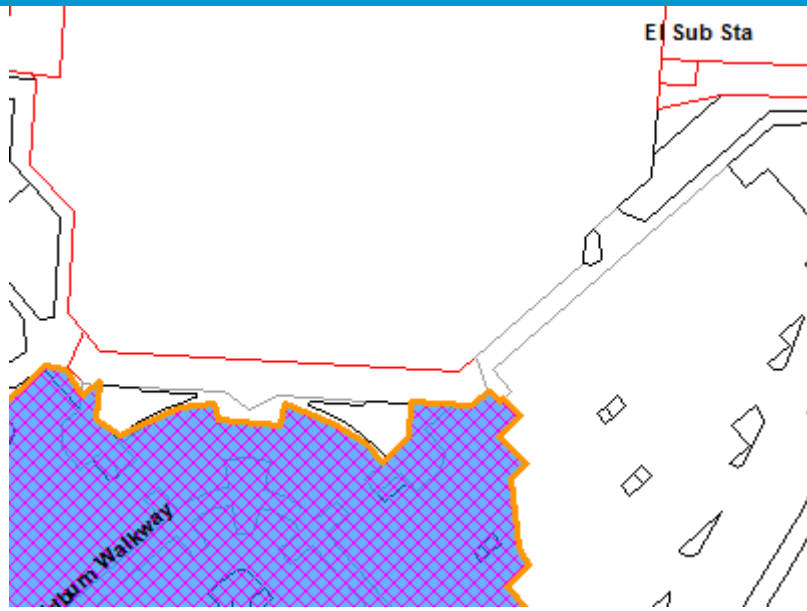
*The applicant has provided a noise impact assessment in support of the application which advises that noise from the cinema, Class 1, 2 and 3 will be suitably controlled. A condition is recommended below which outlines the mitigation measures specified within the noise impact assessment which are designed to ensure noise will not impact upon nearby residential amenity.*

*Therefore, Environmental Protection offers no objection to this development subject to the following conditions:*

- 1. The noise mitigation measures for the air handling units, as defined in the Sharps Redmore Report (No. 1717572 dated 5th May 2020): paragraph 3.9 (performance requirement for AHU attenuators) should be installed prior to operations beginning.*
- 2. The sound insulation measures for the cinema building, as defined in the Sharps Redmore Report (No. 1717572 dated 5th May 2020): paragraph 3.11 (performance requirement specification) and shown on drawing 190096(T)023 Rev D should be installed prior to operations beginning.*
- 3. The ventilation measures as shown on drawing numbers 190096(D)007 Rev B, 190096(D)008 Rev B and 190096(D)009 Rev B should be fully installed prior to operations on site beginning.*
- 4. The electric vehicle charging points as shown on drawing reference 190096(D)005 Rev D should be installed prior to operations beginning.*

## Location Plan

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**END**



## Development Management Sub Committee

Wednesday 01 July 2020

**Application for Planning Permission 19/01036/FUL  
At Car Park, Torphin Road, Edinburgh  
Application for a new residential building, comprising 9  
flats and 2 houses, with associated infrastructure,  
landscaping and engineering works (as amended).**

**Item number**

**Report number**

**Wards**

B08 - Colinton/Fairmilehead

### Summary

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The proposal does not comply with the Edinburgh Local Development Plan. The development site is within the green belt and there is no shortage in the five year housing land supply which would justify the release of the site for housing.

While there may be some relationship of the development to the nearby class 8 use, the design quality of the development falls far below that which would be expected for this highly sensitive site. It would have an unacceptable impact on the special landscape area and rural character of the area. In addition, the proposal would fail to provide an adequate level of amenity for future occupiers.

There are no material considerations that outweigh this conclusion.

### Links

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[Policies and guidance for this application](#)

LDPP, LHOU01, LHOU02, LEN10, LEN11, LEN18, LDES01, LDES04, LDES05, LTRA02, LTRA03, LEN17, NSG, NSGD02, NSGCGB,

# Report

## **Application for Planning Permission 19/01036/FUL At Car Park, Torphin Road, Edinburgh Application for a new residential building, comprising 9 flats and 2 houses, with associated infrastructure, landscaping and engineering works (as amended).**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application site lies to the west of the city across the A720 City Bypass where it is crossed by Torphin Road.

The site measures 0.33 hectares and comprises principally compressed soil and gravel, with a scrub embankment to the south and with mixed shrub planting to the northern and western boundaries. It was previously used as car parking for a former golf club. To the west of the site lies a further area of shrub and young trees along with a wooden bus shelter.

The site is accessed via Torphin Road and shares access with the former Torphin Hill Golf Clubhouse, now a centre for adults with learning disabilities and complex needs, which is situated approximately 150 metres away. The site sits opposite a group of five residential bungalows and is primarily surrounded by fields in agricultural use to the south and west.

The site lies within the Edinburgh Green Belt, Pentland Hills Regional Park, Pentlands Special Landscape Area and an area of open space as defined by the Edinburgh Local Development Plan.

#### **2.2 Site History**

22 June 2017 - Planning permission granted for temporary use of existing car park for storage container (application reference 17/01778/FUL)

#### Related applications - Torphin Hill Golf Clubhouse

9 May 2017 - Planning permission was granted for change of use from golf clubhouse (class 11) to residential accommodation with care (class 8). This involved alterations and extensions to the existing club house to form two bedroom care flats with ancillary staff accommodation and new toilets for an existing meeting room. New workshops were formed in the adjoining land (as amended) (application reference: 15/01378/FUL).

## Main report

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### 3.1 Description Of The Proposal

The application seeks planning permission for a residential development consisting of nine flats and two houses in a singular 'S' shaped terraced block. It is indicated that some of this will be for supported living.

The two houses would occupy either ends of the block at two storeys in height. The centre of the building would accommodate the nine flats with a slight step down at the roof ridge and eaves. The building would be approximately 67 metres in total length.

The houses comprise two three bedroom dwellings. The flats are proposed as one four bedroom flat, four two bedroom flats and four one bedroom flats of which two provide access for people with disabilities. In addition, there are two separately accessed common rooms measuring 53sqm and 60sqm and a separate laundry room to the ground floor.

The block is proposed with main walls in white render, projecting rear porches with a stone finish and a grey slate roof. Photovoltaic panels are proposed to south facing roof slopes.

There is shared open space to the north and west of the block and a bin store, cycle store and 15 car parking spaces to the west. Additional planting is proposed to the northern boundary and west of the site. A gravel path is proposed to the rear of the development connecting with the existing bus shelter.

#### Previous Scheme

The original scheme proposed the construction of a total of 13 dwellings comprising two houses and eleven flats.

### Supporting Information

The following documents were submitted in support of the application:

- Planning Statement
- Planning Statement Addendum
- Landscape and Visual Appraisal
- Green Belt Assessment
- Housing Land Supply Statement
- Phase 1 Environmental Risk Assessment
- Settlement and Local Character Appraisal
- Preliminary Ecological Appraisal
- Flood Risk and Drainage Strategy
- Public Consultation Report
- Design and Access Statement

The applicants submitted a further Planning Statement Addendum on 8 June 2020.

These can be viewed on the Planning Portal.

### 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 housing and design is acceptable;
- b) the proposals would have a detrimental impact on the Special Landscape Area;
- c) the impact on neighbouring amenity is acceptable;
- d) amenity for future occupiers is acceptable;
- e) the proposal will have any parking, traffic or road safety issues;
- f) other matters have been addressed; and
- g) any public comments have been addressed.

#### a) Principle and design of housing

The supporting statements for this application make considerable reference to the proximity of the site to the former golf clubhouse, which is now a class eight use providing accommodation with care. The proposal is not for class eight use. The proposal would constitute both mainstream and supported living housing provision.

The application site lies within the Edinburgh Green Belt, the Pentland Hills Regional Park, the Pentland Hills Special Landscape Area and within an area of open space as defined in the Local Development Plan.

The Edinburgh Local Development Plan (LDP) sets out two key policies for assessing the principle of housing in green belt locations, policy Hou 1 (Housing Development) and policy Env 10 (Development in the Green Belt and Countryside). Policy Hou 2 is also relevant to the consideration of the supported living provision. The applicant has submitted a Planning Statement, Housing Land Supply Statement and Planning Statement Addendums relating to both policies which are addressed in turn below.

#### *Policy Hou 1*

Both mainstream and supported living housing require to be assessed under the LDP policy Hou 1 (Housing Development). This policy relates to the location of housing development and consists of two parts. The first part gives priority to housing development in the urban area as defined in the LDP.

The application site lies in the green belt as defined in the LDP Proposals Map and is not supported by part 1 of Policy Hou 1. Should there be a deficit in the maintenance of the five year housing land supply (as evidenced through the housing land audit), the site may be assessed in terms of part 2 of Policy Hou 1.

The latest assessment of the housing land supply in the City of Edinburgh is the 2019 Housing Land Audit and Completions Programme (HLACP), which was reported to Planning Committee on 2 October 2019. The capacity of the housing land supply and the anticipated programme of completions within the HLACP were agreed as reasonable with Homes for Scotland.

The HLACP examines both the supply of effective housing land (an input) and the expected delivery of new homes (the output). The 2019 HLACP demonstrates that there is more than sufficient effective housing land to meet the housing land requirements included in the adopted Local Development Plan, November 2016. The HLACP also demonstrates that the five year completions programme (previously referred to as the five year effective land supply) is above the five year completions target. There is, therefore, no shortfall in either the supply of effective housing land or the expected delivery of new homes over the next five years.

The applicant's submitted Planning Statement dated February 2019, Housing Land Supply Statement dated February 2019 and an additional addendum of June 2020 set out that, in the applicant's view, the Council is not maintaining a five year housing land supply. The applicant suggests that the housing land requirement against which the effective housing land supply should be compared is the remaining housing supply target set out in table 7a of the Adopted Local Development Plan, increased by 10% to ensure generosity.

The Housing Supply Target is the number of new homes to be delivered over the development plan period. The generosity margin is not intended to increase the number of new homes to be delivered over the plan period, rather it is to ensure that there is sufficient land available for the housing supply target to be met should some housing sites fail to come forward as anticipated. As stated above, the HLACP examines both the supply of effective housing land (an input) and the expected delivery of new homes (the output). The 2019 HLACP demonstrates that there is more than sufficient effective housing land to meet the remaining housing land requirement set out in table 7a of the adopted LDP and the five year completions programme (previously referred to as the five year effective land supply) is above the five year completions target.

The applicant's arguments do not outweigh the conclusion that there is an effective housing land supply. The proposal fails to meet the objectives of policy Hou 1 part 1 and part 2 does not apply.

## *Policy Hou 2*

The information submitted with the proposal describes the development as housing offering supported living.

Policy Hou 2 (Housing Mix) sets out that a provision of a mix of house types and sizes, to meet a range of housing needs, including those of families, older people and people with special needs will be sought, whilst having regard to the character of the surrounding area and its accessibility.

Some of these flats will provide supported living, with the remaining flats and dwelling houses for care workers, although these are not necessarily to be associated with the applicant or the class eight use at the former golf club site, now known as Hoyland House. Correspondence with the applicant has not been able to confirm that the development is exclusively for people with support needs.

Whilst the exact makeup is not known, the proposed application, would provide a mix of housing types, including mainstream housing and housing with supported living. This mix addresses, in part, the requirements of policy Hou 2. However, as stated above the principle of housing is not supported under policy Hou 1 and the proposals scale and design fails to have regard to the character of the surrounding area. This element is assessed later in the report.

## *Policy Env 10*

Policy Env 10: Development in the Green Belt and Countryside sets out that development will only be permitted where it meets one of four criteria and would not detract from the landscape quality and/or rural character of the area.

Criteria a) states that development will only be permitted where it is for the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside use is essential and provided any buildings structures or hardstanding areas are of a scale and quality of design appropriate to the use.

The Council's non-statutory Guidance on Development in the Countryside and Green Belt provides further information on the definitions of agriculture, woodland and forestry, horticulture and countryside recreation. The proposed development does not relate to development for the purposes of agriculture, woodland and forestry, horticulture or countryside recreation and as such the first part of criteria a) does not apply.

The applicant's Planning Statement dated February 2019 and Green Belt Assessment advised that the applicant considered that the proposal did not accord with Policy Env 10. The later submitted Planning Statement Addendum dated June 2019 puts forward a contrary view arguing that the proposal accords with policy Env 10 a) by being 'development where a countryside location is essential'.

The Planning Statement and Addendum describe the proposed development as being associated with the operation of two existing facilities which support adults with learning disabilities and complex needs. This includes Hoyland House, approximately 150 metres away which provides residential accommodation with care (class 8) along with

workshop facilities and additional facilities located 500 metres along Torphin Road, which are also run by the applicant. It is stated that the residential development will provide rented accommodation in a shared living arrangement to individuals, families and people with learning disabilities and other support needs many of whom work or receive day care at the existing facilities. The proximity of the development to existing facilities will mean that help and support will be available at all times by trained care workers.

The Planning Statement Addendum puts forward that the countryside location is essential as "the rural location also provides a sense of security, and peacefulness that cannot be easily reproduced in an urban location. Residents with autism and learning difficulties can find urban locations unsettling or overwhelming."

### *Env 10 - Other Criteria*

Additional criteria under policy Env 10 set out that development will only be permitted:

- b) For the change of use of an existing building.
- c) For development relating to an existing use or building(s) such as an extension to a site or building, ancillary development or intensification of the use, provided the proposal is appropriate in type in terms of the existing use, of an appropriate scale, of high quality design and acceptable in terms of traffic impact.
- d) For the replacement of an existing building with a new building in the same use.

Criterion (c) provides for development that relates to an existing use, and the applicant's supporting information makes frequent reference to the close connection in terms of location and function between the existing class eight use at Hoyland House and the proposal.

The site was the former car park associated with the golf course, which included the clubhouse, and as such, had an historical, incidental function with that building. Although the former golf use no longer exists, following the grant of planning permission to change the use of the clubhouse, the application site and former club house have the potential of an operational relationship, having 150m separation distance.

The description of development specifies the formation of residential units only and does not make reference to it being an incidental use. The supporting statements provide greater clarity on the function of the units, although they do contain some conflicting information in terms of the proposed relationship between the applicant's other facilities, which are nearby, and the proposed residential units subject of this application.

The proximity of the existing, lawful facilities, and the historical relationship between one of these properties and the application site, provides some justification for acknowledging the ability for the development to operate in an incidental and supplementary manner. However, any grant of planning permission using the description of development, could result in the units being used for mainstream housing, which would not comply with any of the criteria of LDP Policy Env 10.

To avoid such circumstances, it would be necessary to restrict the use of all of the units to ensure they were linked to the functions of the class eight facility at Hoyland House. This would require to be done via a legal agreement.

Notwithstanding the above, criterion (c) requires that the proposal should be of a high quality design and the overarching test for greenbelt development is that it must not detract from the landscape quality and/or rural character of the area. Design policies are relevant to this part of the assessment.

Policy Des 1 (Design Quality and Context) 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.

The form, height and scale of the proposed development is urban in character. The continuous terraced 'S' block form is of a substantial length and the proposed height at 7.8 metres is equivalent to a two storey building. Much of the flatted accommodation is within the upper floor, leading to a building with a significant roof form which is out of scale with its surroundings. The use of natural slate for the roof, whilst more appropriate, does not adequately mitigate this form. The use of white render for the elevations, while a traditional material, will also increase its visibility within the Special Landscape Area. The proposed design does not draw on any positive characteristics of the surrounding area in height and scale and would be inappropriate within the rural character of the area.

LDP Policy Des 4 (Development Design - Impact on Setting) requires new development to have a positive impact on its surroundings, including the character of the wider townscape and landscape character, and impact on existing views. This includes in terms of height and form, scale and proportions, positioning of buildings, and materials and detailing. As set out above the design is considered inappropriate and will have a negative impact on its surroundings.

Policy Des 9 (Urban Edge Development) seeks to maintain the defensibility of the green belt boundary and its objectives. The proposed development lies within the green belt directly over the boundary from the urban area, which in this location is clearly demarked by the A720 City Bypass. Development in this location weakens the defensibility of the green belt boundary and does not meet the requirements to conserve and enhance the landscape setting and special character of the city.

The proposal is contrary to policy Env 10, supported by policies Des 1, Des 4 and Des 9. The form and scale of the design is inappropriate and its quality falls far below that which would be expected for this highly sensitive site in the greenbelt. The development, by virtue of its design, would severely impact on the character and qualities of the surrounding area. While there is a relationship with the nearby use at Hoyland House, the proposal fails to comply with the requirements of policy Env 10 c) in respect of design quality.

#### b) Special Landscape Area

Policy Env 11 (Special Landscape Areas) states that planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of the special landscape area.



The site is located within the Pentland Hills Special Landscape Area as defined on the LDP Proposals Map. This landscape character assessment for the Pentland Hills contained within the Edinburgh Landscape Character Assessment (2010) describes the area as playing an important role in providing visual containment with views to the Pentlands and city edge important. It consists mainly of sloping farmland and shelterbelts and provides a foreground to the rugged character of the Pentland Hills. The area is noted as being visible from the A720 City Bypass.

The applicants have provided a Landscape and Visual Appraisal. This describes the site as being located within an 'established node of built form' and that views into the site are contained to a 'very localised area'.

The application site sits directly opposite a row of five bungalows with the former golf club house located to the south of the site screened from view behind a hilled embankment. Other than the bungalows, there are no other buildings visible within the immediate site area which is surrounded by farmland. Historic maps show that the bungalows date to before the construction of the A720 City Bypass which left them separated from similar properties further along Torphin Road which are within the urban area. The character of the immediate and wider area remains rural in character.

The landscape form would mean that view towards the site from the south would largely be obscured. However, from the east and west, along Torphin Road the development would be visible. Potential views from the bypass and urban area, where not obscured by planting, or in winter months, would mean that the development would be partially visible within the landscape.

The site is also located within the Pentland Hills Regional Park. Policy Env 17 (Pentland Hills Regional Park) seeks to protect the aims of the park and principally relates to ensure proposals do not have unacceptable impact on the character and landscape quality. The site is relatively well screened from distant views due to topography and trees. The presence of the bungalows opposite the site forms an isolated, but distinct character within the immediate vicinity that would allow a compatible development to exist on the former car park. However, given the design and form of the proposal, it would constitute an over-dominant and incongruous development that would fail to respect the surrounding rural characteristics.

Policy Env 18 (Open Space Protection) protects against the loss of open space. The proposal is within a designated area of open space, although its loss would not impact on the provision of open space in the area, as this designation is associated with the former use of the wider site as a golf course.

The development, as proposed, would have a significant adverse and unacceptable impact on the rural character of the area and ultimately the character and qualities of the Special Landscape Area and Pentlands Regional Park and is contrary to policies Env 11, Env 17 and Env 18.

### c) Neighbouring amenity

Policy Des 5 (Development Design - Amenity) states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

The existing bungalows would sit approximately 20 metres in distance from the proposed residential block. There is screening to lower levels provided by existing and proposed hedging. Privacy distances are generally acceptable, although the upper storey flats would cause a level of overlooking across the public road.

The applicant has submitted a drawing within the design and access statement to demonstrate that the properties would not be significantly overshadowed by the proposed development.

The development does not raise significant issues in respect of neighbouring amenity under Des 5.

### d) Amenity for future residents

The Edinburgh Design Guidance provides detail on the minimum internal floor areas for different properties - as follows:

- 1 bedroom - 52 sqm
- 2 bedroom - 66 sqm
- 3 bedroom - 81 sqm
- 3+ bedroom - 91 sqm

The development includes a mix of one, two, three and four bedroom properties including two one bedroom disabled flats adapted for disabled use. However, all of the one bedroom flats, ranging from 39sqm to 44sqm, and all of the two bedroom flats, ranging from 54sqm to 64sqm fail to meet the minimum space standards.

The applicant's Design and Access Statement refers to the removal of lobby areas to the flats to increase the habitable areas of the flats. However, in some case the total floor area falls 20% below minimum standards. The proposed common rooms are intended to be shared by the residents, but this does not satisfactorily compensate for the deficiency in amenity for future occupiers in their own flats.

LDP Policy Hou 3 (Private Green Space in Housing Development) requires developments to provide adequate provision for green space to meet the needs of future residents. The proposed development provides communal shared space around the development. While there is some overshadowing of the southern space due topography of the site, given the wider context of being adjacent to the Pentland Hills, this detraction upon the quality of the space is acceptable in this instance.

The proposed development includes a significant number of properties which do not meet minimum space and amenity standards and is contrary to Des 5.

## e) Transport

Policy Tra 2 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.

Policy Tra 3 states that planning permission will be granted for development where proposed cycle parking and storage provision complies with the standards set out in Council guidance.

The proposal does not raise any issues in respect of road safety. The Council's transport officer has commented that the provision of 24 cycle spaces does not meet the required provision and that should the development go ahead, this would require provision of 28 cycle parking spaces in a secure and undercover location in line with the Council's parking standards.

The provision of 15 car parking spaces, including two electric charging points and two disabled spaces, meet the Council's parking standards.

## f) Other Planning Matters

### *Natural Heritage*

On the request of the biodiversity officer the applicant has provided a Preliminary Ecological Appraisal. The appraisal has confirmed that no protected species have been found on site but that measures would be required during construction to ensure protection of small mammals. It is noted that Japanese Knotweed was found on site and that any treatment or removal of Japanese Knotweed should be undertaken in accordance with SEPA guidance. Clearance of vegetation should be at times so as not to disturb nesting birds and that biodiversity enhancements are recommended in relation to swift bricks.

### *Environmental Protection*

Environmental health officers require any floodlighting to not exceed 25 Lux and provision of two electric vehicle charging points. They did not raise issues in respect of noise.

### *Contributions*

The development falls within the Firhill Contribution Zone for education provision, but the scale of development does not generate an education contribution.

## g) Public comments

### **Material comments - Objection:**

- inappropriate use of green belt land and impact on countryside - this has been addressed in section 3.3 a);
- proposal has no regard to character of local area, scale, massing, design and materials - this has been addressed in section 3.3 a&b);

- loss of amenity, overshadowing and loss of sunlight, privacy and overlooking - this has been addressed in section 3.3 c);
- loss of amenity due to increased traffic and parking - this has been addressed in section 3.3 e);
- loss of wildlife habitat - this has been addressed in section 3.3 f);
- light and noise pollution - this has been addressed in section 3.3 f);

### **Material comments - Support**

- support for the principle of development in relation to the need for provision of specialist housing for people with learning disabilities and autism for which there is a shortage - addressed in section 3.3.a)

### **Non-Material Comments**

- general support for the activities of the applicant Tipherath Ltd. The circumstances and reputation of the applicant is not a material planning consideration.

### **Community Council Comments**

Colinton Community Council have provided a neutral response (neither objecting or supporting the proposal). This recognises there is both support and objection to the development within the community council area and acknowledge that there are likely to be impacts on residents of Torphin Road opposite the development site including increased traffic movements and noise impacts from residents. They consider the terraced form of the development 'questionable in terms of adopted policies'.

### Conclusion

The proposal does not comply with the Edinburgh Local Development Plan. The development site is within the green belt and there is no shortage in the five year housing land supply which would justify the release of the site for housing.

While there may be some relationship of the development to the nearby class 8 use, the design quality of the development falls far below that which would be expected for this highly sensitive site. It would have an unacceptable impact on the special landscape area and rural character of the area. In addition, the proposal would fail to provide an adequate level of amenity for future occupiers.

There are no material considerations that outweigh this conclusion.

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

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

#### **Reasons:-**

- 1) The proposal is contrary to the Local Development Plan Policy Hou 1 in respect of Housing Development, as the site lies within the green belt, and there is no shortfall in the five year housing land supply.
- 2) The proposal is contrary to the Local Development Plan Policy Env 10 in respect of Development in the Green Belt and Countryside, as it would not form a high quality design and would have an adverse effect on the landscape quality of the greenbelt.
- 3) The proposal is contrary to Local Development Plan policies Env 11, Env 17 and Env 18 as it significantly detracts from the character and qualities of the Special Landscape Area and adversely impacts on the character and landscape of Pentland Hills Regional Park and the rural character.
- 4) The proposal is contrary to the Local Development Plan Policy Des 1, Des 4 and Des 9 in respect of design quality and context, as the design is poor quality and inappropriate and would be damaging to the character and qualities of the area.
- 5) The proposal is contrary to Local Development Plan policy Des 5 as future occupiers will have insufficient internal space.

### **Financial impact**

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#### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

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

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

### **Equalities impact**

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#### **6.1 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**

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#### **7.1 The sustainability impact has been assessed as follows:**

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

## Consultation and engagement

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### 8.1 Pre-Application Process

There is no pre-application process history.

### 8.2 Publicity summary of representations and Community Council comments

A total of 102 representations were received relating to the proposal. These included 25 objections, 74 support comments and three neutral comments. Of the 72 support comments received, 11 were received after the closing date for representations. These are summarised and addressed in the assessment section of this report.

### Background reading/external references

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- 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 Edinburgh Green Belt.

**Date registered**

5 March 2019

**Drawing numbers/Scheme**

01-09A,

Scheme 2

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynne McMenemy, Senior Planning Officer

E-mail:lynne.mcmenemy@edinburgh.gov.uk Tel:0131 529 2485

**Links - Policies**

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

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

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

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

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

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

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

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

LDP Policy Env 17 (Pentlands Hills Regional Park) identifies the circumstances in which development will be permitted in the Pentlands Hills Regional Park.

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



# Appendix 1

## **Application for Planning Permission 19/01036/FUL At Car Park, Torphin Road, Edinburgh Application for a new residential building, comprising 9 flats and 2 houses, with associated infrastructure, landscaping and engineering works (as amended).**

### **Consultations**

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#### **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 28 cycle parking spaces in a secure and undercover location in line with the Council's parking standards (2 spaces per 2 or 3 room, 3 spaces per 4 room);*
- 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. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.*

#### **Note:**

- The proposed cycle parking does not appear to meet the Council's cycle parking standards. It is unclear whether the proposal is for 24 stands or 24 spaces but they appear to be located at an insufficient spacing to meet the standards;*
- The proposed development provides 15 car parking spaces, including 2 electric charging points and 2 disabled spaces, which is considered acceptable under the Council's parking standards.*

#### **Flood Protection**

*CEC accept this application and are happy for it to proceed to determination, subject to other consultee responses.*

*CEC also has role in determining allowable surface water discharges as part of sustainable development within the authority boundary and to comply with the self-certification process a maximum allowable discharge rate of 4.5l/s/ha od drained should*

*be implemented to the design. This is subject to minimum diameter for flow control devices of 75mm aperture size for adoptable networks, and 30mm diameter for privately owned drainage systems to minimise blockage risk. Previous land uses do not typically influence the allowable surface water discharge rate. The application has stated that 5.0 l/s discharge is proposed for design and this is accepted by CEC Flood Prevention.*

*Flow path drawings received and accepted by CEC Flood Prevention.*

*Upon review of the more detailed resolution SEPA flood maps available to CEC and LiDAR data it can be seen that the pluvial flooding is shown to be contained within Torphin Road to the north of the site and also the former golf club access road. As a result, CEC accept the applicant's assertion that this CEC query has been resolved.*

### **Scottish Water**

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

#### *Water*

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

#### *Foul*

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

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

#### *Infrastructure within boundary*

*According to our records, the development proposals impact on existing Scottish Water assets. The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team directly at [service.relocation@scottishwater.co.uk](mailto:service.relocation@scottishwater.co.uk). The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.*

### **Community and Families**

*The Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' states that if a development is expected to generate at least one primary school pupil but less than one secondary school pupil, only the 'primary school contribution' is required.*

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

*This site falls within Sub-Area F-1 of the 'Firrhill Education Contribution Zone'. The Supplementary Guidance does not identify a requirement for a primary school contribution in this area.*

*As the development is only expected to generate one additional primary school pupil, no additional infrastructure action would be required to mitigate the impact of the development. A contribution towards education infrastructure is therefore not required.*

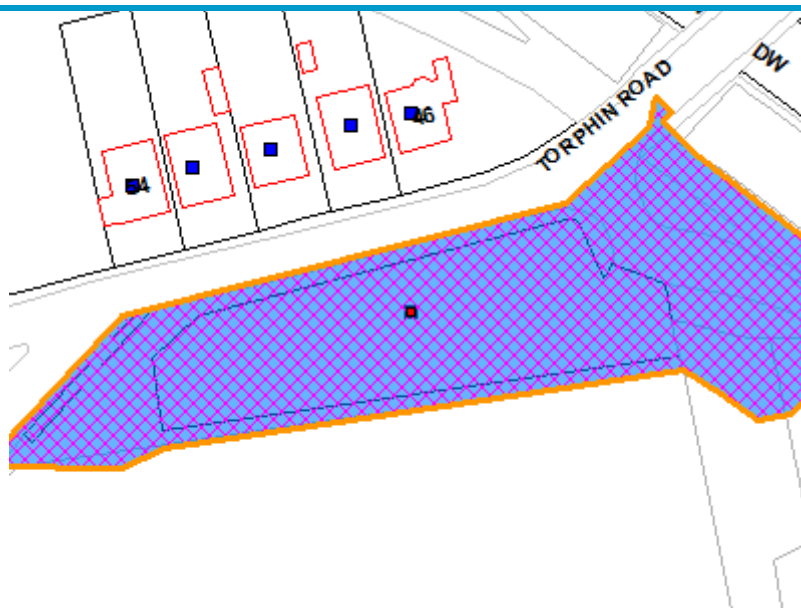
### **Archaeologist**

*Historic maps indicate that the site remained open ground until the creation of the current car-park in the 20th century for Torphin Golf Club. No archaeological remains have been recorded in the immediate area. Given this and the probable effects caused by the construction of the car-park it is considered unlikely that significant remains will be affected.*

*It has been concluded therefore that there are no known archaeological implications regarding this application.*

### **Location Plan**

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## Development Management Sub Committee

**Wednesday 01 July 2020**

**Report for forthcoming application by**

**Centre For The Moving Image (CMI). for Proposal of Application Notice**

**20/01235/PAN**

**At Land At, Festival Square, Edinburgh**

**Application for planning permission proposing the "development of a new centre for film comprising cinema, offices, education, exhibition and function space, together with retail, cafe, restaurant and bar, and associated facilities, including landscaping and public realm works (Use Classes 1, 2, 3, 4, 10, and 11 and sui generis public house)" at Land at Festival Square, Edinburgh, EH9 9SR.**

**Item number**

**Report number**

**Wards**

B11 - City Centre

### Summary

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The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming detailed application for a new 'Filmhouse' building on Festival Square.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicant submitted a Proposal of Application Notice on 11 March 2020 (20/01235/PAN).

### Links

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**Coalition pledges**

**Council outcomes**

**Single Outcome Agreement**

## Recommendations

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

## Background

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### 2.1 Site description

The site comprises Festival Square, a planned civic square situated to the west of Lothian Road. The square is bound by modern 6-7 storey buildings which mainly comprise office uses, with the Sheraton Hotel situated along the western boundary.

The site affords views to the east towards the Usher Hall (Category A listed, ref: 27780) and Edinburgh Castle (Scheduled Monument). These views are framed by listed buildings to the north and south - 57-65 Lothian Road (Category B listed, Ref: 29265) and 71-73 Lothian Road (Category C listed, Ref: 29267). Both these buildings lie on the east side of Lothian Road.

This application site is located just outwith the Old and New Towns of Edinburgh World Heritage Site.

This application site is located within the West End Conservation Area.

### 2.2 Site History

There have been a number of temporary consents on this site, including:

11 June 2014 - Seasonal market to be erected of 31 market stalls which are innovative architecturally designed cubic shapes, picnic tent and air puddle. Granted. (Application reference number: 14/01336/FUL).

21 June 2012 - Section 42 application to amend conditions 1 and 2 of application reference 08/04220/FUL to extend the duration of consent and hours of operation. Granted. (Application reference number: 12/01117/FUL).

5 February 2009 - Erection of video screen for London 2012 live site. Granted. (Application reference number: 08/04220/FUL).

7 December 2000 - Events with occasional market retail function. Granted. (Application reference number: 00/03197/FUL).

## Main report

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### 3.1 Description Of The Proposal

An application for detailed planning permission will be submitted for a new building to house Scotland's independent cinema and national hub for film education, 'Filmhouse'. The proposal will also include office, a new cafe/restaurant, event spaces and associated facilities, and public realm improvements.

### 3.2 Key Issues

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

**a) The impact of the proposed development on the character and setting of any listed buildings and structures;**

The site is close to several listed buildings and structures, including the A listed Usher Hall. The impact of the proposed development on each of their settings and character will be considered in relation to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The proposal will also be considered against relevant policies in the Edinburgh Local Development Plan.

**b) The proposal will preserve and enhance the character and appearance of the West End Conservation Area;**

This key consideration includes both the physical development including height, scale, form and materials, and use of the existing civic space on the character and appearance of the West End Conservation Area. This will be assessed in relation to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The proposal will also be considered against relevant policies in the Edinburgh Local Development Plan.

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

The acceptability of the proposed uses and potential intensification of the existing uses in this location is a key consideration. The site is located in the City Centre, as defined in the Edinburgh Local Development Plan. The Plan supports development within this location which maintains and enhances the character, attractiveness, vitality and accessibility of the city centre. The site is also designated Open Space in the LDP, so the acceptability of development in relation to this area of Open Space needs to be considered, as well as the impact of the development on the public use of any retained areas of open space.

**d) The proposals will have no adverse impact upon the Outstanding Universal Value of the World Heritage Site;**

The site is mostly outwith the Old and New Towns of Edinburgh World Heritage Site. However, it does overlap slightly with it on the westernmost pavement of Lothian Road. In this regard, it does have the potential to impact upon its setting.

Chapter 4 of the 2011-2016 Management Plan sets out an interpretation of the key attributes of the Outstanding Universal Value which are further explained in Appendix D.3 of the 2017-2022 Management Plan.

The Management Plan recognises the importance of the topography in shaping the townscape and key views both out and into the World Heritage Site. The proposal will also be considered against relevant policies in the Edinburgh Local Development Plan.

**e) The design, scale, height, layout and materials are acceptable within the character of the area and contribute to a sense of place;**

Key considerations are ensuring integration with the existing landscape and townscape, relationship to established townscape, impact on key views, local approaches and city skyline. This includes the impact of the proposals on the Conservation Area and setting of the World Heritage Site. The proposal will be considered against the provisions of the Edinburgh Local Development Plan and Edinburgh Design Guidance. A Design and Access Statement and Townscape and Visual Impact Assessment will be required to accompany the application.

The proposal was considered by the Edinburgh Urban Design Panel on 29 January 2020.

**f) The proposal is not detrimental to the amenity of neighbours;**

The proposal will be assessed against relevant design policies in the Edinburgh Local Development Plan and non-statutory guidance. A noise impact assessment may be required in support of the application.

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

Pedestrian permeability and connectivity through the site and beyond, including improvements to the public realm is a key consideration. The proposal should have regard to the Council's parking standards, transport policies in the Edinburgh Local Development Plan, the requirements of the Edinburgh Street Design Guidance and the City Centre Transformation project. Transport information will be required to support the application to assess the effects of the proposal on local infrastructure and the accessibility of the site. Consideration also needs to be given to enabling safe and convenient pedestrian and cycle movement into and through the site, where appropriate.

**h) There are any other environmental factors that require consideration;**

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



- Pre-application Consultation Report;
- Planning Statement;
- Design and Access Statement;
- Heritage Statement;
- Transport Information;
- Noise Impact Assessment;
- Sustainability Statement;
- Townscape and Visual Impact Assessment;
- Archaeological Assessment;
- Flood Risk Assessment and Surface Water Management Plan;
- Drainage Impact Assessment;
- Geotechnical Survey; and
- Site Investigation Report.

An Environmental Impact Assessment (EIA) will 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**

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

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

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

### **Equalities impact**

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

### **Sustainability impact**

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

### **Consultation and engagement**

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

Pre-application discussions took place on this application.

## 8.2 Publicity summary of representations and Community Council comments

A copy of the Proposal of Application Notice (PAN) has been submitted to all Edinburgh Ward Councillors and all Community Councils. The PAN is also circulated to the Edinburgh City Centre Neighbourhood Partnership.

In light of the ongoing Covid-19 situation and new Scottish Government Guidance on pre-application consultation, revisions have been made to the consultation strategy. Two online consultation events (using Zoom) will now take place on the following days: Wednesday 24 June 2020 1pm until 7pm, and Thursday 25 June 2020 10am until 4pm. All information is publicly available online at the Filmhouse website at [www.filmhousecinema.com/future](http://www.filmhousecinema.com/future).

### Background reading/external references

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

#### David R. Leslie

Chief Planning Officer  
PLACE  
The City of Edinburgh Council

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E-mail:emma.fitzgerald@edinburgh.gov.uk Tel:0131 529 3794

## Location Plan

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