

Notice of meeting and agenda

Development Management Sub-Committee

10.00 am Wednesday, 5th May, 2021

Virtual Meeting - via Microsoft Teams

This is a public meeting and members of the public are welcome watch the live webcast on the Council's website.

Contacts

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1. Order of business

- 1.1 Including any notices of motion, hearing requests from ward councillors and any other items of business submitted as urgent for consideration at the meeting.
- 1.2 Any member of the Council can request a Hearing if an item raises a local issue affecting their ward. Members of the Sub-Committee can request a presentation on any items in part 4 or 5 of the agenda. Members must advise Committee Services of their request by no later than **1.00pm on Monday 3 May 2021** (see contact details in the further information section at the end of this agenda).
- 1.3 If a member of the Council has submitted a written request for a hearing to be held on an application that raises a local issue affecting their ward, the Development Management Sub-Committee will decide after receiving a presentation on the application whether or not to hold a hearing based on the information submitted. All requests for hearings will be notified to members prior to the meeting.

2. Declaration of interests

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

3. Minutes

- | | | |
|-----|--|--------|
| 3.1 | Minute of the Development Management Sub-Committee of the 21 April 2021 – submitted for approval as a correct record | 9 - 18 |
|-----|--|--------|

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

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

- 4.1 Hillpark Avenue, Edinburgh - Confirmation of Tree Preservation Order No. 194 – Report by the Chief Planning Officer 19 - 26

It is recommended that the order be **CONFIRMED**.

- 4.2 50 Marine Drive, Edinburgh (Land to the West of) - Erection of changing facilities, storage, retail outlet and café serving hot and cold food and drinks to eat in or take away. Operational times are 10am to 8pm daily over April to September with the structure being dismantled and removed for winter storage - application no 20/05834/FUL – Report by the Chief Planning Officer 27 - 52

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

- 4.3 2, Old Kirk Road, Edinburgh (Garage 8 Metres West Of) - Proposal to clarify roof design of old proposed skylight volume and chimneys (that were disseminated on roof), in order to have only one zinc regular volume, stepped back from main facade, echo sloping roof of neighbouring houses. Contrasting/complimentary material for flat roof extension to be vertical metal cladding in matte metal/grey colour to compliment roughcast and sandstone based precast concrete - application no 20/05883/FUL – Report by the Chief Planning Officer 53 - 66

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

- 4.4 13 Sciennes, Edinburgh - Temporary period of 2 years to permit Sui Generis use of premises as student accommodation and short-stay accommodation for let to non-students at any time of year - application no 21/00878/FUL – Report by the Chief Planning Officer 67 - 76

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

- 4.5** 8 Shandwick Place, Edinburgh, EH2 4RP - Change of use to provide short stay holiday accommodation on 1st and 2nd floors - application no 21/00869/FUL – Report by the Chief Planning Officer 77 - 88

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

- 4.6** 8 Shandwick Place, Edinburgh, EH2 4RP - Alterations to form short stay self-catering units on first and second floor. Internal alterations to third floor flats - application no 21/00867/LBC – Report by the Chief Planning Officer 89 - 98

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

5. Returning Applications

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

- 5.1** 199 Fountainbridge, Edinburgh (At Site 60 Metres South Of) - Proposed mixed use development comprising retail (Class 1), financial services (class 2), food and drink (class 3), office/light industrial (class 4), hotel (class 7), housing (class 9), community use (class 10), leisure (class 11), public house (non-classified use) and associated parking, open space, infrastructure and public realm works - application no 19/03097/PPP – Report by the Chief Planning Officer 99 - 100

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

6. Applications for Hearing

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

- 6.1** None.

7. Applications for Detailed Presentation

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

- 7.1 20 Meadow Place Road, Edinburgh, EH12 7UQ - Erection of 24 residential apartments including access, parking, landscaping and associated works. (as amended) - application no 20/03461/FUL – Report by the Chief Planning Officer 101 - 136

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

8. Returning Applications Following Site Visit

These applications have been discussed at a previous meeting of the Sub-Committee and were continued to allow members to visit the sites. A decision to grant, refuse or continue consideration will be made following a presentation by the Chief Planning Officer and discussion on each item.

- 8.1 None.

Andrew Kerr

Chief Executive

Committee Members

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

Information about the Development Management Sub-Committee

The Development Management Sub-Committee consists of 11 Councillors and is appointed by the City of Edinburgh Council. The meeting will be held by Teams and will be webcast live for viewing by members of the public.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Veronica Macmillan / Martin Scott, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4283 / 0131 529 4237, email veronica.macmillan@edinburgh.gov.uk / martin.scott@edinburgh.gov.uk.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to <https://democracy.edinburgh.gov.uk/>

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Minutes

Development Management Sub-Committee of the Planning Committee

10.00 am, Wednesday 21 April 2021

Present:

Councillors Gardiner (Convener), Child (Vice-Convener), Booth, Mary Campbell (excluding applications 5.9 and 5.10), Gordon (excluding applications 5.1, 5.3, 5.9 and 5.10), Griffiths, Mitchell, Mowat, Osler, Rose, and Young (excluding applications 5.7 and 5.14).

1. Minutes

Decision

To approve the minute of the Development Management Sub-Committee of 17 March 2021 as a correct record

2. General Applications and Miscellaneous Business

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

Requests for Presentations

Councillor Booth requested a presentation in respect of item 4.4 – 31 Groathill Road South, Edinburgh (at Land 30 Metres South of).

Councillor Rose requested a presentation in respect of Item 4.5 - 1 Mentone Terrace, Edinburgh, EH9 2DG.

Ward Councillor Neil Ross requested a presentation in respect of Item 4.8 – St Fillan's Terrace, Edinburgh EH10 5NH.

Requests for Hearings

Ward Councillors Cook and Watt requested a hearing in respect of Item 4.8 – St Fillan's Terrace, Edinburgh EH10 5NH

Decision

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

Dissent

Councillor Rose requested that his dissent be recorded in respect of the decision on Item 5.14 – Torphin Road, Edinburgh (at Car Park)

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

3. 31 Groathill Road, South, Edinburgh (at Land 30 Metres South of)

Details were provided of an application for planning permission for an amendment to the design of the consented and commenced development of flatted building (14/00026/FUL and 19/01333/FUL) to split the penthouse apartment into two flats to create one additional unit, extension to 5th floor and alterations to building elevations – application no 20/05478/FUL. The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the application be granted.

Motion

To **GRANT** planning permission subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer, and an additional informative that a legal agreement be completed requiring a commuted sum to be made available for affordable housing.

- moved by Councillor Gardiner, seconded by Councillor Booth.

Amendment

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

- moved by Councillor Child, seconded by Councillor Mowat.

Voting

For the motion: - 5 votes

For the amendment: - 6 votes

(For the motion: Councillors Booth, Campbell, Gardiner, Gordon and Young.)

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

Decision

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

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

4. 13 St Fillan's Terrace, Edinburgh

Details were provided of an application for planning permission for a single storey rear extension and attic conversion, including front and rear dormers and erect new garden room in rear garden (as amended) – application no 21/00158/FUL. The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the application be granted.

Decision 1

To **REFUSE** the request for a hearing and agree to determine the application at the meeting of the Development Management Sub-Committee of 21 April 2021.

Motion

To **REFUSE** planning permission as the proposal would be contrary to LDP Policy ENV 6 as the proposed front dormer would fail to preserve and enhance the character and appearance of the Plewlands Conservation Area.

- moved by Councillor Mowat, seconded by Councillor Osler.

Amendment

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

- moved by Councillor Rose, seconded by Councillor Child.

Voting

For the motion: - 7 votes

For the amendment: - 4 votes

(For the motion: Councillors Booth, Campbell, Gardiner, Gordon, Mowat, Osler and Young.

For the amendment: Councillors Child, Griffiths, Mitchell and Rose)

Decision 2

To **REFUSE** planning permission as the proposal would be contrary to LDP Policy ENV 6 as the proposed front dormer would fail to preserve and enhance the character and appearance of the Plewlands Conservation Area.

(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 – Report for forthcoming application by Tynecastle Teague Limited for Proposal of Application Notice at Former Tynecastle High School, 17 McLeod Street, Edinburgh</p>	<p>Redevelopment of the former Tynecastle High School site, incorporating partial demolition and change of use of the school buildings and new build to form student residential development with associated infrastructure, landscaping, access and parking - application no 21/00988/PAN – Report by the Chief Planning Officer</p>	<p>1) To note the key issues at this stage.</p> <p>2) To take into account the following additional issues:</p> <ul style="list-style-type: none"> • Full community consultation to be undertaken. • Accordance with policies and guidance in relation to large sites and student housing. • Full consideration of the listed building. <p>Further information regarding the proximity to the distillery.</p>
<p>4.2 – Report for forthcoming application by VRS Limited for Proposal of Application Notice at 1 Rennie's Isle, Edinburgh</p>	<p>Redevelopment of existing office for residential flatted accommodation including affordable housing and ancillary uses - application no 21/00877/PAN – Report by the Chief Planning Officer</p>	<p>1) To note the key issues at this stage.</p> <p>2) To take into account the following additional issues:</p> <ul style="list-style-type: none"> • The route of Transport Safeguard T7 proposed coastal footpath and cycle link and whether the development would contribute to its delivery. <p>Compliance with Leith Docks Development Framework - Principles 4 and 5 on Development Heights and Car Parking.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>4.3 – Report for forthcoming application by CCG Scotland Ltd. For Proposal of Application Notice at Land At Waterfront Avenue, Edinburgh</p>	<p>Residential development of (approximately) 79 units. The development will also include limited parking spaces, access road and pavements, internal courtyard, an air source heat pump station and drainage infrastructure - application no 21/00793/PAN – Report by the Chief Planning Officer</p>	<p>1) To note the key issues at this stage.</p> <p>2) To take into account the following additional issues:</p> <ul style="list-style-type: none"> • That the development was at a key entrance of the waterfront and that this should be stressed to the applicant. <p>That the email address for the Community Council had been updated and that no community event had taken place yet therefore there was no detrimental impact to them.</p>
<p>4.4 – 31 Groathill Road, South, Edinburgh (at Land 30 Metres South of)</p>	<p>Amend the design of the consented and commenced development of flatted building (14/00026/FUL and 19/01333/FUL) to split the penthouse apartment into two flats to create one additional unit, extension to 5th floor and alterations to building elevations - application no 20/05478/FUL – Report by the Chief Planning Officer</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer.</p> <p>(on a division)</p> <p>Note: officers to consider the wording of the Affordable Housing policy with regards to demonstrating that a proposal was ‘clearly part of a phased development of a larger site’.</p>
<p>4.5 – 1 Mentone Terrace, Edinburgh</p>	<p>Change of Use from 5 Garages to new dwelling house - application no 19/02822/FUL – Report by the Chief Planning Officer</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives and Referral to Scottish Ministers as set out in section 3 of the report by the Chief Planning Officer. –</p>
<p>4.6 – 14-15 Minto Street, Edinburgh</p>	<p>Formation of new hotel bedrooms in the rear grounds of 14 Minto Street - application no 20/04317/FUL – Report by the Chief Planning Officer</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>4.7 – 14-15 Minto Street, Edinburgh</p>	<p>Formation of new hotel bedrooms in the rear grounds of 14 Minto Street - application no 20/04316/LBC – Report by the Chief Planning Officer</p>	<p>To GRANT listed building consent subject to the informatives as set out in section 3 of the report by the Chief Planning Officer.</p>
<p>4.8 – 13 St Fillan's Terrace, Edinburgh</p>	<p>Single storey rear extension and attic conversion, including front and rear dormers and erect new garden room in rear garden (as amended) - application no 21/00158/FUL – Report by the Chief Planning Officer</p>	<p>To REFUSE planning permission as the proposal would be contrary to LDP Policy ENV 6 as the proposed front dormer would fail to preserve and enhance the character and appearance of the Plewlands Conservation Area. (on a division)</p>
<p>5.1 – Brunswick Street, Edinburgh (at Advertising Drum)</p>	<p>Arts and Culture Advertising Structure - application no 20/03658/ADV – Report by the Chief Planning Officer</p>	<p>To GRANT advertisement consent subject to the conditions and reasons as set out in section 3 of the report by the Chief Planning Officer Note: Councillor Gordon was not present for previous consideration of this item and therefore took no part in its consideration.</p>
<p>5.2 – Commercial Street, Edinburgh (at Advertising Drum)</p>	<p>Display of Arts and Culture Advertising Structure - application no 20/03664/ADV – Report by the Chief Planning Officer</p>	<p>This application has been WITHDRAWN by the applicant.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>5.3 – 120 Ferry Road, Edinburgh</p>	<p>Demolish existing garage and create Class 1 convenience store with 2 x residential units above - application no 20/01949/FUL – Report by the Chief Planning Officer</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer, with an addition to the suspensive condition that details of the reinstatement of the kerb and the inclusion of cycle parking would be submitted and agreed by the Planning Authority.</p> <p>Note: Councillor Gordon was not present for previous consideration of this item and therefore took no part in its consideration.</p>
<p>5.4 – 147 Ferry Road, Edinburgh (at Advertising Drum 8 Metres North of)</p>	<p>Arts and culture advertising structure - application no 20/03685/ADV – Report by the Chief Planning Officer</p>	<p>This application has been WITHDRAWN by the applicant.</p>
<p>5.5 – 194 Fountainbridge, Edinburgh (at Land Adjacent To)</p>	<p>Approval of matters specified in conditions 1, 5, 6, 7, 8, 12 & 13 of 15/02892/PPP for Building E including form & massing; design & materials, daylight & sunlight, design & operation of private/public open spaces; roads, footways/cycleway/access/servicing & parking; venting & electric vehicle charging, drainage, waste management operational requirements for commercial uses/ sustainability/floor levels/lighting, site investigation/hard & soft landscaping details & noise mitigation (as amended) - application no 19/02993/AMC – Report by the Chief Planning Officer</p>	<p>To AGREE to extend the deadline for concluding the legal agreement by a further three months to enable planning permission to be released for this application.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>5.6 – 199 Fountainbridge (at Site 60 Metres South Of)</p>	<p>Proposed mixed use development comprising retail (Class 1), financial services (class 2), food and drink (class 3), office/light industrial (class 4), hotel (class 7), housing (class 9), community use (class 10), leisure (class 11), public house (non-classified use) and associated parking, open space, infrastructure and public realm works - application no 19/03097/PPP – Report by the Chief Planning Officer</p>	<p>This item was withdrawn from the agenda by Chief Planning Officer.</p>
<p>5.7 – Granton Harbour, West Harbour Road, Edinburgh</p>	<p>Approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design, and configuration of public and open spaces, access, road layouts, footpaths and cycle routes at Granton Harbour, West Harbour Road - application no 17/02484/AMC – Report by the Chief Planning Officer</p>	<p>To APPROVE Matters Specified in Conditions subject to the conditions, reasons, informatives as set out in section 3 of the report by the Chief Planning Officer.</p> <p>Note: Councillor Ethan Young was not present for previous consideration of this item and therefore took no part in its consideration.</p>
<p>5.8 – Lindsay Road, Edinburgh (at Advertising Drum)</p>	<p>Arts and Culture Advertising Structure - application no 20/03675/ADV – Report by the Chief Planning Officer</p>	<p>This application has been WITHDRAWN by the applicant.</p>
<p>5.9 – 37A London Street, Edinburgh</p>	<p>Change of use from derelict property to holiday lets (basement and sub-basement) - application no 20/05425/FUL – Report by the Chief Planning Officer</p>	<p>To REFUSE planning permission as the proposal would be contrary to LDP Policy HOU 7 as it would have an adverse impact on residential amenity.</p> <p>Note: Councillor Gordon was not present for previous consideration of this item and therefore took no part in its consideration.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>5.10 – 39 London Street, Edinburgh</p>	<p>Change of use from funeral parlour to holiday lets (ground floor) - application no 20/05421/FUL – Report by the Chief Planning Officer</p>	<p>To REFUSE planning permission as the proposal would be contrary to LDP Policy Hou 7 as it would have an adverse impact on residential amenity.</p> <p>Note: Councillor Gordon was not present for previous consideration of this item and therefore took no part in its consideration.</p>
<p>5.11 – 43 Main Street, Edinburgh</p>	<p>Planning application for residential development including associated access, parking, infrastructure, and landscaping - application no 20/01410/PPP – Report by the Chief Planning Officer</p>	<p>To REFUSE planning permission in principle for the reasons set out in the report by the Chief Planning Officer.</p>
<p>5.12 – 94 Ocean Drive, Edinburgh (at Land 143 Metres Southeast Of)</p>	<p>Residential development of 245 flats over 4 apartment buildings with heights of 7 storeys (Block A), 13 storeys (Block B), 11 storeys (Block C) and 9 storeys (Block D) with a commercial unit, car parking and associated landscaping (as amended) - application no 18/00846/FUL – Report by the Chief Planning Officer</p>	<p>To AGREE to extend the deadline for concluding the legal agreement by a further three months to enable planning permission to be released for this application.</p>
<p>5.13 – 7 Redhall House Drive, Edinburgh</p>	<p>Alteration and conversion of existing building to form six duplex apartments; the erection of a detached garage block accommodating six garages and the erection of two detached dwelling houses with all associated site development works and landscaping - application no 18/09642/FUL – Report by the Chief Planning Officer</p>	<p>To AGREE to extend the deadline for concluding the legal agreement until the end of June to enable planning permission to be released for this application.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>5.14 – Torphin Road, Edinburgh (at Car Park)</p>	<p>Application for a new 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</p>	<p>To REFUSE planning permission for the reasons detailed in the report by the Chief Planning Officer.</p> <p>Note: Councillor Ethan Young was not present for previous consideration of this item and therefore took no part in its consideration.</p> <p>Dissent</p> <p>Councillor Rose requested that his dissent be recorded in respect of this item.</p>

Development Management Sub Committee

Wednesday 5 May 2021

Confirmation of Tree Preservation Order No. 194 (Hillpark Avenue, Edinburgh)

Item number

Report number

Wards

Ward 5 – Inverleith

Summary

Tree Preservation Order TPO No. 194 (Hillpark Avenue, Edinburgh) was made on 13 November 2020 to protect a number of individual, mature trees in the interests of protecting the amenity. This Order expires after 6 months unless it is confirmed within this time. The Order must be confirmed before 13 May 2021 to ensure the Order provides permanent protection for the trees.

It is recommended that Committee confirms Tree Preservation Order No. 194 (Hillpark Avenue, Edinburgh).

Links

[Policies and guidance for this application](#)

CDP ENV12

Report

Confirmation of Tree Preservation Order No. 194 (Hillpark Avenue, Edinburgh)

Recommendations

1.1 It is recommended that Committee confirms the Order.

Background

2.1 Site description

The site consists of a triangular area of ground between the Quality Street junction and Hillpark Avenue (approx. 0.16 ha), consisting of rough grassland with seven individual, mature trees. The trees includes oak, sycamore and elm.

The trees form an attractive feature on Queensferry Road and Hillpark Avenue and form an important and prominent landscape feature locally. This site is not within a conservation area.

2.2 Site History

A Tree Preservation Order was served on the trees in 2007 (TPO no. 4 2007), and although the order was confirmed by committee the order wasn't fully registered thus rendering the Tree Preservation Order not legally valid and therefore difficult to enforce.

September 2020 – a number of trees protected by the original Tree Preservation Order were felled. The land has since been advertised for sale.

It is a concern that the trees if not protected would be subject to further ad hoc felling.

Main report

3.1 Description of The Proposal

This report deals with the confirmation of a Tree Preservation Order, TPO No. 194.

The Tree Preservation Order was made to ensure protection for this local important asset.

3.2 Determining Issues

Is it expedient in the interests of amenity or on the grounds of cultural or historical significance (either or both) to confirm the Tree Preservation Order?

If so, should the Order be confirmed without modification or subject to such modifications as the planning authority consider expedient?

Have any objections and representations with respect to the Order, if duly made in accordance with the regulations, been considered before the Order is confirmed?

3.3 Assessment

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

- a) the trees which has been made the subject of the Order contribute to amenity or are of cultural or historical significance;
- b) whether it is expedient to confirm the order without modification or subject to modifications;
- c) any representations received require the Order to be abandoned, confirmed or confirmed with modifications; and
- d) equality and human rights issues have been addressed.

a) Amenity and Cultural or Historical Significance

The trees in question are of amenity value due to its prominence in the locality. The expediency of making the Order relates to the need to ensure the amenity provided by the maturing planting and landscaping around the development is maintained and managed for future residents and visitors. There are development pressures in the area. Refusal of any planning application on the grounds of tree loss can result in pressure to remove trees as a constraint to development.

The making of the Tree Preservation Order was therefore expedient in the interests of amenity.

b) Confirmation of Order with or without Modification

The Tree Preservation Order should be confirmed without modification.

c) Representations

The Planning Authority is required to consider any objection or representation within 28 days of making and advertising a Tree Preservation Order. The making of the TPO was advertised in the normal manner. No representations have been received.

d) Equalities and Human Rights

The proposals raise no equalities or human rights concerns.

The statutory requirement on planning authorities is to make Orders where this is in the interests of amenity or cultural and historical significance. Amenity in this context is interpreted as extending beyond the amenity of an individual party and being of wider public benefit. An Order allows any person to apply for permission to carry out tree pruning, felling etc at any time; at that time the individual circumstances of the case must be assessed and a decision on tree work proposals reached. There is a right of appeal against the decision of a planning authority.

Conclusion

The trees in question are of amenity value and contributes to the attractiveness and character of the area around Hillpark Avenue and the Quality Street junction. The confirmation of the Tree Preservation Order is expedient in the interests of amenity.

In order to provide long term protection to the trees in question, it is recommended that the Tree Preservation Order be confirmed.

The Tree Preservation Order map and Schedule are enclosed at Appendices 1 and 2.

Financial impact

4.1 The financial impact has been assessed as follows:

Costs are accommodated through existing budgets.

Risk, Policy, compliance and governance impact

5.1 Provided Tree Preservation Orders are confirmed in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Not applicable.

8.2 Publicity summary of representations and Community Council comments

The Order was advertised on 20 December 2019 in accordance with regulatory requirements. A copy was also displayed in the local library and available to view at the Planning and Building Standards reception in Waverley Court.

Background reading/external references

- [Planning guidelines](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development	
Plan Provision	N/A
Date registered	N/A
Drawing numbers/Scheme	N/A

David Givan

Chief Planning Officer
PLACE
City of Edinburgh Council

Contact: Ellen McCalman, Tree Officer
E-mail:ellen.mccalman@edinburgh.gov.uk

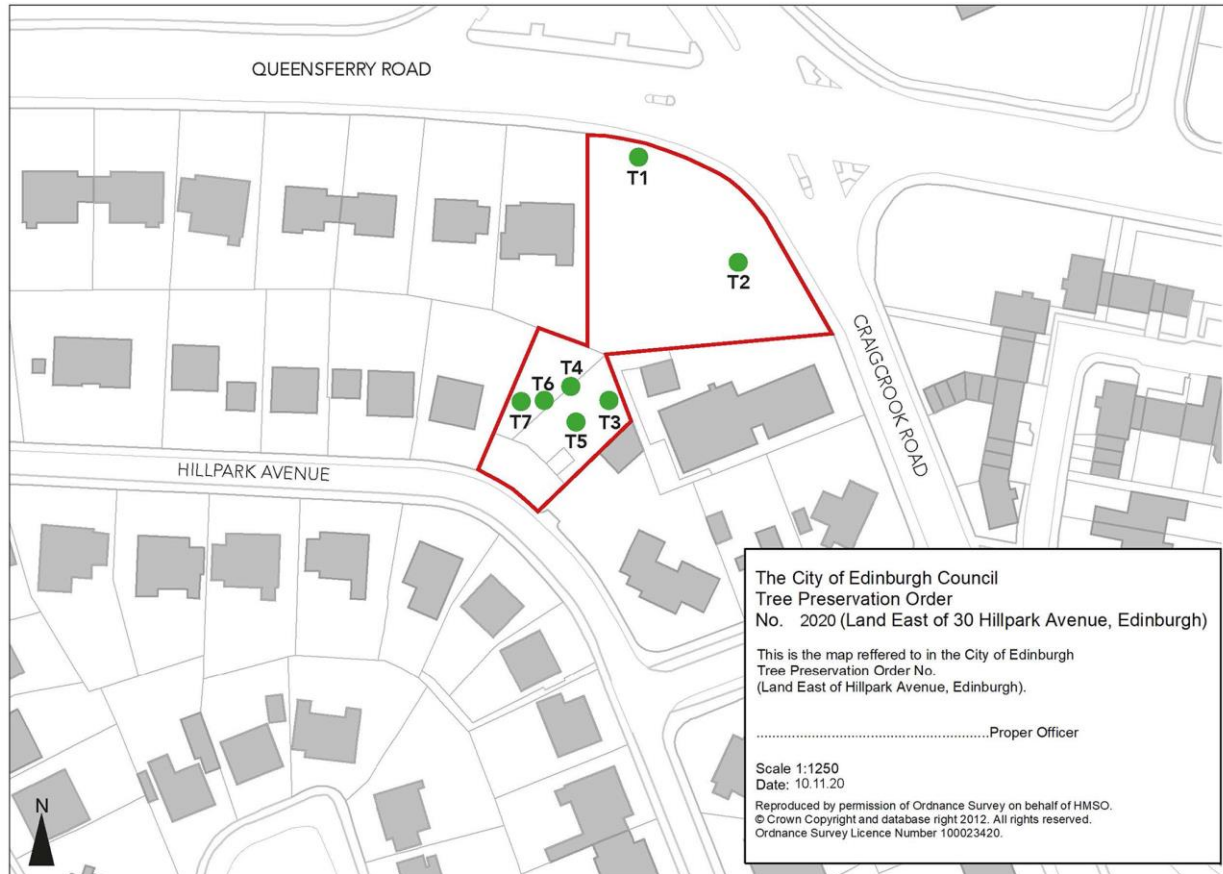
Links - Policies

None.

Tree Preservation Orders are considered solely on the basis of the express provisions contained in Section 160 of the Town and Country Planning (Scotland) Act 1997 and The Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas) (Scotland) Regulations 2010

Appendix 1

Tree Preservation Order Map



Appendix 2

Tree Schedule

Trees Specified Individually (marked in green on the maps)		
No. on Map	Description	Situation
T1	Sycamore	
T2	Sycamore	
T3	Sycamore	
T4	Elm	
T5	Oak	
T6	Oak	
T7	Oak	
Trees Specified by Reference to an Area (within a solid black line on the map)		
No. on Map	Description	Situation
	None	
Groups of Trees (within a broken black line on the maps)		
No. on Map	Description	Situation
	None	
Woodlands (Within a red line on the maps)		
No. on Map	Description	Situation
	None	

Development Management Sub Committee

Wednesday 5 May 2021

Application for Planning Permission 20/05834/FUL at Land to the West of, 50 Marine Drive, Edinburgh. Erection of changing facilities, storage, retail outlet and café serving hot and cold food and drinks to eat in or take away. Operational times are 10am to 8pm daily over April to September with the structure being dismantled and removed for winter storage.

Item number

Report number

Wards

B01 - Almond

Summary

The proposal is acceptable in this location and will not have a detrimental effect on the Green Belt, the special landscape area nor the Firth of Forth Special Protection Area. It is of an appropriate scale, form and design. There are no amenity, transport, archaeology, external lighting, waste, renewable energy, equalities or human rights issues. The proposal complies with the Local Development Plan. There are no other material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LEN10, LEN11, LEN13, LEN16, LEN18, LEN08, LEN09, LDES01, LDES04, LDES05, LDES10, LTRA03, NSG, LRET06, LRET11, NSG, NSGCGB, NSGD02, NSBUS,

Report

Application for Planning Permission 20/05834/FUL at Land to the West Of, 50 Marine Drive, Edinburgh. Erection of changing facilities, storage, retail outlet and café serving hot and cold food and drinks to eat in or take away. Operational times are 10am to 8pm daily over April to September with the structure being dismantled and removed for winter storage.

Recommendations

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

Background

2.1 Site description

The application site sits between the north of the western part of Marine Drive and Silverknowes Promenade. It is part of a grassed area which slopes downwards to the promenade, beach and Firth of Forth.

To the south of the site, Marine Drive loops around parallel to the promenade and provides on street parking. Opposite to the east is an existing building which houses a café/restaurant. Diagonally opposite, to the south east, is Silverknowes Golf Course.

Although part of the City and near built up areas, the site is in a mainly undeveloped area next to the coast which has a rural character.

The application site is in the Green Belt, is a Notable Habitat Amenity Grassland and a Special Landscape Area. It is next to the Firth of Forth Special Protection Area.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description of the Proposal

The proposal is for the erection of changing facilities, storage, retail outlet and café. The cafe will serve hot and cold food and drinks to eat in or take away. The proposal will be provided in conjunction with water sports activities, such as wind surfing and wing surfing hire and coaching, and it is also proposed to sell equipment, e.g. spares, and apparel.

As a temporary structure, it will be in the form of four container units which will be laid out as a U shape with an area of interlocking plastic tiles in this space to provide an area of hardstanding. The elevations will be timber clad with metal doors and there will be windows at the retail section. A short ramp, also of interlocking tiles, will be laid to give access from the area of hardstanding onto the existing grassed area.

Information provided with the application advises that the café will be licensed, and it is intended that operational times will be 10am to 8pm daily over the months of 1 April to 30 September and that out with these months, the structure will be dismantled and removed from site for winter storage.

Supporting information

- Design and Access Statement

The supporting information is available to view on Planning and Building Standards Online Services.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The principle of the development is acceptable in this location;
- b) The proposal has any impact on nature conservation, natural heritage or ecology;
- c) The proposal will be of an appropriate scale, form and design;
- d) The proposal has any impact on neighbouring amenity;
- e) There are any Roads Authority, transport or parking issues;
- f) There are any other material planning considerations;
- g) There are any equalities or human rights issues and
- h) The public comments have been addressed.

a) Principle of development

Local Development Plan policy Env 10 (Development in the Green Belt) sets out criteria where development in the Green Belt will be permitted, provided it does not detract from the landscape quality and/or rural character of the area. Part a) of policy Env 10 is applicable and states that for the purposes of countryside recreation, any buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use.

Policy Env 11 (Special Landscape Area) 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 Areas on the Proposals Map.

Policy Env 18 (Open Space Protection) states that proposals involving the loss of open space will not be permitted unless it is demonstrated that: a) there will be no significant impact on the quality or character of the local environment and b) the open space is a small part of a larger area of limited amenity or leisure value and there is a significant over-provision of open space serving the immediate area; and c) the loss would be detrimental to the wider network including its continuity or biodiversity value and either d) there will be a local benefit in allowing the development in terms of either alternative equivalent provision being made or improvement to an existing public park or other open space or e) the development is for a community purpose and the benefits to the local community outweigh the loss.

The proposal is linked to the intention to provide water sports in the Firth of Forth as it will provide changing facilities for those doing water based recreation. In terms of Policy Env 10 the Green Belt, the proposal will be for countryside, albeit waterside in this case, related recreation. The basic, simple and low level design of the building is appropriate to the use. The structure will be mainly for changing facilities although there will be other ancillary uses and it will be removed in the winter months. The impact of the landscape quality and rural character of the Green Belt will be minimal and temporary. A condition is recommended in relation to the removal of the temporary structures when the use of the site is not operational.

The proposal complies with policy Env 10.

The proposed location is within the Special Landscape Area (SLA), Southern Forth Coast at Cramond Foreshore. This SLA encompasses an extensive area of undeveloped land, foreshore and islands on Edinburgh's coastal margin and reflects the aspect and scenic quality of the landscape along the coastline.

The landscape is important for recreation, providing connectivity along the shore, and forms a key component in views towards Edinburgh from the Forth Estuary. The landscape towards Lauriston Castle and Cramond is more rural in character due to the combination of open sloping pastures and Silverknowes Golf Course. Although a recreational environment, the character of the area is relatively tranquil.

Potential pressures upon landscape integrity are noted as 'changes in the management of the landscapes for recreation and provision of recreation facilities'. Changes to landscape character should therefore not be permanent.

Views of the Coastal backdrop and Firth of Forth and the Forth Bridge are protected as advised in the Edinburgh Design Guidance. The proposed development will be visible in the forefront of some of the views looking along and into the coast. Due to the land sloping away into the shore, the single storey building will sit under the ridge of the slope and the development will sit comfortably in the landscape. The proposal will not detract from the overall key view from Cramond to the Coastal Backdrop. In terms of the key view looking west towards the Forth Bridge, this is from the Port of Leith and the proposed development site will not be prominent from this viewpoint.

The coastal slope is likely to conceal the proposed temporary structure in views from the south. However, it will be part of the long views along the waterfront promenade, where it would form a recreational hub. The exterior timber cladding and green roofing would assist in reducing any negative visual effects in views along the length of the shoreline where the existing grassed slopes provide an open sweep of landscape and the u-shaped form would contain activity.

There will be no significant impact on the quality or character of the local environment and the proposal complies with policy Env 11 and part a) of Env 18.

The amount of protected public open space to be lost in the summer months has limited leisure value as it slopes down to the coast, which is not ideal for usable space, for example for informal sports. There is also a large amount of open space in the immediate area and there will remain ample open space for amenity or leisure use. Much of the recreational value comes from the promenade and shore. Overall, there is a significant over-provision of open space in the area. The loss of the relatively small amount of existing open space is part of a larger area of open space provision.

In this context, the proposal complies with part b) of policy Env 18.

The application site is on existing grassland and the small area to be lost in the summer months will not detract from the continuity or biodiversity value of the area nor from the existing open space. Therefore, the loss of open space will not be detrimental to the wider network including its continuity or biodiversity value.

The biodiversity value is assessed in more detail below in 3.3b).

The benefit of allowing the development will improve the type of recreation available in the area by introducing an alternative recreational sport, i.e. water sports. By providing changing facilities, this will improve the experience of those participating in water sports recreation. The Design and Access Statement states that it is proposed to offer "assistance to state schools, disabled and disadvantaged groups" and this would be for a community purpose and benefit.

The proposal complies with parts d) and e) of policy Env 18.

The loss of open space at this location is acceptable and the proposal complies with Policy Env 18.

Policy Ret 6 (Out-of-Centre Development) states that proposals for retail development in an out-of-centre location will only be permitted provided it meets certain criteria. The supporting text clarifies that for small retail units (up to 250 sq m) there is benefit in providing these in locations easily accessible by foot or bicycle.

Policy Ret 11 (Food and Drink Establishments) states that the change of use of a shop unit or other premises to a licensed or unlicensed restaurant, café, pub or shop selling hot food for consumption off the premises (hot food take-away) will not be permitted: a) if likely to lead to an unacceptable increase in noise, disturbance, on-street activity or anti-social behaviour to the detriment of living conditions for nearby residents; or b) in an area where there is considered to be an excessive concentration of such uses to the detriment of living conditions for nearby residents. Although the policy text relates to a change of use the supporting text clarifies that it is to protect residential amenity and to prevent concentrations of such uses.

The size of the retail element of the proposal will be ancillary to the main proposal and does not require to be assessed under the criteria set out in Policy Ret 6. The retail use will be in a location next to the promenade which is accessible by foot and bicycle.

Whilst policy Ret 11 relates to change of use of existing shop units to food and drink establishments, it is useful in considering the impact of introducing a food and drink establishment as its aim is to protect residential amenity and to prevent concentrations of such uses. The applicant has advised that the hot food unit will be a commercially constructed 20ft kitchen container, lined in stainless steel, with hot and cold water, handwashing sinks, refrigerators and forced air extraction that vents out of a stack on ceiling at a height of 3m from the ground and that the unit complies with Environment Protection's requirements.

The proposed café use, including hot and cold food to take away, is not near residential uses and will not result in a concentration of such uses. Cooking odours will not cause a nuisance as there are no residential neighbours nearby. The proposed café element is acceptable.

The proposal is acceptable and complies with policies Env 10, Env 18, Env 11, Ret 6 and Ret 11.

b) Nature conservation, natural heritage and ecology

Policy Env 13 (Sites of International Importance) sets out criteria which would make development on such sites acceptable. It states that development likely to have a significant effect on a "Natura 2000 site" will be permitted only if either: a) the development will not adversely affect the integrity of the area; b) it has been demonstrated that: c) there are no alternative solutions and d) there are imperative reasons of overriding public interest for permitting the development, including reasons of a social or economic nature. e) compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.

Policy Env 16 (Species Protection) states that planning permission will not be granted for development that would have an adverse impact on species protected under European or UK law, unless: a) there is an overriding public need for the development and it is demonstrated that there is no alternative; b) a full survey has been carried out of the current status of the species and its use of the site; c) there would be no detriment to the maintenance of the species at "favourable conservation status"; and d) suitable mitigation is proposed.

Nature Scot (Scottish Natural Heritage) has advised that there are natural heritage interests of international importance adjacent to the site, but in its view, these will not be adversely affected by the proposal.

A Habitat Regulations Appraisal (HRA) has been undertaken as the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") are relevant due to the Firth of Forth Special Protection Area (SPA) being designated for its wintering bird interest. The HRA concluded that there are "no adverse effects upon site integrity".

The proposal will not result in a detrimental impact on the Firth of Forth Special Protection Area Sites of International Importance nor on species protection. Therefore, the proposal complies with policies Env 13 and Env 16.

c) Scale, form and design

LDP Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area.

LDP Policy Des 4 (Development Design - Impact on Setting) also requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape, having regard to its height and form, scale and proportions, including the spaces between the buildings, position of the buildings and other features on the site; and the materials and detailing.

LDP Policy Des 10 (Waterside Development) states that planning permission will only be granted for development on sites on the coastal edge or adjoining a watercourse where the proposals: a) provides an attractive frontage to the water in question; b) where appropriate, maintains, provides or improves public access to and along the water's edge; c) maintains and enhances the water environment, its nature conservation or landscape interest including its margins and river valleys; and d) if appropriate promotes recreational use of the water.

The proposal will contribute to the sense of place at the promenade and promote recreational use of the water. It will provide a destination for those doing watersports and those wishing to use the café or retail facilities.

The proposed building will sit below the level of Marine Drive and slightly above the level of the Promenade. The positioning will enable it to use the change in levels and sloping site to reduce the impact of the building on an otherwise open landscaped/grassed area. The simple and basic design of the containers and the timber cladding will sit comfortably within the surroundings. The green roof will soften the proposed development and a condition is recommended, should planning permission be granted requiring a landscape plan. This is to ensure that the proposed landscaping and planting is appropriate for the location.

The proposed structure will be just under a metre to the promenade and the area of hardstanding will sit slightly further back at about 2.3-2.8 metres from the promenade. Therefore, it will not encroach onto the promenade. The levels shown in the drawings reflect those on site and the levels slope up 400mm from the front of the structure to the back. The proposed hardstanding of interlocking tiles will give a flat surface and a short ramp will give access onto the existing grass. The proposal will maintain public access to and along the water's edge. It will not detract from the importance and dominance of the promenade or shoreline.

The surface outside the WC and service area is to remain as grass. Whilst it may become muddy in certain circumstances, the retention of the grass surface will help keep the extent of the proposed development as tight as possible and reduce the amount of area required for the proposal. It is noted that the details of the lease will ensure that the grass is made good after the close of each season.

The proposed development will provide some active use to the waterfront with a subtle frontage and maintain nature conservation and landscape interest of the area. The structure will maintain the water environment.

The proposal will contribute to a sense of place and respects the positive characteristics of the area. It's simple and low level design will reduce its impact on the current open and mainly undeveloped area. The proposed development will provide an appropriate waterside development.

The proposal complies with policies Des 1, Des 4 and Des 10.

d) Amenity

LDP Policy Des 5 (Development Design - Amenity) requires development proposals to demonstrate that neighbouring amenity of a development will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

There are no residential neighbours near the application site and, therefore, there will be no impact in terms of noise, daylight, sunlight, privacy or immediate outlook. Cooking odours will not cause a nuisance as there are no residential neighbours nearby. The closest neighbour is a restaurant/café which is a similar use to the proposal and will not be unreasonably affected regarding its amenity.

There are no amenity issues and the proposal complies with policy Des 5.

e) Roads Authority issues

LDP Policies Tra 2 - Tra 4 sets out the requirements for private car and cycle parking. The Council's Parking Standards are set out in the Edinburgh Design Guidance.

The Roads Authority has advised that it has no objections to the application subject to conditions or informatives relating to cycle parking and the rights and authority to access and service the site via Silverknowes Promenade.

There is no opportunity to provide private car parking on the application site. Public parking is available on Marine Drive and a minimum of two cycle parking spaces are required to comply with the parking standards in the Edinburgh Design Guidance. Therefore, a condition is recommended requiring a minimum of two cycle parking spaces, should planning permission be granted. In this context, there are no parking issues.

There are no roads authority, transport or parking issues with the use of a condition relating to cycle parking.

f) Other Material Planning Considerations

Drainage and flood protection

LDP Policy Env 21 (Flood Protection) states that planning will not be granted for development that would increase flood risk or be at risk of flooding.

Flood Planning has no major concerns.

Archaeology

LDP Policies Env 8 and Env 9 outline the requirements for developing sites of potential archaeological interest.

LDP Policy 8 (Protection of Important Remains) states that development will not be permitted which would damage or destroy non-designated archaeological remains which the council considers should be preserved in situ.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) states that planning permission of known or suspected archaeological significance if it can be concluded from information derived from a desk-based assessment and if required a field evaluation.

The City Archaeologists has advised that it is unlikely that this development will have a significant archaeological impact and that there are no known archaeological implications.

There are no archaeology issues and the proposal complies with policies Env 8 and 9.

Waste

The Design and Access Statement advises that bins will be stored on street next to those of the existing restaurant/café. As this is outwith the application site, the applicant is advised to ensure that the necessary authority is secured from the Council as Roads Authority to store bins on the public road. It is acknowledged that the proposed development is not adjacent to the proposed location of the bins and in practice it is likely that some waste storage will occur on site. There will also be items capable of being recycled and water waste.

The Design and Access Statement also states that wastewater will be stored under units and pumped out by way of waste handler contractor. The developer will need to comply with the relevant legislation and regulations relating to waste water disposal.

It is the responsibility of the developer to ensure that the waste strategy proposed is appropriate for the development and practicable.

External Lighting

There will be four 100w LED uplighters outside. The electricity is to be generated and taken from batteries and, therefore, it is not expected that the lights will be so bright that they will dominate the vicinity. The amount of lighting is not excessive and as such will not detract from the views of the landscape and coast at, for example, late evening or nighttime.

The proposed external lighting is acceptable.

Renewable Energy

It is not proposed to use renewable energy at the moment. The energy will be provided by generated electrical and battery power and LPG from tanks. However, it is recognised that renewable energy possibly can be used, and the agent has advised that a small solar panel could charge the battery.

This is a small scale development to be in place for six months of the year and the current energy generation proposals are acceptable.

Watersports

The associated watersports activity is not development and, therefore, cannot be taken into account in the consideration of the application.

g) Equalities and human rights

Scottish public authorities are required to have 'due regard' to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. The Council as planning authority must also have "due regard" to equalities and human rights matters.

A short ramp will enable access from the tiled flat area at the building onto the existing grass for those using wheelchairs. The agent has advised that the ramp could be extended down to the promenade and made flush with the surface of the promenade. In order to make the proposal inclusive and accessible, it is recommended that a condition be attached to the planning permission, should permission be granted, to require a ramp to be provided.

The proposed toilet does not comply with the relevant standards for an accessible WC facility. Whilst this would generally be a Building Standards matter, it requires to be taken into consideration by the planning authority for this planning application. Therefore, it is recommended that an appropriate condition be attached to the planning permission, should permission be granted, requiring an accessible toilet. As such, the toilet is not part of the approval.

The Design and Access Statement states that it is the intention of the operators to offer "assistance to state schools, disabled and disadvantaged groups". Those wishing to use the building and/or participate in the associated water sports would be able to do so without being excluded or discriminated.

There are no identified equalities or human rights issues, with the use of appropriate conditions.

h) Public Comments

Material Comments - Objection:

- development of promenade. Addressed in 3.3a).
- protect landscape designations; preserve qualities of continuous greenspace of extensive landscape; special place. Addressed in 3.3a).
- greenspace recreational facility must not be compromised. Addressed in 3.3a).
- operation of facility on existing environment. Addressed in 3.3a) and 3.3b).
- no community or commercial benefit. Addressed in 3.3a).
- easily accessed on foot, by bike, on the bus or only a short drive across the city. Addressed in 3.3a).
- detrimental impact on the view westwards towards Cramond. Addressed in 3.3a)
- impact on wildlife/birds. Addressed in 3.3b).
- damage to grassland (due to access). Addressed in 3.3b).

- levels - decking and ramp to promenade. Addressed in 3.3c).
- lack of parking - addressed in 3.3e).
- increased traffic. Addressed in 3.3e)
- external lighting impact on natural, darkening shoreline environment. Addressed in 3.3f).
- access to promenade/paths for servicing. Addressed in 3.3e).
- renewable energy. Addressed in 3.3f).
- waste water. Addressed in 3.3f).
- toilets, accessible/disabled access to toilet. Addressed in 3.3g).

Material Comments - Support:

- water sport recreation/activity opportunity/asset/encourage/provision;
- more variety of facilities and creation of a hub;
- good/benefit for community, community groups, community soul; community purpose;
- create much needed facilities and jobs;
- proposed building would fit well;
- encourage being active and active travel;
- car free access; cycle, bus and pedestrian access;
- Edinburgh's Open Space strategy 2021 seeks to protect and enhance open space to encourage sports and recreation - area forms part of the Edinburgh North West Open Space Action Plan and (Waterfront Promenade).

Non-material - Comments:

- road closures, closure of/re-open Silverknowes Road, traffic route to Marine Drive and road safety. These matters are the responsibility of the Roads Authority.
- insufficient access to beach - out with application site boundary; will use existing promenade and beach accesses. Not a material planning consideration.

- vehicular access to promenade and paths should be restricted - out with application site boundary; the applicant should ensure that they have the necessary rights and authority to access and service the site via Silverknowes Promenade. Not a material planning consideration.
- no bus service - provision of bus services is not a responsibility of the planning authority.
- congestion on the promenade and paths; narrowing walkway - this is outwith the application site boundary. Not a material planning consideration.
- increase in visitor numbers - planning has no control over visitor numbers. Not a material planning consideration.
- impact on and disturbance to marine life. Outwith application site boundary. Not a material planning consideration.
- hazard of additional water sports activities in River Almond and Firth of Forth - Not a material planning consideration
- water quality and safety. Not a material planning consideration
- use of beach and conflict with other beach users - beach outwith site boundary of application site and not a material planning consideration.
- no consultation - consultation not required for this type of planning application; Neighbour Notification undertaken according to regulations and application advertised on 22 January 2021 in Edinburgh Evening News
- relocate proposed development - only the planning application presented in front of the planning authority can be considered.
- future development - only the planning application presented in front of the planning authority can be considered.
- advertisements and other features - advertisement consent may be required; some objects may be ancillary or not development, e.g. plant pots. Only the application presented in front of the planning authority can be considered.
- toilets (except accessible toilets) and showers. Not material planning considerations.
- maintenance of grass (cutting). Not a material planning consideration.
- litter. Not a material planning consideration.

- energy use of building. Not a material planning consideration.
- setting a precedent. Not a material planning consideration.
- ground lease. Not a material planning consideration.

CONCLUSION

The proposal is acceptable in this location and will not have a detrimental effect on the Green Belt, the special landscape area nor the Firth of Forth Special Protection Area. It is of an appropriate scale, form and design. There are no amenity, transport, archaeology, external lighting, waste, renewable energy, equalities or human rights issues. The proposal complies with the Local 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 fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
2. A minimum of 2 cycle parking spaces to be provided. The details to be submitted to and approved in writing by the Planning Authority and implemented before the use is taken up.
3. Details of the ramp from the hardstanding to the promenade to be submitted to and approved in writing by the planning authority. The ramp shall not be more than 1:20 gradient and be no less than 1.5 metres wide. The ramp shall be available for use during the seasonal operational dates and the hours of operation.
4. Notwithstanding what is shown on the approved drawings the WC is not approved. Details of an accessible WC in an appropriate location shall be submitted to and approved in writing by the Planning Authority and implemented before the use is taken up (for the avoidance of doubt, the WC should comply with accessibility standards under the Buildings (Scotland) Regulations 2004 (as amended)).
5. The centre and use hereby approved will be operational between 1 April and 30 September annually only. Outwith this period, the temporary buildings will be dismantled and removed from the site for winter storage.

Reasons:-

1. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
2. In order to comply with cycle parking standards.
3. In order to be inclusive and accessible and comply with Equalities Act.
4. In order to be inclusive and accessible and comply with Equalities Act.
5. Due to the temporary nature of the proposed development.

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. The applicant should ensure that they have the necessary rights and authority to place the waste bins on the public road. The applicant is responsible for the Waste Management Strategy/Plan for the site.
4. The applicant should ensure that they have the necessary rights and authority to access and service the site via Silverknowes Promenade.
5. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 22 January 2021 and 72 public comments were received, including from Cramond and Barnton Community Council and Davidson's Mains & Silverknowes Association. Of these comments 65 were in support, five objected and two were general comments.

Background reading/external references

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

Statutory Development

Plan Provision

The application site is identified in the Local Development Plan as being in the Green Belt, a Notable Habitat Amenity Grassland and a Special Landscape Area. It is next to the Firth of Forth Special Protection Area.

Date registered

12 January 2021

Drawing numbers/Scheme

01-05.,

Scheme 1

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy 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 13 (Sites of International Importance) identifies the circumstances in which development likely to affect Sites of International Importance will be permitted.

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

LDP Policy Ret 6 (Out-of-Centre Development) identifies the circumstances in which out-of-centre retail development will be permitted.

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

Relevant Non-Statutory Guidelines

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

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

Appendix 1

**Application for Planning Permission 20/05834/FUL
At Land To The West Of, 50 Marine Drive, Edinburgh
Erection of changing facilities, storage, retail outlet and café
serving hot and cold food and drinks to eat in or take away.
Operational times are 10am to 8pm daily over April to
September with the structure being dismantled and removed
for winter storage.**

Consultations

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application Erection of changing facilities, storage, retail outlet and café serving hot and cold food and drinks to eat in or take away.

The site is located along the historic foreshore to the east of the Roman Fort and settlement at Cramond. In addition to Roma occupation the area is important for early prehistoric occupation and also medieval and latter settlement. Accordingly, the site occurs within a wider area regarded as being of archaeological significance. However, the area proposed for the new building lies on lower ground below the raised beach (a focus for this activity) and the known limits/concentration of Roman activity to the west.

Therefore, it has been concluded that it is unlikely that this developed will have a significant archaeological impact, and that there are no known, archaeological implications.

Roads Authority

Summary Response

No objections subject to cycle parking provision.

Flood Planning

We have no major concerns over this application. This application can proceed to determination, with no comments from Flood Prevention.

Nature Scot (formerly Scottish Natural Heritage)

Summary

There are natural heritage interests of international importance adjacent to the site, but in our view, these will not be adversely affected by the proposal. Advice in relation to this is provided below and in Annex 1.

NH Advice

Firth of Forth SPA

The proposal lies adjacent to the Firth of Forth Special Protection Area (SPA), designated for its wintering bird interest. A Habitats Regulation Appraisal (HRA) is therefore required.

We consider that HRA screening and if necessary appropriate assessment should be able to be undertaken with information already or readily available.

In terms of HRA screening, our view is this proposal is likely to have a significant effect on the Firth of Forth SPA and consequently, Edinburgh Council as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests.

To help you do this we advise that, in our view, based on the information provided in the application and existing information, the proposal will not adversely affect the integrity of the site.

Annex 1 contains details and reasoning for all requirements.

The advice in this letter is provided by Scottish Natural Heritage, acting under its operating name NatureScot.

Annex 1

Firth of Forth SPA and Habitats Regulations Appraisal

This proposal could affect the Firth of Forth Special Protection Area (SPA) designated for its wintering bird interest. Further information about this internationally important site, the special features it is designated to protect, and its conservation objectives, can be found on NatureScot's SiteLink website: <https://sitelink.nature.scot/home>

The status of these sites means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations"). Consequently, Edinburgh Council is required to consider the effect of the proposal on the site before it can be consented (commonly known as Habitats Regulations Appraisal). Our website has summaries of the legislative requirements and the HRA process: <https://www.nature.scot/professional-advice/protected-areas-and-species/protectedspecies/legal-framework/habitats-directive-and-habitats-regulations> <https://www.nature.scot/professional-advice/planning-and-development/environmentalassessment/habitats-regulations-appraisal-hra>

Our advice in relation to the HRA is provided below:

HRA Stage 1 - is the proposal connected with conservation management of the European site?

No - this proposal is not connected to conservation management of any European site. Hence further consideration is required.

HRA Stage 2 - is the proposal 'likely to have significant effects' upon the European site?

In plain English this asks whether there is any connectivity between the proposal and the European site.

The proposed structure is adjacent to the SPA but will also involve various watersports on the Silverknowes and Cramond coastline as well as River Almond. It is proposed that the centre will be open from the start of April to the end of September, daily 10am-8pm. Given that the SPA birds arrive back to the Firth of Forth in September, then there could be possible disturbance to the bird population and its supporting habitat. We therefore conclude that there's likely significant effects:

- There is potential for disturbance or displacement of birds using the shoreline habitat or coastal water, with the construction of the temporary unit on the adjacent grassland and water based activities, with associated light, noise and movement.*

HRA Stage 3 - will the proposal have adverse effects on the integrity of the SPA?

An appropriate assessment will be required and should be carried out by Edinburgh Council in view of the site's conservation objectives for its qualifying interests. In our view this assessment can be carried out using likely available information and should include an appraisal of the following:

- Are there existing water based activities in this location - is this introducing a new activity/disturbance or does it exist already?*
- How many people are expected to use this centre?*
- Level of activity will be dependent on weather, wind direction and tide*
- It is assumed most watersports will be undertaken at high tide, especially around the Drum Sands area, when birds will be roosting inland - would this be right? This would reduce the likelihood of disturbance.*
- Is there existing data to give an indication of how many birds use this stretch of coastline in September? Our Firth of Forth HRA guidance document gives an indication of species arriving back in September but it isn't location specific: <https://www.nature.scot/habitatsregulations-appraisal-hra-firth-forth-guide-developers-and-regulators>*
- Existing recreational use of this part of the coastline, in terms of walkway, people, coastal use - on-going background disturbance.*
By September, again there is an assumption that there's unlikely to be much use of the centre by the evening, when it's dark, so reducing potential disturbance. Would this be correct?
- Building to be dismantled at the end of September and operations to cease for the wintering season, avoiding disturbance over the rest of the winter period.*

A similar reasoning could be used for the end of the wintering period, at the start of April, when some birds might still be present.

HRA - Conclusion

Taking all of the above considerations into account, in our view it should be possible to reach a conclusion of 'no adverse effects upon site integrity'.

To note: If the planning authority intends to grant planning permission against this HRA advice, you must notify Scottish Ministers.

Cramond and Barnton Community Council

Cramond and Barnton Community Council (CC) has assessed this application and while the land-based site is outwith the CC's boundaries, the implications for public use of Silverknowes and Cramond Promenade, foreshore and coastal waters, including the River Almond river-mouth, are of concern to the CC. Please treat this submission as from a statutory consultee.

In assessing the BoardFast proposals, the CC is aware that the Council is negotiating a lease for the proposed site at Silverknowes and has submitted observations on the draft terms of the lease. It may be that some of the issues identified below would be better dealt with through lease conditions. The CC requests, therefore, that the Council adopts a corporate approach to ensure that the means of resolving the issues identified below are achieved either through planning conditions or lease conditions. Hence, this letter is being copied to the Council's Property and Facilities Management Team.

In principle, the CC welcomes new visitor facilities, such as the proposed watersports centre, where these will bring more activity and enjoyment by both participants and spectators visiting Silverknowes foreshore and waters. However, it is vital, in the interests of the environment and visitor experience, that proposed facilities, such as this watersports centre are carefully assessed, not only in terms of implications for the immediate site, but in respect of operational aspects, which may affect users of the Promenade (e.g. parking, vehicular movements between the site and Cramond Harbour) and of the shore and waters (e.g. implications for Cramond Boat Club of use of the river-mouth).

The CC is seeking, therefore, full consideration by the Planning Authority and Council's Property and Facilities Management Team of the following matters -

a. The proposals include watersports activities on the River Almond river-mouth and coastal waters west of the Causeway during suitable water/weather conditions. This has potential to pose safety issues and limit use of these waters by the long-established Cramond Boat Club, Cramond Sea Scouts, and others. While Scotland's access legislation enables commercial organisations to make active recreational use of the foreshore and coastal and river waters, subject to access rights being exercised responsibly, the Council should keep the recreational use of such areas under review and, if the introduction of BoardFast's activities adversely impact existing activities in/ around Cramond Harbour and the mouth of the River Almond, develop a watersports management plan. This may best be dealt with in the lease conditions.

b. *The proposed temporary buildings should be located nearer to the existing sealed surface path/driveway from Marine Drive to the Promenade, to minimise the length of any vehicular access along the Promenade to the proposed facility. Vehicular access should be restricted to essential loading/unloading at defined off-peak periods and only parking of emergency transport (e.g. beach buggy), if required.*

c. *Due to the often congested use of the Promenade by walkers, dogs and cyclists, and including young children and disabled users, no vehicular access should be permitted on the Promenade between the proposed facility and Cramond Harbour, other than in an emergency.*

d. *Similarly, siting of the facility nearer to the access route and Boardwalk Beach Club café would reduce the visual intrusion of the seasonal structures on the more natural stretch of land adjoining the Promenade between the access road and Cramond. Also, it would reduce the length of travel and numbers of watersports users moving between the proposed centre and the access ramp to the shore, which lies to the east of the facility. This is already often a heavily congested area, due to the access route from Marine Drive and visitors congregating around the Beach Club Café.*

e. *Council staff and elected members will be aware of the severe congestion issues associated with access to, and use of, Cramond's Village Car Park. This has been exacerbated by the closure of the Silverknowes Road access to Marine Drive and Silverknowes Foreshore. It is essential, therefore, that Silverknowes Road be re-opened to vehicles to cater for this new facility and other users of Silverknowes Foreshore and to relieve at least some of the pressures on Cramond.*

f. *The applicants refer in the 'Design Statement' to the uncertain economic and watersports viability of the project and local knowledge suggests that tide times and sea/weather conditions are likely to severely restrict the proposed activities. Hence, it is suggested that the £500 reinstatement bond mentioned in the 'Heads of Terms: Ground Lease' copied in the planning application should be substantially increased.*

g. *There is only one WC shown in the plans and the space and design of this would appear not to be all-abilities compliant. New visitor facilities such as this should be fully all-abilities compliant. We would also suggest that more than one WC should be provided and that the provision of showers will be essential.*

h. *As the proposals include a café and take-away outlet, the operators should be required to provide adequate litter receptacles and keep the vicinity of the facility clear of litter at all times.*

Representatives of the Community Council will be pleased to discuss any aspects of the proposals with members of Council staff.

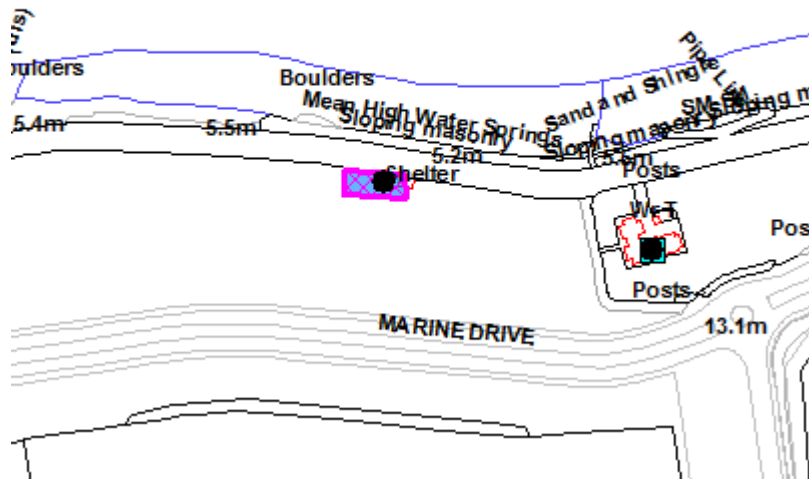
Community Council - Summary of submission

In principle, the Community Council welcomes visitor facilities at Silverknowes, provided potential impacts on users of the Promenade, foreshore and waters are fully assessed.

The CC is seeking consideration by the Planning Authority and Estates Team of the following -

- i. Additional watersports activities at the R. Almond mouth and waters west of the Causeway may pose hazards and limit use by Cramond Boat Club, Sea Scouts and others. This should be kept under review and, if required, a watersports management plan be prepared.
- j. The temporary buildings should be located nearer to the access from Marine Drive to minimise vehicular movements on the Promenade. Access should be restricted to essential, off-peak, loading/unloading and parking of emergency transport.
- k. Only emergency vehicular access should be permitted on the Promenade between the facility and Cramond Harbour.
- l. Siting the facility nearer to the Beach Club café would reduce visual intrusion and congestion on the more natural greenspace between the access road and Cramond and reduce movements between the facility and beach access ramp.
- m. Silverknowes Road should be re-opened to vehicles to enable access to this facility and Silverknowes Foreshore and reduce traffic and parking pressures at Cramond.
- n. Due to the uncertain economic and watersports viability of the project, as recognised by the applicants, the proposed £500 reinstatement bond should be substantially increased.
- o. One, non-all-abilities, WC is inadequate. Showers should be provided.
- p. The café/take-away operators should provide adequate litter receptacles and keep the vicinity clear of litter at all times.

Location Plan



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Development Management Sub Committee

Wednesday 5 May 2021

Application for Planning Permission 20/05883/FUL at Garage 8 Metres West Of 2, Old Kirk Road, Edinburgh. Proposal to clarify roof design of old proposed skylight volume and chimneys (that were disseminated on roof), in order to have only one zinc regular volume, stepped back from main facade, echo sloping roof of neighbouring houses. Contrasting/complimentary material for flat roof extension to be vertical metal cladding in matte metal/grey colour to compliment roughcast and sandstone based precast concrete.

Item number

Report number

Wards

B06 - Corstorphine/Murrayfield

Summary

The proposal complies with the relevant policies in the adopted local development plan and non-statutory guidance. The proposed site has been shown to be a suitable location for a dwelling house. This proposal would not be damaging to the character and appearance of the surrounding area and wider townscape. There will be no adverse impact on the amenity of existing neighbours and a satisfactory level of amenity will be provided for the future occupiers. There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

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

Report

Application for Planning Permission 20/05883/FUL at Garage 8 Metres West Of 2, Old Kirk Road, Edinburgh. Proposal to clarify roof design of old proposed skylight volume chimneys (that were disseminated on roof), in order to have only one zinc regular volume, stepped back from main facade, echo sloping roof of neighbouring houses. Contrasting/complimentary material for flat roof extension to be vertical metal cladding in matte metal/grey colour to compliment roughcast + sandstone based precast concrete.

Recommendations

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

Background

2.1 Site description

The site is a vacant flat roofed garage building within a garden ground located on the southern side of Old Kirk Road. The site slopes steeply from north to south with the resultant effect that the front of the garage facing onto Old Kirk Road is single storey. The garage increases in size as it proceeds southwards and has the appearance of a two storey building when viewed from the south.

The associated garden ground extends in an L shaped configuration southwards and westwards. The site covers a total area of 190 square metres.

2.2 Site History

15 November 2000 - Planning permission refused to convert store below existing garage to form a garden flat (application reference 00/02835/FUL).

23 May 2001 - appeal against refusal of planning permission dismissed (appeal reference 01/00025/REF).

5 November 2015 - Planning permission refused for the demolition of the existing garage/workshop building and the construction of a two storey dwellinghouse. (application reference 15/04177/FUL).

23 August 2018 - Planning permission granted for the demolition of an existing lock-up storage unit and construction of a two bedroom house (as amended) (application reference 18/00984/FUL).

30 August 2020 - Planning permission granted for the demolition of an existing lock-up storage unit and the construction of a high-end and high quality two bedroom house in its place. (application reference 20/01403/FUL)

Main report

3.1 Description of the Proposal

The application is for planning permission for the erection of a bespoke modern designed three storey house. The plot is approximately 4.5 metres wide and approximately 34 metres deep. The proposed house would be approximately 18.8 metres deep and occupy the full width of the plot. The overall height of the proposed house will not exceed the neighbouring properties to the east and west of the site. The building will give the appearance of a two storey property when viewed from Kirk Road but will provide access to the lower ground floor via an external staircase. On the north (rear) elevation the building will appear as three storeys but will be stepped back 1.9 metres at the ground floor and 2.5 metres from the first floor.

The dwelling will be finished in polished concrete with sandstone inserts and zinc cladding for the north and south elevations and pebble dash render for the east and west facades. All doors and windows will be aluminium.

Accommodation consists of a bedroom, living room and WC at the lower ground floor, a kitchen/diner, study and WC at the ground floor and two bedrooms at the first floor level.

Parking will be provided via the existing driveway which is accessed from Old Kirk Road.

Supporting Documents

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

Design Statement

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- (a) the principle of development at this location is acceptable;
- (b) the proposal is of an appropriate scale, form and design;
- (c) the proposal will result in a satisfactory residential environment;
- (d) the proposed use would result in any loss of amenity;
- (e) road safety, car and cycle parking has been addressed;
- (f) the proposal will have an impact in terms of flooding;
- (g) other material matters have been addressed and
- (h) public comments have been addressed.

(a) Principle

Policy Hou1 (Housing Development) of the adopted Edinburgh Local Development Plan (LDP) states that priority will be given to the delivery of the housing land supply and relevant infrastructure on suitable sites in the urban area, provided proposals are compatible with other policies in the plan.

The application site is defined as being part of the urban area in the adopted LDP. The principle of housing development at the site is therefore acceptable provided the proposal is compatible with other policies in the plan.

LDP policy Hou 2 - (Housing Mix) states that the Council will seek a mix of house types and sizes where practicable to meet a range of housing needs. The surrounding area consists of largely detached, semi-detached dwellings. The proposed dwelling would provide further accommodation within the area for families and complies with LDP policy Hou 2.

Planning permission was approved for the erection of a new dwelling house on this site under planning application 20/01403/FUL. This consent is still extant. The principle of constructing a dwelling within the site is therefore established.

Overall, the proposal is also compatible with other policies in the plan and therefore the principle of housing development is acceptable.

The proposal complies with Policy Hou1.

(b) Scale Form and Design

LDP Policy Des 1 states that planning permission will be not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character and appearance of the area around it. LDP Policy Des 4 states that planning permission will be granted for development where it is demonstrated that it will have a positive impact upon its surroundings. In addition, policy Hou 4 states that the Council will seek an appropriate density of development on each site having regard to its characteristics and those of the surrounding area.

The surrounding area is largely characterised by one and a half storey detached and two storey semi-detached dwelling houses dating from both the pre-war and post war period. These buildings utilise a variety of different external materials including smooth render, roughcast and natural stone.

The site has an extant consent for a new bespoke dwelling on the site (application reference 20/01403/FUL). The footprint of the proposed building is the same as that approved under 20/01403/FUL with the design difference being the addition of the stepped first floor level. Whilst this will result in a marginal increase to the overall height of the building by approximately 2.3 metres it will sit in line with the ridge line of 2A Old Kirk Road to the west and below the ridge line of 2 Old Kirk Road to the east of the application site. Whilst the form of the proposed dwelling would appear notably different from that of other dwellings in the surrounding area, it is a bespoke design which utilises high quality build materials and would not represent an incongruous feature into the streetscape.

The proposal is appropriate in respect of its design, form, scale and density; and will not have a detrimental impact on the character and appearance of the surrounding area.

The proposal complies with LDP policies Des 1, Des 4 and Hou 4.

(c) Residential Environment

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

The Edinburgh Design Guidance also seeks to address the criteria of an acceptable level of amenity for future occupiers of the development.

The proposed dwelling will have large windows to its front and rear elevations at both ground floor and upper level. It would provide adequate levels of sunlight/daylight for any future occupiers. It will also provide adequate internal floorspace and a good amount of external garden ground will also be provided. It would have to comply with the building regulations in terms of adaptability and sustainability and it meets the other criteria of Des 5.

The proposal complies with policy Des 5 and the Edinburgh Design Guidance.

(d) Loss of Amenity to Neighbours

LDP 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.

The applicant has submitted a sun path analysis to assess the impact of the proposal on the neighbouring properties. This demonstrates that the increase in the height of the building will not have a material impact on the levels of sunlight/daylight received by

No 2 and No 2A. These properties have sizeable gardens which the proposal will not materially impact.

Given the topography of the site this results in the properties on Old Kirk Road sitting at an elevated position to those to the south of the site on Gordon Road.

The Edinburgh Design Guidance (EDG) states that *the pattern of development in an area will help to define appropriate distances between buildings and consequential privacy distances.*

At the lower ground level the total distance between the proposed dwelling and the properties on Gordon Road is approximately 26 metres (14 metres to the applicants boundary) at the lower ground floor, 29 metres (16 metres to the applicants boundary) at the ground floor and 33 metres (19 metres to the applicants boundary) at the first floor. The footprint of the lower ground and ground floor level remain the same as that approved under 20/05883/FUL, the first floor level is broadly in keeping with the distances of the neighbouring properties on Old Kirk Road and will not have an adverse impact upon the existing levels of privacy enjoyed by neighbouring properties.

The windows at the first floor are openable but there is no door access onto the flat roof area and the applicant has confirmed that a balcony is not proposed as part of this application. Planning permission would be required if the applicant wanted to utilise this area as a balcony as safety barriers would be required to be installed.

The proposal complies with policy Des 5 and the Edinburgh Design Guidance.

(e) Traffic or Road Safety Issues

LDP policy Tra 2 states that 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.

LDP policy Tra 3 states that planning permission will be granted for development where the proposed cycle parking and storage facilities comply with the standards set out in Council guidance.

The site is identified within zone 3 of the Council's Parking Standards. The standards identify that new houses with four or more habitable rooms should not have more than two parking spaces. The proposal includes provision for one parking space which will be provided via the existing driveway and complies with the EDG parking standards. Cycle parking can be adequately provided on the site.

The proposal does not raise any issues in respect of parking and complies with policy Tra 2 and Tra 3.

g) Flooding

LDP policy Env 21- Flooding states that planning permission will not be granted for development that would increase a flood risk or be at risk of flooding itself.

The Scottish Environmental Protection Agency (SEPA) flood maps show the area around the site has a medium risk of surface water flooding. Flood Planning were consulted as part of the assessment of the previous application for the site (20/01403/FUL) and raised no objections. A Surface Water Management Plan (SWMP) has not been submitted with this application. A condition has been applied to the consent to ensure that a SWMP is submitted for the written approval of the Council prior to works commencing on site.

(h) Public comments

Material Representations - objection

- The proposal is out of character with the street. This is addressed in section 3.3b
- The proposal is one storey higher than the previous consent. This is addressed in section 3.3b
- Accessibility to the property. This is addressed in section 3.3c
- Increased overlooking and loss of privacy. This is addressed in section 3.3d
- Increased overshadowing. This is addressed in section 3.3d
- Formation of a balcony /external terrace. This is addressed in section 3.3d

Conclusion

The proposal complies with the relevant policies in the adopted local development plan and non-statutory guidance. The proposed site has been shown to be a suitable location for a dwelling house. This proposal would not be damaging to the character and appearance of the surrounding area and wider townscape. There will be no adverse impact on the amenity of existing neighbours and a satisfactory level of amenity will be provided for the future occupiers. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions :-

1. A Surface Water Management Plan shall be submitted for the written approval of the Council as Planning Authority prior to any works commencing on site. This should be prepared in line with the self-certification scheme below.

CEC Flood Planning Self-Certification Requirements and Guidance:

http://www.edinburgh.gov.uk/info/20045/flooding/1584/flood_planning_application

Reasons: -

1. In the interest of surface water management.

Informatives :-

It should be noted that:

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

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

Background reading/external references

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

Statutory Development

Plan Provision

Edinburgh Local Development Plan - The site is located within an Urban Area.

Date registered

31 December 2020

Drawing numbers/Scheme

01-12,

Scheme 1

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

E-mail: lynsey.townsend@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

Appendix 1

**Application for Planning Permission 20/05883/FUL
At Garage 8 Metres West Of 2, Old Kirk Road, Edinburgh
Proposal: to clarify roof design of old proposed skylight
volume + chimneys (that were disseminated on roof), in
order to have only one zinc regular volume, stepped back
from main facade, echo sloping roof of neighbouring
houses. Contrasting/complimentary material for flat roof
extension to be vertical metal cladding in matte metal/grey
colour to compliment roughcast + sandstone based precast
concrete.**

Consultations

No consultations undertaken.

Location Plan



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Development Management Sub Committee

Wednesday 5 May 2021

**Application for Planning Permission 21/00878/FUL
at 13 Sciennes, Edinburgh.
Temporary period of 2 years to permit Sui Generis use of
premises as student accommodation and short-stay
accommodation for let to non-students at any time of year.**

Item number

Report number

Wards

B15 - Southside/Newington

Summary

The proposed mixed use of students and short stay visitors for a temporary period of 2 years complies with the Local Development Plan. There will be no adverse impacts on student or residential amenity and the proposals preserve the character and appearance of the conservation area. There are no material planning considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LHOU07, LEN06, NSBUS,

Report

Application for Planning Permission 21/00878/FUL at 13 Sciennes, Edinburgh Temporary period of 2 years to permit Sui Generis use of premises as student accommodation and short-stay accommodation for let to non-students at any time of year.

Recommendations

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

Background

2.1 Site description

The application site is Meadow Court, a purpose built student accommodation (PBSA) complex on the west side of Sciennes.

Built in the 1980s, Meadow Court provides 148 student bedrooms arranged in 3, 4, 5 and 6 bedroom cluster flats along with 5 and 6 bedroom mews houses. The main building houses the cluster flats across 5 storeys and fronts Sciennes, in-line with historic sandstone tenements to the north. Behind the main building lies a central courtyard which is connected to Sciennes via a gated pend in the main building.

The courtyard contains a halting area for deliveries/collections, two mews houses to the north and south, and a new building along the west boundary housing a common room, meeting room and study space with integrated bicycle and bin stores. As part of the proposals for the new building, use of the courtyard was also converted from a car park to a shared garden with new landscaping.

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

2.2 Site History

19 October 2010 - a certificate of lawfulness was granted for use of the premises as student accommodation and summer letting to non-students out with term-time during the academic year (planning reference: 10/02240/CLE)

14 March 2017 - planning permission granted for demolition of existing store rooms and construction of a new building within the existing courtyard to accommodate a common room and meeting room, with integrated bike and bin stores (planning reference: 17/00316/FUL)

Main report

3.1 Description of The Proposal

The application is for full planning permission for a temporary period of 2 years to permit the use of Meadow Court as short-stay accommodation available for let to non-students on a year-round basis, in addition to its continued use as PBSA for letting to students.

Like the current use, the proposed use would be Sui Generis as it does not fall within any specified class of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended).

Supporting Statement

- Planning statement

This is available to view on the Planning and Building Standards On-line Services.

3.2 Determining Issues

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

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposed use is acceptable;
- b) the proposals preserve or enhance the character and appearance of the conservation area and
- c) public comments have been addressed.

a) Proposed Use

The application site is situated in the urban area as defined in the adopted Edinburgh Local Development Plan (LDP).

The main policy that is applicable to the assessment of short-stay commercial visitor accommodation (SCVA) lets is LDP policy Hou 7 (Inappropriate Uses in Residential Areas) which states that developments, including changes of use which would have a materially detrimental impact on the living conditions of nearby residents, will not be permitted.

The non-statutory Guidance for Businesses states that an assessment of a change of use of dwellings to SCVA will have regard to:

- The character of the new use and of the wider area;
- The size of the property;
- The pattern of activity associated with the use including numbers of occupants, the period of use, issues of noise, disturbance and parking demand; and
- The nature and character of any services provided.

It is noted that the current use is student accommodation not dwellings but as students typically stay in the accommodation for much of the year, it should be considered whether a more mixed use involving visitor accommodation could impact on their amenity.

There has been a number of appeal decisions which have helped to assess whether short stay visitor accommodation is acceptable or not. These appeals are material planning considerations. The main determining issues in these cases relate to the following:

- The location of the property and, in particular, whether it is part of a common stair shared by residents. Typically, appeals are successful where the property has its own private access;
- The frequency of movement and likely disturbance for neighbours, and whether this is likely to be more than a full-time tenant occupying the flat. Generally, the smaller the flat the less likelihood of disturbance to neighbours;
- The impact on the character of the neighbourhood. Again, this often relates to the size of the property and whether anyone renting it for a few days is likely to shop or use local services any differently from a long-term tenant;
- The nature of the locality and whether the property is located within an area of activity such as being on a busy road or near shops and other commercial services. As such, residents would be accustomed to some degree of ambient noise/ disturbance.

These appeals have also found that short stay visitor accommodation units can be acceptable in predominately residential areas.

Paragraph 220 of the LDP acknowledges that tourism is the biggest source of employment in Edinburgh, providing jobs for over 31,000 people. Whilst there is not a specific LDP policy relating to the jobs created through the required care, maintenance and upkeep of SVCA properties, the economic benefits are a material planning consideration.

The proposal effectively seeks to allow continued letting to students but also with the option to let apartments to non-students on short leases (from a single night to several months) at any time of year, which currently only takes place in the summer months.

This would allow flexibility to let space to either students or non-students year-round in response to conditions in the PBSA market that have been caused by coronavirus.

In recent years, Meadow Court has consistently achieved 100% occupancy. However, this rate has dropped significantly due to the pandemic and students working from home. It has recently dropped to 43% and it is expected that teaching will continue to be delivered online by the various institutions in Edinburgh for the foreseeable future, continuing the reduced demand for PBSA bedspaces. Introducing a more flexible type of accommodation for a temporary period of 2 years would allow the accommodation to be used more effectively.

In terms of the criteria above, the building is in a central location and whilst the access will be shared between students and visitors, it is not envisaged that this would be so intensive to cause any harm in terms of amenity. The frequency of movement is likely to be more than a residential property as visitors will be arriving every few days but in the context of a student complex which is typically busy with lots of movement, this is unlikely to cause significant harm in terms of amenity to the students who live there. It is likely that visitors will use local facilities in a similar way to many students and there will be no appreciable difference. Although Sciennes is a reasonably quiet street, it is near the city centre shops and commercial outlets and any increase in activity caused by short stay visitors is compatible with this context.

In relation to residential amenity, a mix of students and short stay visitors is unlikely to be significantly different to the current use. Visitors will enter the building and there will be no direct interaction with local residents.

The proposals comply with policy Hou 7.

b) Conservation Area

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2) , special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

LDP Policy Env 6 - Conservation Areas - Development states that development within a conservation area will be permitted if it preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal and demonstrates high standards of design and utilises materials appropriate to the historic environment.

There are no proposed alterations to the building and the appearance of the conservation area will be unaffected. In addition, there would be little change to the character of the conservation area should the use change from students to students and short stay visitors all year round.

The proposal complies with LDP Policy Env 6.

c) Public Comments

Material Comments - Objection:

- Do not want any more non-students - addressed in 3.3a)

Conclusion

The proposed mixed use of students and short stay visitors for a temporary period of 2 years complies with the Local Development Plan. There will be no adverse impacts on student or residential amenity and the proposals preserve the character and appearance of the conservation area. There are no material planning considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Permission is granted for a limited period of 2 years. The use hereby approved shall cease prior to or on the date of expiry of the limited period of consent. The land and buildings shall be restored to its previous use within 3 months of the cessation of the development.

Reasons:-

1. To reflect the temporary nature of the proposals.

Informatives

It should be noted that:

1. 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.
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.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

One objection comment has been received.

Background reading/external references

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

Statutory Development

Plan Provision

Date registered 23 February 2021

Drawing numbers/Scheme 01-08,

Scheme 1

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Nancy Jamieson, Team Manager

E-mail: nancy.jamieson@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

Appendix 1

**Application for Planning Permission 21/00878/FUL
At 13 Sciennes, Edinburgh,
Temporary period of 2 years to permit Sui Generis use of
premises as student accommodation and short-stay
accommodation for let to non-students at any time of year.**

Consultations

Transport Planning

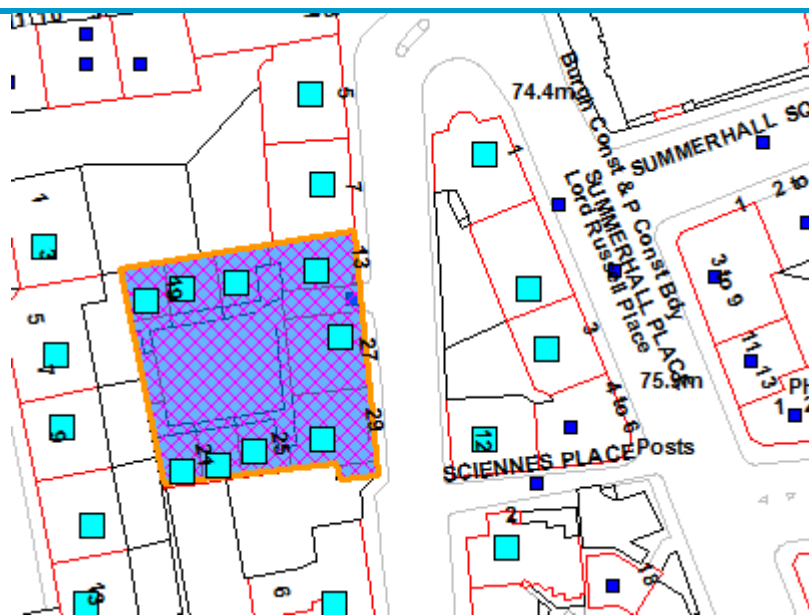
No objections.

Note:

Cycle parking provision has been considered under 'hotel use' in this case. Therefore, the existing 26 cycle parking spaces are considered to meet the requirement of 1 space per 10 bedrooms for the 148 rooms;

The existing zero car parking provision is considered appropriate. The development lies within Controlled Parking Zone 7 (Mon-Fri, 8.30am-5.30pm).

Location Plan



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Development Management Sub Committee

Wednesday 5 May 2021

**Application for Planning Permission 21/00869/FUL
at 8 Shandwick Place, Edinburgh, EH2 4RP.
Change of use to provide short stay holiday
accommodation on 1st and 2nd floors.**

Item number

Report number

Wards

B11 - City Centre

Summary

The change of use to short stay lets is acceptable in principle in this location and will not harm the special interest of the listed building or the defined character of the conservation area. It will not result in an unreasonable loss of amenity for the residential properties above. The proposal complies with the adopted Local Development Plan. There are no material planning considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDEL02, LHOU07, LEN04, LEN06, NSG, CRPNEW, NSBUS, HES, HESUSE,

Report

Application for Planning Permission 21/00869/FUL at 8 Shandwick Place, Edinburgh, EH2 4RP. Change of use to provide short stay holiday accommodation on 1st and 2nd floors.

Recommendations

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

Background

2.1 Site description

The application relates to the first and second floors above a retail unit on the north side of Shandwick Place and immediately adjacent to the corner unit on Shandwick Place and Queensferry Street.

The current use of the building is as storage for the retail unit below. There are two residential units on the third floor.

The building was designed by Robert Paterson and built in 1880 and was C listed on 22 July 2009 (Ref. 51342)

The site is located within the World Heritage Site.

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

2.2 Site History

15 January 1997 - planning permission granted for alterations (Planning reference: 95/13125/FUL)

27 May 2011 - planning permission refused for alterations and part change of use of existing building to form 3 no new flats at first and second floors and retain 2no existing flats at third floor level (Planning reference: 11/01095/FUL)

30 May 2011- listed building consent granted for alterations and part change of use of existing building to form 3 no new flats at first and second floors and retain 2no existing flats at third floor level. Third floor flats to be altered and refurbished (Planning reference: 11/01095/LBC)

13 August 2013 - listed building consent granted for internal alterations to create holiday hostel on 3 floors (Planning reference: 13/02509/LBC)

24 May 2017 - Planning application withdrawn for the change of use from vacant storage of a shop and residential accommodation to a hostel (class 7) (Planning reference: 13/02490/FUL). Although the application was minded to grant, the tram contribution was not paid.

3 July 2017 - no further action taken in enforcement investigation regarding unauthorised hostel use as the use ceased (Enforcement reference: 17/00165/ECOU).

Main report

3.1 Description of the Proposal

The proposal is for change of use to the first and second floors to form four self-contained, self-catering short term holiday let units.

Two units would be formed on each floor. The existing toilets would be removed along with some minor walls. The main alteration is on the first floor where a new partition will be formed to separate the bed from the bathroom.

The new units will consist of a double bed, seating area, small kitchen area and bathroom.

3.2 Determining Issues

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposed use is acceptable;
- b) the proposals preserve the character and setting of the listed building and
- c) the proposals preserve or enhance the character and appearance of the conservation area.

a) Proposed Use

The site is within the city centre where Edinburgh Local Development Plan (LDP) policy Del 2 (City Centre) permits development which retains and enhances its character, attractiveness, vitality and accessibility and contributes to its role as a strategic business and regional shopping centre and Edinburgh's role as a capital city. The policy requires uses or a mix of uses appropriate to the location of the site, its accessibility and the character of the surrounding area.

The main policy that is applicable to the assessment of short-stay commercial visitor accommodation (SCVA) lets is LDP policy Hou 7 (Inappropriate Uses in Residential Areas) which states that developments, including changes of use which would have a materially detrimental impact on the living conditions of nearby residents, will not be permitted.

The non-statutory Guidance for Businesses states that an assessment of a change of use of dwellings to SCVA will have regard to:

- The character of the new use and of the wider area;
- The size of the property;
- The pattern of activity associated with the use including numbers of occupants, the period of use, issues of noise, disturbance and parking demand; and
- The nature and character of any services provided.

It is noted that the current authorised use is storage.

There has been a number of appeal decisions which have helped to assess whether short stay visitor accommodation is acceptable or not. These appeals are material planning considerations. The main determining issues in these cases relate to the following:

- The location of the property and, in particular, whether it is part of a common stair shared by residents. Typically, appeals are successful where the property has its own private access;
- The frequency of movement and likely disturbance for neighbours, and whether this is likely to be more than a full-time tenant occupying the flat. Generally, the smaller the flat the less likelihood of disturbance to neighbours;
- The impact on the character of the neighbourhood. Again, this often relates to the size of the property and whether anyone renting it for a few days is likely to shop or use local services any differently from a long-term tenant;

- The nature of the locality and whether the property is located within an area of activity such as being on a busy road or near shops and other commercial services. As such, residents would be accustomed to some degree of ambient noise/ disturbance.

Paragraph 220 of the LDP acknowledges that tourism is the biggest source of employment in Edinburgh, providing jobs for over 31,000 people. Whilst there is not a specific LDP policy relating to the jobs created through the required care, maintenance and upkeep of SVCA properties, the economic benefits are a material planning consideration.

In terms of the location of the property, it is acknowledged that visitors will share a common stair with the residents on the third floor. Whilst this would not normally be acceptable, the nature of the locality would suggest that these residents are used to a degree of ambient noise and disturbance. Shandwick Place is a busy arterial route through the City with commercial premises on the ground floor and above. The introduction of four small self-catering units is unlikely to cause significant noise issues which would merit refusal.

The units are small studios for a maximum of two people each. Local services will be used but not intensively and it is unlikely there will be any adverse impacts on the character of the locality where the new use will fit in with the mixed use nature.

The proposal complies with policies Del 2 and Hou 7.

b) Listed Building

Section 59 (1) of the Planning (Listed Building and Conservation Areas)(Scotland) Act 1997 states:

"In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

Historic Environment Scotland's (HES) Guidance Notes on Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings states; "New uses may enable us to retain much of the fabric and special interest of a building, but they will always have an impact on its intangible value. The process of conversion will have some impact on a building's special interest, regardless of how well it is handled. The continued use of a listed building for its original function will normally be the best way to retain its historic character".

LDP Policy Env 4, Listed Buildings - Alterations and Extensions, permits alterations to listed buildings when they are justified, in keeping with its character and can be undertaken without damage to historic structures or diminution of interest.

The internal alterations are assessed in more detail in the associated application for listed building consent but the building has been altered in the past and the alterations are generally considered acceptable.

The proposal complies with LDP Policy Env 4 and the relevant HES guidance.

c) Conservation Area

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2) , special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

LDP Policy Env 6 - Conservation Areas - Development states that development within a conservation area will be permitted if it preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal and demonstrates high standards of design and utilises materials appropriate to the historic environment.

There are no proposed external alterations to the building and the appearance of the conservation area will be unaffected. In addition, there would be little change to the character of the conservation area should the use change from storage to short stay lets.

The proposal complies with LDP Policy Env 6.

Conclusion

The change of use to short stay lets is acceptable in principle in this location and will not harm the special interest of the listed building or the defined character of the conservation area. It will not result in an unreasonable loss of amenity for the residential properties above. The proposal complies with the adopted Local Development Plan. There are no material planning considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Informatives

It should be noted that:

1. 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.

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

No representations have been received.

Background reading/external references

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

- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development

Plan Provision

Date registered 22 February 2021

Drawing numbers/Scheme 01-05,

Scheme 1

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Nancy Jamieson, Team Manager

E-mail: nancy.jamieson@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

Relevant Non-Statutory Guidelines

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

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

Relevant Government Guidance on Historic Environment.

Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings sets out Government guidance on the principles that apply to enable the use, the reuse and adaptation of listed buildings.

Appendix 1

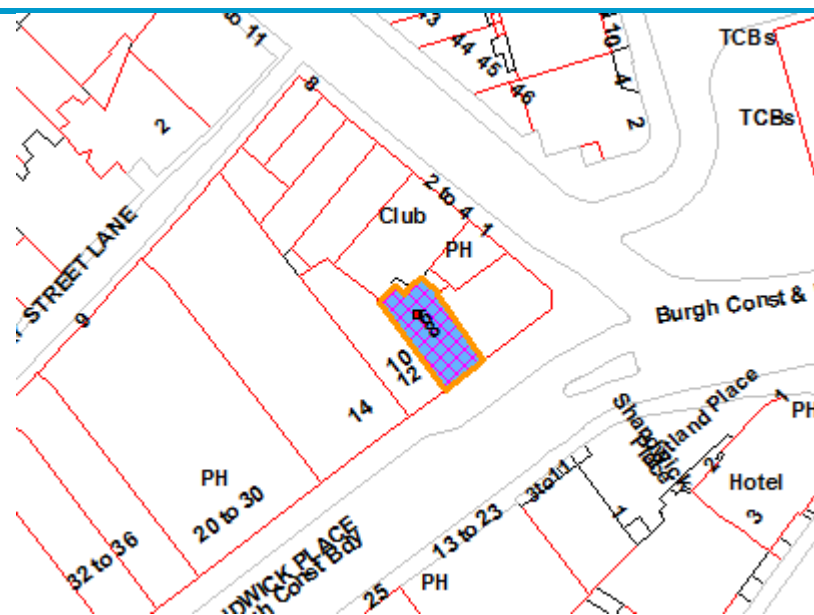
**Application for Planning Permission 21/00869/FUL
At 8 Shandwick Place, Edinburgh, EH2 4RP
Change of use to provide short stay holiday accommodation
on 1st and 2nd floors.**

Consultations

Roads Authority

No objections

Location Plan



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Development Management Sub Committee

Wednesday 5 May 2021

**Application for Listed Building Consent 21/00867/LBC
at 8 Shandwick Place, Edinburgh, EH2 4RP.
Alterations to form short stay self-catering units on first and
second floor. Internal alterations to third floor flats.**

Item number

Report number

Wards

B11 - City Centre

Summary

The development complies with the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as it preserves the character and setting of the listed building and preserves or enhances the character and appearance of the conservation area.

Links

[Policies and guidance for this application](#)

HES, HEPS, HESINT, HESUSE, LDPP, LEN04, LEN06, NSG, CRPNEW, NSLBCA,

Report

Application for Listed Building Consent 21/00867/LBC at 8 Shandwick Place, Edinburgh, EH2 4RP. Alterations to form short stay self-catering units on first and second floor. Internal alterations to third floor flats.

Recommendations

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

Background

2.1 Site description

The application relates to the first and second floors above a retail unit on the north side of Shandwick Place and immediately adjacent to the corner unit on Shandwick Place and Queensferry Street.

The current use of the building is as storage for the retail unit below. There are two residential units on the third floor.

The building was designed by Robert Paterson and built in 1880 and was C listed on 22 July 2009 (Ref. 51342)

The site is located within the World Heritage Site.

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

2.2 Site History

15 January 1997 - planning permission granted for alterations (Planning reference: 95/13125/FUL)

27 May 2011 - planning permission refused for alterations and part change of use of existing building to form 3 no new flats at first and second floors and retain 2no existing flats at third floor level (Planning reference: 11/01095/FUL)

30 May 2011- listed building consent granted for alterations and part change of use of existing building to form 3 no new flats at first and second floors and retain 2no existing flats at third floor level. Third floor flats to be altered and refurbished (Planning reference: 11/01095/LBC)

13 August 2013 - listed building consent granted for internal alterations to create holiday hostel on 3 floors (Planning reference: 13/02509/LBC)

24 May 2017 - Planning application withdrawn for the change of use from vacant storage of a shop and residential accommodation to a hostel (class 7) (Planning reference: 13/02490/FUL). Although the application was minded to grant, the tram contribution was not paid.

3 July 2017 - no further action taken in enforcement investigation regarding unauthorised hostel use as the use ceased (Enforcement reference: 17/00165/ECOU).

Main report

3.1 Description of the Proposal

The proposal is for change of use to the first and second floors to form four self-contained, self-catering short term holiday let units. Minor alterations are also proposed to the existing residential units on the third floor.

Two units each would be formed on the first and second floors. The existing toilets would be removed along with some minor walls. The main alteration is on the first floor where a new partition will be formed to separate the bed from the bathroom.

On the third floor, a wall will be removed to make the flat open plan.

3.2 Determining Issues

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

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

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

3.3 Assessment

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

- a) the proposals preserve the character of the listed building;
- b) the proposals preserve or enhance the character or appearance of the conservation area.

a) Listed Building

Section 14 (2) of the Planning (Listed Building and Conservation Areas)(Scotland) Act 1997 states:

"In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

Historic Environment Scotland's (HES) Guidance on Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings states: "New uses may enable us to retain much of the fabric and special interest of a building, but they will always have an impact on its intangible value. The process of conversion will have some impact on a building's special interest, regardless of how well it is handled. The continued use of a listed building for its original function will normally be the best way to retain its historic character".

Historic Environment Scotland's Guidance on Managing Change in the Historic Environment: Interiors states: *"the interior of a historic building is important in defining its character and special interest. The interest, experience and enjoyment of a historic interior can be derived from a number of factors including its design, structural plan and layout, the quality of its decorative scheme, materials and craftsmanship, fixtures and fittings, any associated archaeology, and historical and cultural associations."*

LDP Policy Env 4, Listed Buildings - Alterations and Extensions, permits alterations to listed buildings when they are justified, in keeping with its character and can be undertaken without damage to historic structures or diminution of interest.

The interior of this listed building has been significantly altered and the rooms on the second floor and the third floor have had partitions added. These rooms were not of special significance and the alterations to them to improve the layouts are acceptable.

The rear room of the first floor is also already altered and the changes are acceptable.

The main intervention of note is the front room on the first floor which could be termed a principal room in the context of the building although there is evidence it has been altered from its original symmetrical layout e.g. the chimney breast is not centred on the wall. The room has good panelling round the windows which will be retained and a good quality cornice.

A new bathroom will be inserted into this room but provided it is not full height and is designed to integrate with the other furniture this will allow the cornice to be untouched and the room proportions to be appreciated. A condition is added to get further details of the bathroom pod. On this basis the special interest of the listed building will be preserved.

The proposal complies with the relevant HES guidance.

b) Conservation Area

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2) , special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

LDP Policy Env 6 - Conservation Areas - Development states that development within a conservation area will be permitted if it preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal and demonstrates high standards of design and utilises materials appropriate to the historic environment.

There are no proposed external alterations to the building and the appearance of the conservation area will be unaffected. In addition, there would be little change to the character of the conservation area in terms of the alterations proposed.

The proposal meets the statutory test.

Conclusion

The work complies with the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as it preserves the character and setting of the listed building and preserves the character and appearance of the conservation area.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Details of the proposed bathroom pod in the first floor front room shall be submitted for the approval of the planning authority prior to the commencement of the works. The pod shall not be full height and should be designed to integrate with the studio furniture.

Reasons:-

1. In order to safeguard the character of the statutorily listed building.

Informatives

It should be noted that:

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

No representations have been received.

Background reading/external references

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

Statutory Development

Plan Provision

Date registered 22 February 2021

Drawing numbers/Scheme 01-05,

Scheme 1

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Nancy Jamieson, Team Manager

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Links - Policies

Relevant Policies:

Relevant Government Guidance on Historic Environment.

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

Managing Change in the Historic Environment: Interiors sets out Government guidance on the principles that apply to alterations to the interiors of listed buildings.

Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings sets out Government guidance on the principles that apply to enable the use, the reuse and adaptation of listed buildings.

Relevant policies of the Local Development Plan.

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

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

Relevant Non-Statutory Guidelines

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

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

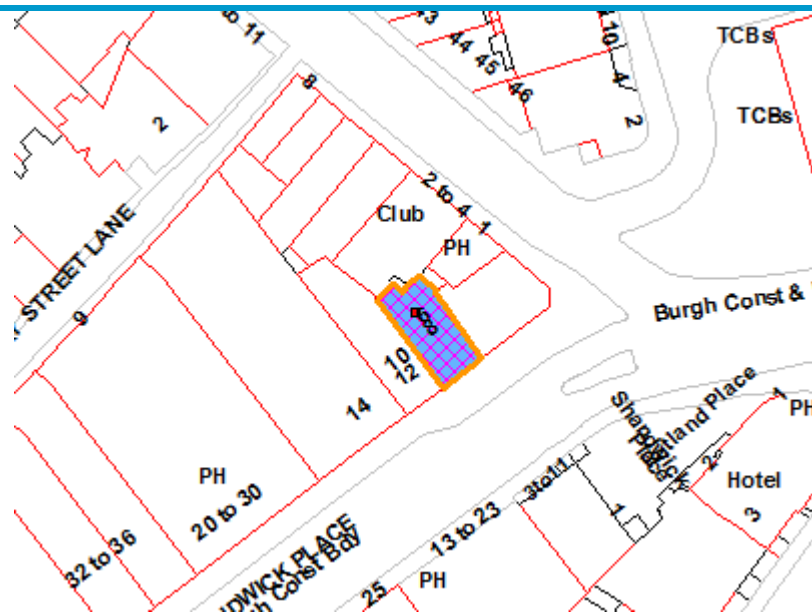
Appendix 1

**Application for Listed Building Consent 21/00867/LBC
At 8 Shandwick Place, Edinburgh, EH2 4RP
Alterations to form short stay self-catering units on first and
second floor. Internal alterations to third floor flats.**

Consultations

No consultations undertaken.

Location Plan



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END

Development Management Sub Committee

report returning to Committee - Wednesday 5 May 2021

Application for Planning Permission in Principle 19/03097/PPP

**At Site 60 Metres South Of 199, Fountainbridge, Edinburgh
Proposed mixed use development comprising retail (Class 1), financial services (class 2), food and drink (class 3), office/light industrial (class 4), hotel (class 7), housing (class 9), community use (class 10), leisure (class 11), public house (non-classified use) and associated parking, open space, infrastructure and public realm works.**

Item number

Report number

Wards

B09 - Fountainbridge/Craiglockhart

Recommendations

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

Background information

The Committee was minded to grant planning permission in principle on 6 November 2019, subject to the conclusion of a legal agreement within six months of that date to secure developer contributions towards transport, education, primary healthcare and affordable housing.

Under the normal Scheme of Delegation, the Chief Planning Officer has delegated powers to extend the six-month period for concluding a legal agreement to nine months, provided meaningful progress is being achieved. This delegated power was used to extend the period for concluding the legal agreement in this case. On 16 December 2020 Committee granted an additional extension of three months until 15 March 2021. However, this additional three month period has now been exceeded and therefore, the matter requires to be returned to Committee for a decision.

Main report

There are no new material planning considerations which affect the Development Management Sub-Committee original decision on 6 November 2019 that it was minded to grant this application subject to a legal agreement first being concluded. The drafting of a suitable agreement has been progressed by both parties and is returned to committee at this particular point as colleagues in Legal Services have confirmed that the drafting will be concluded within the next three months.

The original report and draft decision notice notes that a legal agreement is required to secure the necessary infrastructure. As members are aware this would usually be done via a S75 agreement. However, as the Council is the applicant and owner of the land in this application a S75 agreement was not considered appropriate in this case. Instead negotiations have been ongoing between Planning and the relevant Council departments to agree a Memorandum of Understanding that sets out the obligations and the requirement for a S75 in the event the land is sold onto a third party to develop.

The planning permission in principle provides significant flexibility on what precisely will be delivered on the site and this has added a layer of complexity to agreeing terms for the Memorandum of Understanding that secures the appropriate infrastructure for what is approved via future AMC applications. However, meaningful progress has been achieved in negotiating the terms of the Memorandum of Understanding. Negotiations have now concluded with the Memorandum of Understanding agreed. It is considered that a further three-month extension to the period to sign the Memorandum of Understanding will enable the planning permission in principle to be released for this development.

It is recommended that the timescales for concluding a Memorandum of Understanding for this application be extended by three months and once concluded, that planning permission in principle is granted.

Links

Policies and guidance for this application

LDPP, LDEL01, LDEL02, LDES01, LDES02, LDES03, LDES11, LEN08, LEN09, LEMP01, LEMP10, NSG, LHOU01, LHOU06, LTRA01, SGDC,

A copy of the original and previous returning Committee reports can be found in the list of documents at

<https://citydev-portal.edinburgh.gov.uk/idxpa-web/applicationDetails.do?activeTab=documents&keyVal=PTR2OLEWKK700>

Or Council Papers online

David Givan

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PLACE

The City of Edinburgh Council

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Development Management Sub Committee

Wednesday 5 May 2021

**Application for Planning Permission 20/03461/FUL
At 20 Meadow Place Road, Edinburgh, EH12 7UQ
Erection of 24 residential apartments including access,
parking, landscaping and associated works. (as amended)**

Item number

Report number

Wards

B06 - Corstorphine/Murrayfield

Summary

The proposal complies with the Edinburgh Local Development Plan. The proposal is acceptable in principle and will not have a detrimental impact on the quality and character of the local environment or the spatial pattern of the surrounding area. The proposal will result in the creation of a satisfactory residential environment and will not have an unreasonable impact on the amenity of neighbouring residents.

The proposal encourages reduced reliance on car usage and promotes sustainable modes of transport through appropriately designed cycle provision. No specific road or pedestrian safety issues will occur as a result.

Adequate mitigation for the loss of trees is secured through a landscaping plan. The proposal does not raise issues in respect of archaeology, protected species or flooding.

Links

[Policies and guidance for this application](#)

SGDC, LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LEN09, LEN12, LEN16, LEN21, LEN22, LTRA02, LTRA03, LTRA04, LHOU01, LHOU02, LHOU03, LHOU04, NSG, NSGD02, NSHAFF,

Report

Application for Planning Permission 20/03461/FUL At 20 Meadow Place Road, Edinburgh, EH12 7UQ Erection of 24 residential apartments including access, parking, landscaping and associated works. (as amended)

Recommendations

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

Background

2.1 Site description

The proposal site is a car park on the west side of Meadow Place Road that lies adjacent to police station to the south, and a retail unit to the north. To the west, the site abuts a larger car park which serves the Corstorphine Tesco Extra Supermarket. The two parking areas are separated by timber fencing at the rear.

The east of Meadow Place Road is primarily residential in character with detached and semi-detached bungalows evident. In the wider area, lies Ladywell Medical Centre and Corstorphine Primary School to the south-east.

The site lies on a busy arterial route and is near other busy arterial routes with frequent bus services accessible via public footways.

The site lies within the Corstorphine Town Centre.

2.2 Site History

The site has the following planning history:

7 April 1999 - Full planning permission granted to "erect superstore with car park and service yard, access road, petrol filling station, housing and landscaping" (application reference 99/00981/FUL). This scheme included car parking ancillary to the superstore, as well as the shoppers car park which is the current proposal site. The permission included a condition restricting the opening hours of the shoppers car park, but there was not a condition linking its use to the operation of the superstore. Use of the shoppers car park was dealt with through a management agreement with Tesco Stores.

There have been a number of subsequent planning applications for the superstore, but none that affect the proposal site (shoppers car park).

Main report

3.1 Description Of The Proposal

The proposal is for a residential flatted development of 24 units, associated landscaping and car parking. The proposed building is four-storeys, 13m maximum height, 15m in depth and 47m in width. The materials proposed include buff brick of varying tones, with darker brick elements setback from the front and rear elevations where communal entrances are positioned at ground floor level.

Dark grey framed windows of a large scale are located on the front street facing elevation onto Meadow Place Road and rear facing elevation onto the amenity space and car park. Juliet balconies will serve upper floors and standard balconies have been included on the revised submission to the rear.

The car park is located beyond the west elevation of the building and has been reduced to 62.5% of total capacity. This will be accessed via Meadow Place Road to the north of the site. Amenity space is to be provided to the south-west corner of the site. Landscaped areas including mixed species of trees, shrubs, hedging are proposed bordering the greenspace and site boundary. A sedum grass roof will be formed.

Enclosed cycle and bin storage are located to the northern and southern edges of the site accessed via a shared paved surface and pedestrian / cycle footway.

Supporting Information

A Transport Assessment has been submitted which can be viewed on Planning and Building Standards On-line Services.

Scheme One

The revised scheme has reduced the scale and design of windows on the south elevation to mirror the appearance of the high level openings on the north-facing gable. The size of amenity space to the south-west corner of the site has been increased.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposal is acceptable in principle;
- b) the proposal is of an acceptable scale, form and design;
- c) the proposal will provide satisfactory amenity for future residents and will not adversely affect neighbouring amenity;
- d) the proposal will have transport impacts;
- e) the proposal secures suitable provision of affordable housing;
- f) the proposal secures suitable education infrastructure;
- g) the proposal has ecological implications and will not result in the loss of trees worthy of retention;
- h) other material planning considerations have been addressed;
- i) other matters raised have been addressed;
- j) all material comments raised have been addressed.

a) Principle

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

LDP Policy Hou 1 (Housing Development) prioritises the delivery of housing land supply and the relevant infrastructure and identifies four criteria on where this can be achieved.

Policy Hou 1 d) prioritises the delivery of housing on other suitable sites in the urban area in recognition that windfall sites can contribute to land supply. To comply with Hou 1 d), proposals must be compatible with other policies in the plan.

The site is surrounded by a mix of commercial and residential uses. It is well connected by existing public transport links within the area. The site is within cycling distance of the city centre and is an appropriate and sustainable location for housing. The principle of housing development at the site is therefore acceptable subject to the proposal complying with other policies of the Edinburgh Local Development Plan.

LDP Policy Hou 2 (Housing Mix) promotes a mix of house types where practical to meet a range of housing needs and having regard to the character of the surrounding area and its accessibility.

Edinburgh Design Guidance states that at least 20% of the total number of homes should be designed for growing families with three bedrooms or more.

The proposal provides a mix of house types including two and three bedroom dwellings. Four three-bedroom dwellings of 91 sqm designed for growing families have been provided. This provision falls marginally below the above guidance, however, these units provide a good level of amenity that are of a size that will contribute to meeting a range of housing needs.

LDP Hou 4 (Density) seeks an appropriate density of development having regard to its characteristics and those of the surrounding area, the need to create an attractive residential environment, accessibility and its impact upon local facilities.

There is no defining density characteristic of the surrounding area. Low density housing in the form of detached and semi-detached bungalows are present on the east side of Meadow Place Road and on nearby streets such as Featherhall Crescent North, Feather Hall Crescent South and Featherhall Avenue.

On the west side of Meadow Place Road, the site lies adjacent to larger detached buildings, positioned between the Corstorphine Police Station and American Golf Retail unit. There are existing examples of higher density residential development in the surrounding area. Flatted developments border the Tesco Supermarket to the west on Gylemuir Road and the west side of Meadow Place Road.

The proposal will introduce a high-density form of development on site. The development will cover a large proportion of the site with external open space to the west and south-west edge of the site. The density achieved is appropriate in this location as it is compatible with the spatial pattern of adjacent buildings on this side of Meadow Place Road. The proposal ensures full use of the site and will create an attractive environment for its residents by virtue of the open space and soft landscaping proposed. The residential use will help to sustain local facilities including Corstorphine Local Centre. The site has good public transport links to the city centre.

As such, introducing a development of this density is considered compatible with the higher densities being achieved on brownfield sites in the immediate area, contributing to the viability of the local area, and complying with policy Hou 4.

The proposal complies with LDP policy Hou 1, Hou 2 and Hou 4.

b) Design, Scale, Layout and Materials

LDP Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) states that planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area, have been identified, incorporated and enhanced through its design.

LDP Des 4 (Design- impact on Setting) requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape, having regard to its height and form, scale and proportions, including the spaces between the buildings, position of the buildings and other features on the site; and the materials and detailing.

LDP Policy Hou 4 (Housing Density) states that the density of a development on a site will be dependent on its characteristics and those of the surrounding area.

The Edinburgh Design Guidance (EDG) sets out key aims for new development to have a positive impact to the immediate surroundings, through its height and form; scale and proportions; positioning of the buildings and site materials and detailing. Further, that in residential developments, car park dominated frontages are discouraged to minimise the visual impact and improve the quality of the public realm.

LDP Policy Des 7-Layout and Design seeks a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces.

The buildings on the west side of Meadow Place Road are of greater height and mass than the facing bungalows to the east. The height of the proposal is similar to that of the adjacent police station, and the overall scale is not at odds with the surrounding built form where there is ranging sizes of commercial buildings and four-storey residential flatted development around the Tesco supermarket.

As detailed above, the density is compatible with the density of adjacent buildings on this side of Meadow Place Road.

There is a range of materials and form of buildings in the local area. The proposed material pallet is appropriate for residential development and is compatible with the mixed architecture that is evident in the local area. The varying tone and detailing of materials on the elevations, creates texture to the upper floors and successfully reduces the visual massing of the elevations of the buildings.

The scale, height and mass of the development is compatible with the character of the wider townscape where there is range of architectural styles evident. Soft landscaping to the front will help create an attractive street frontage that will help integrate the proposal into its surroundings.

The proposed layout will encourage walking and cycling through the scheme. A footway / cycle route will run through the development to the southern edge, connecting the existing public footway to the cycle storage and amenity spaces to the rear. The existing pedestrian link is not intended to be retained for public use. However, the applicant has stated this could be used for future occupiers to provide a more direct route to the supermarket to the west.

Shared space is proposed between pedestrians, cyclists and vehicles with textured surfaces encouraging convenient access and movement around the development, largely in compliance with LDP policy Des 7.

Overall, the proposal complies with LDP Policies Des 1, Des 3, Des 4, Des 7 and the Edinburgh Design Guidance.

c) Amenity

LDP Policy Des 5 (Development Design - Amenity) requires development proposals to demonstrate that neighbouring amenity of a development will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook. It further requires new development to offer suitable level of amenity to future residents.

The Edinburgh Design Guidance requires a minimum internal floor area of 66 m² for two bedroom dwellings and 81 m² for properties with three bedrooms. Three bedrooms or more with enhanced storage designed for growing families should have an internal floor area of 91 m².

LDP Policy Hou 3 (Private Green Space in Housing Development) seeks to ensure adequate provision of green space will be provided to meet the needs of future residents. In flatted developments where communal provision will be necessary, this is based on a standard of 10 square metres per flat (excluding units with private gardens), a minimum 20% should be useable greenspace.

Edinburgh Design Guidance states private communal grounds should be well proportioned, well orientated and secluded from vehicles. These areas should be designed for use by residents for a range of functions such as space for play, seating, food growing, tree planting and drying laundry.

Amenity of Future Occupiers

In terms of daylight, all properties will achieve satisfactory levels by virtue of the scale of windows on the east and west elevations. These windows are adequately spaced from all neighbouring properties and gardens that will ensure an acceptable level of outlook will be achieved from these openings and the rear-facing balconies.

The two-bedroom dwellings will have internal floor areas between 73.8m² and 80m², and the four three-bedroom dwellings will have internal floor areas of 91.1m² with enhanced storage for growing families. These floor areas comply with the space standards of the Edinburgh Design Guidance.

The communal greenspace will be located to the west side of the building and comprise of lawn, soft planting and gravel surfaces. The revised proposal has increased the usable greenspace to the south-west side and results in an overall coverage of 383 m². This will equate to more than 10 m² greenspace provision per flat and 20% of the total 0.191ha site. The proposal therefore complies with LDP policy Hou 3.

The quality of this greenspace will be enhanced for residents by the planting scheme proposed. This will further integrate the proposal into its surroundings and help separate the garden areas from the adjacent car park. The site is also in proximity to Gyle Park to the west which is accessible by pedestrian and cycle links.

A Noise Impact Assessment (NIA) has been undertaken to assess the potential impact of adjacent uses and operations on the amenity of future occupiers. This included the potential noise disturbance caused by surrounding road traffic on Meadow Place Road, Tesco supermarket (delivery yard, bottle bank), existing mechanical plant noise, and the Corstorphine Police Station.

The NIA identified that noise from surrounding road traffic as the dominant noise sources affecting the site. The applicant proposes two measures to address potential noise nuisance to the proposed residences from surrounding traffic noise. Firstly, the installation of an alternative means of ventilation system and glazing on noise sensitive facades of the proposed buildings as identified in the noise assessment report.

These measures are accepted and considered appropriate mitigation to limit noise levels and safeguard the living conditions for future occupiers. The full detail and specification of these measures are required by condition.

Environmental Protection has been consulted on the proposal and accept these mitigation measures. However, they have stated that use of closed windows to mitigate bottle bank noise is not supportable as residents have the right to open windows. Noise from this source is predicted to comply with the required standards from a partially open window scenario and use of the above methods are considered appropriate to safeguard future occupier's living environment and prevent limitations on the activities or future use of neighbouring sites.

Further, it is noted the site's proximity to Meadow Place Road, where the area to the east of the site is primarily residential in character. The proposed use is therefore the same as an established use in the immediate area and the implementation of noise mitigation measures as required by condition will safeguard the living environment for future occupiers.

Subject to the submission and implementation of full details of the noise mitigation measures, the proposal provides an adequate living environment for future occupiers and complies with LDP Policy Hou 3 and Des 5.

Neighbouring Amenity

LDP policy Des 2 (Co-ordinated Development) states, amongst other criteria, that planning permission will be granted for development that will not compromise the effective development of adjacent land.

LDP policy Des 5 (Design -Amenity) supports proposals that have no adverse impact on neighbouring developments in regard to noise, daylight, sunlight, privacy or immediate outlook.

In regard to privacy and outlook, the Edinburgh Design Guidance states that the pattern of development in an area will help to define appropriate distances between buildings and consequential privacy distances. The rear side of development often offers better opportunity for privacy than the street side. This is because on the streetward side privacy to some degree is already compromised by the fact people in the street can come relatively close to windows of dwellings. The guidance does not seek to protect the privacy of gables of existing housing.

All proposed windows on the principal elevation would face the street side of Meadow Place Road. The distances retained from these windows to the facing residential property's front gardens of over 17m, and 25m to front windows will prevent any unreasonable impact on these occupiers' privacy. Further, the privacy of these properties front elevations are already compromised by their position facing onto the street. The distances retained, would prevent any unreasonable impact on privacy of these occupiers as a result of overlooking.

The revised proposal has reduced the scale and design of windows on the south elevation to high-level openings, mirroring the north-facing gable following concern

raised regarding overlooking of adjacent land. The height and scale of these openings will prevent any significant downward views onto adjacent land, or any subsequent unreasonable impact on the privacy of adjacent buildings and will not prejudice any potential future use of the adjacent retail unit in this regard.

To the rear, windows will face onto the amenity space and car park within the development. The distance retained to the western boundary of over 13m, at the closest point, faces the Tesco car park and does not give rise to any privacy concerns. Further, the outward projecting balconies are sufficiently spaced from the north and south boundaries (15m and 11m respectively) to prevent any material loss of privacy.

The position of the bins and cycle stores are located to the north and south edges of the site. Concern has been raised in regard to the security of the Police Station to the south from potential access from these areas. Further detail is required by condition for all boundary treatments, including their height, and this matter should be adequately addressed as part of the detail submitted for this condition.

In regard to daylight and sunlight, the layout and position of the proposal does not raise any concern in respect to neighbouring properties.

In regard to noise, the proposed residential use is compatible with the primarily residential character of the area to the east of the site. As detailed above, the noise mitigation measures identified in the NIA, are considered appropriate to safeguard the living environment of future occupiers and in turn prevent limitations on the activities or potential re-development of neighbouring sites.

Overall, the proposal will not result in an unreasonable impact on neighbour's living environment and will not compromise the effective development of adjacent land. The proposal complies with LDP Des 2 and policy Des 5.

d) Transport

Car Parking

LDP Policy Tra 2 set out the requirements for private car parking. The Council's Parking Standards are set out in the Edinburgh Design Guidance.

LDP policy Tra 4 states design requirements for private car parking having regard to its location, visibility from street level, inclusion of planting, impact on pedestrian safety and provision of recycling facilities where applicable. Further, that cycle parking should be provided near building entrances and of an appropriate design.

The site is identified within the Edinburgh Design Guidance Parking Standards as being within Zone 2. The standards identify that residential properties within this area should have a maximum car parking provision of 1 space per dwelling. There is no minimum parking provision. Lower provision will be pursued subject to consideration of factors including the site's accessibility to public transport, local amenities, schools and places of employment.

The revised proposal has reduced the number of car parking spaces from 18 to 15 in total resulting in 62.5% capacity including 1 accessible parking bay and 4 electric

vehicle charging points. This provision is below the Council's maximum parking standards in compliance with LDP policy Tra 2.

As detailed above, the site is accessible by public transport. Lothian services 1, 12, 21 are located on Meadow Place Road, Lothian service 26, 31 X18, Airlink 100 on Drum Brae South and 200 Skylink on Glasgow Road within close walking distance with pedestrian footways along these routes.

The site is located within the Corstorphine Town Centre, with access to a range of shopping facilities, other commercial and community services. Tesco Supermarket is located immediately to the west of the site and a range of shops, other commercial and community services are located on St Johns Road to the east. These provisions are accessible on foot, cycle or public transport nearby.

Further, the site is located approximately 0.5 miles from Corstorphine Primary School to the east accessible in under 10 minutes on foot and less than 1 mile from Craigmount High School to the north-east.

A transport statement has been assessed by transport officers, and it is considered to be an accurate reflection of both estimated traffic generated by the development and the potential impact on the surrounding road network. The development is predicted to generate 6 and 7 two way- vehicle trips for the weekday morning and evening peak period. It is anticipated that most people will travel by sustainable modes of transport.

The site is accessed via Meadow Place Road with the vehicular entrance to the north of the site. To the north, this road is accessed by vehicles from Glasgow Road and Gylemuir Road. To the east, via Featherhall Crescent North and Featherhall Crescent South. To the south, via Ladywell Road. The applicant has demonstrated that an appropriate visibility splay can be achieved from the site's vehicular access. No specific road or pedestrian safety issues arise from the proposal.

The car parking is positioned to the rear of the building therefore avoids a car park dominated frontage. It is located at ground level, and there will be glimpsed views of this area from Meadow Place Road. Transport officers originally requested a soft landscape strip to replace two spaces to the north-west of the site to reduce the visual impact of the car park from the street edge. These spaces are located over 24m from the pedestrian footway. This distance, in tandem with the height and position of the proposed building will limit the visual impact of these spaces on the surrounding area. Structural planting will further reduce the visual impact of the car park and help create an attractive frontage.

The reduced car parking provision complies with Council's standards and is appropriate in this location as the site is well-served by sustainable modes of transport and is well-connected to a range of commercial and other services. The design of the car park minimises its visual impact through its location at the rear of the development and the use of structural planting. No issues of road or pedestrian safety occur as a result.

The loss of the existing car parking contributes to broad objectives of encouraging sustainable modes of transport through cycle provision and reduced reliance on car usage.

In regard to car parking, the proposal complies with LDP policy Tra 2 and broadly with Tra 4.

Cycle Parking

LDP policy Tra 2 set out the requirements for private cycle parking as set out in the Edinburgh Design Guidance.

LDP policy Tra 4 states that cycle parking should be provided near building entrances and of an appropriate design.

The Edinburgh Design Guidance states a minimum of three spaces should be provided for dwellings with two/three habitable rooms and three spaces for four rooms or more. In regard to design, long-stay parking in residential development should be focused on location, security and weather protection.

A total of 52 cycle spaces are provided on-site. Secure, covered cycle stores to the north and south of the site contain 48 spaces accessed via the shared paved surface and cycle/ pedestrian footway. Two Sheffield cycle stands to the east near the buildings' communal entrances provide 4 additional spaces. The proposed cycle provision meets the required standards of the Edinburgh Design Guidance (52).

The location of the cycle parking is accessible and are primarily of a design that is appropriate for their use by long-term residents. In regard to cycle parking, the proposal complies with LDP policy Tra 3 and Tra 4.

In addition, the proposal results in a significant net loss of car parking spaces (54) on-site from the existing use. This is acceptable in this location as the site is well-served by public transport. In tandem with the provision and design of cycle spaces detailed above, the development encourages reduced reliance on car journeys and an increase in travel by a sustainable mode of transport in compliance with overall objections of LDP Transport Policies.

e) Affordable Housing

LDP policy Hou 6 (Affordable Housing) in the Edinburgh Local Development Plan states that planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing. 25% of the total number of units proposed should be affordable housing.

Further, the Affordable Housing Guidance states that there is an expectation that 70% of the Affordable Housing Provision requirement on each site is to be Social Rent. Tenures based on low cost ownership should not normally exceed 20% of the overall affordable housing provision.

The applicant has submitted an Affordable Housing Statement which confirms that six affordable homes will be provided on-site. This meets the affordable housing provision of LDP policy Hou 6.

Housing Management and Development were consulted on the proposal and raised initial concern regarding the original submission as the affordable homes were

proposed to be delivered by Golden Share (homes sold at 80 % of market value) contrary to the above guidance. Justification was requested from the applicant on the proposed layout and sole use of Golden Share.

Following this initial feedback, the applicant has worked with a Registered Social Landlord (RSL) and the provision of affordable housing has been revised to include 6 two and three-bedroom units on-site, as mid-market rent which will be integrated into the development.

The proposal is supported by the RSL. The affordable homes will be delivered for mid-market rent. Mid-market rent is the Council's second highest priority tenure. The inclusion of homes for social rent was considered by the RSL but discounted as they would not be accessed from a self-contained stairwell, which is important for management purposes. The applicant's Affordable Housing Statement states that other designs had been considered for the site but a viable alternative solution that was in character with the surrounding area was not possible.

Housing Management and Development have accepted the affordable housing provision of the revised scheme. The applicant's justification for no provision of social rent is accepted based on the design of the revised scheme.

The proposal complies with LDP policy Hou 6. The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.

f) Developer Contributions

LDP policy Del 1 (Developer Contributions and Infrastructure Delivery) states that proposals will be required to contribute infrastructure provision where relevant and necessary subject to scale.

This site falls within Sub-Area W-1 of the 'West Edinburgh Education Contribution Zone'.

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

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

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

Communities and Families do not object to the planning application, subject to the appropriate infrastructure of £53,664 and land contribution of £11,664 being provided by the developer.

The developer is required to enter into a separate Section 75 Legal Agreement to secure these funds. Subject to the conclusion of this legal agreement, the proposal complies with LDP policy Del 1.

g) Ecology

LDP policy Env 12 (Trees) states that development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or any other tree or woodland worthy of retention. Where permission is granted, appropriate replacement planting will be required to offset the loss.

LDP Policy Env 16 (Species Protection) aims to ensure development will not be to the detriment to the maintenance of a protected species and suitable mitigation is proposed.

All existing trees and shrubs within the site will be removed to accommodate the proposed development. These trees are not protected and are of low amenity value. The loss of these features is therefore acceptable subject to adequate mitigation.

As detailed above, a detailed planting scheme is proposed including seven new trees, a range of shrubs, hard and soft landscaping areas. A mixed species hedge will form the boundary treatments to the northern, western and southern edge of the site.

An Ecological Appraisal was undertaken and submitted as part of the application.

This report states the site is mainly hard surfacing with negligible vegetation cover, consisting of fringe tree and shrub planting at the boundaries.

The study states there will be no adverse effect on European, UK or locally designated sites from the proposal. No evidence was found on-site of protected species.

There is the potential for hazards to species during construction activity and the applicant should be mindful of this. An informative has been included that a nesting bird check should be undertaken on site by a suitably qualified ecologist, in order to prevent impacts on nesting birds and minimise ecological impacts from the proposal.

Overall, the proposal will not be to the detriment of protected species. Suitable mitigation for the loss of existing vegetation and trees is proposed, in the form of landscaped areas including trees, shrubbery, greenspace and a green roof. The replanting scheme is considered adequate mitigation for the loss of the existing trees on-site and a condition has been included to ensure its implementation.

The proposal complies with LDP policy Env 12 and Env 16.

h) Other Material Planning Considerations

Aerodrome Safeguarding

Edinburgh Airport have been consulted on the proposal and have raised no objection. The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria.

It is advised that the applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operates to consult the aerodrome before erecting a crane in close proximity to an aerodrome and an informative has been in regard to this.

Air Quality

The site is located to the south of St Johns Road Air Quality Management Area (AQMA).

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

Environmental Protection was consulted on the proposal and have raised no objection. However, they have stated that as the site lies within an area well served by existing public transport a car free development is sought. Vehicular traffic from the development would feed into the AQMA and any parking spaces included should be fitted with electric vehicle (EV) charging infrastructure.

As detailed above, the revised proposal includes an allocation of 15 car parking spaces for the 24 residential units resulting in 62.5% provision. Four electric charging points are proposed. The capacity of car parking spaces falls below the maximum provision of 1 space per unit (100%) and meets the required standard of 1 EV charging point for every 6 spaces. The parking provision therefore complies with guidance.

Further, it is noted that the proposed residential development will result in a net loss of 54 car parking spaces from its existing use. As detailed above, the submitted Transport Assessment has been assessed by Transport Officers which anticipates, for example, a reduction in two-way vehicle movements- 29 existing two-way movements in PM peak hours to 6-7 two-way movements.

In this regard, whilst a car park free development is encouraged in sustainable locations, the proposal results in a significant net loss of car parking spaces and resultant reduction in vehicular traffic inputting into the AQMA. Fewer pollution emitting sources and activities will be generated from the site as a result of the development. Provision of sustainable transport modes on site (EV chargers and cycle spaces) further encourages reduced reliance on car journeys. Increased EV charging points are sought, and an informative has been included in respect to this.

In light of the above, the proposal complies with LDP policy Env 22.

Archaeology

LDP Policy Env 9 (Development Sites of Archaeological Significance) aims to protect archaeological remains.

Accordingly, the aim should be to preserve archaeological remains in situ as a first option.

The City Archaeologist has been consulted on the proposal and raises no objection. The site was formerly arable land on the edge of former Gogar Loch / Corstorphine Myre during the 17th and 18th centuries. As such the site occurs within an area of archaeological interest. However, there is now modern development on-site, given its scale and location disturbance of deposits are unlikely.

It is not anticipated that the proposal will have any adverse archaeological implications and complies with LDP policy Env 9.

Flood Risk and Surface Water Management

LDP policy Env 21 (Flood Prevention) states that planning permission will not be granted for development that would increase a flood risk or be at a risk of flooding itself, impeded the flow of flood water or be prejudice to existing or planned flood defence systems.

Scottish Environmental Protection Agency (SEPA) has raised no objection to the proposal on review of the detailed Flood Risk Assessment. Further information including an assessment of the Stank Burn Culvert and hydrological information for the site was also requested, reviewed and accepted by SEPA.

The Council's Flood Prevention Team has raised no objection subject to Scottish Water's acceptance of the proposed surface water discharge rate and an informative has been included in regard to this.

Overall, the proposal has been designed to mitigate potential flood risk and accords with LDP Policy Env 21.

Scottish Water

Scottish Water have been consulted on the proposals and raises no objection.

The applicant should submit a formal pre-development enquiry to Scottish Water to fully appraise of the proposals. This has been included as an informative.

Sustainability

LDP policy Des 6 (Sustainable Buildings) states permission will only be granted for development which meets carbon dioxide emission targets and incorporates features that reduce or minimise environmental resource use and impact.

The applicant submitted a sustainability statement in support of the application.

The site is located in an urban area with good public transport links, allowing a reduced reliance upon the car. The car parking provision is below the maximum standard and the charging points for electric vehicles meet the required provision. Sustainable modes of transport are encouraged through cycle storage provision for residents.

The development incorporates low and zero carbon technologies; solar photovoltaic panels and integrated flue gas heat recovery.

The inclusion of a green roof on the building will make use of surface water and provide enhanced biodiversity.

The proposal complies with LDP Policy Des 6 (Sustainable Buildings).

Waste

The proposal includes communal bin storage to the north and south of the proposed building adjacent to the cycle stores.

Waste Planning have been consulted on the proposal and have confirmed that the information is acceptable under the Instructions for Architects and Developers guidance.

i) Other Matters

Shoppers car park

The proposal site was opened as a car park following the grant of planning permission 99/00981/FUL for a mixed-use development including a supermarket with car park and service yard, access road, petrol filling station, housing and landscaping.

As part of this permission a condition was applied restricting the opening hours to the car park ('shoppers car park') to after 10am Monday to Friday. No condition was attached in regard to the operation or future use of the car park subject to this proposal.

There is no planning condition in regard to the future use or redevelopment of the site. Any previous agreement between the developer and local community in respect to the use of the site cannot materially be assessed as part of this proposal.

Low Traffic Neighbourhood Plans

The proposal site lies in proximity to the Corstorphine LTN (east) and East Craigs LTN (north) of the site. These plans are currently under processes of consultation and therefore are not yet adopted.

This notwithstanding, as detailed above the proposal contributes to broad objectives of encouraging sustainable modes of transport through cycle provision and reduced reliance on car usage which will have a positive impact on air quality. No specific road or pedestrian safety issues arise as a result.

j) Representations

Material Comments- Objections

- Site is not suitable for residential use - Addressed through the above report;
- Changing use will be to the detriment of the local community and impact on local business - Addressed in section 3.3 a);

- Height and design of building is not in keeping with the surrounding area - Addressed in section 3.3 b);
- High / medium density accommodation should not be built - The density of the development has been assessed in sections 3.3 a) and 3.3 b);
- Loss of amenity (privacy) - Addressed in section 3.3 c);
- Impact on roads - increase in traffic (cars, loading vehicles, loss of parking spaces) inadequate parking provision, road safety through location of access point in relation to residential properties - Addressed in sections 3.3 d);
- Potential flood risk and impact of surface water : This matter is addressed in Section 3.3 h);

Material Comments - Corstorphine Community Council

- Height of building - Addressed in section 3.3 b);
- Impact on traffic in surrounding area and parking - Addressed in section 3.3 d);
- Consideration given to Corstorphine and East Craigs Low Traffic Neighbourhood Plans - Addressed in section 3.3 i);
- Loss of the existing car park - Addressed in section 3.3 i);

Non-material-Comments

- Use of the existing car park for local residents, police staff and elderly and agreement with Tesco as part of previous approval. - Addressed in section 3.3 i);
- Public amenity site under section 75 agreement - There are no restrictions under planning legislation from previous permissions on-site in regard to the future use or redevelopment of the site. As detailed in section 3.3 i) any previous agreements between the developer and local community in respect to the use of the site cannot materially be assessed as part of this proposal;
- Lack of consultation with the local community from Tesco and developers - This is a local development and is not subject to statutory public consultation. The planning application has been advertised by the Local Planning Authority in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Any additional consultation would be a matter for the applicant/ developer which cannot materially be assessed as part of this planning application;
- Suggested alternative residential schemes - The proposal has been assessed against relevant policy and guidance. The merits of potential alternate schemes cannot be considered under this planning application;
- Inaccurate application title in regard to parking provision - The title of the planning application is considere
- d an accurate description of the proposal and the number of parking spaces does not require to be detailed;

Material Comments- Neutral

- Privacy implications in respect to scale of windows on the south elevation - Addressed in section 3.3 c);
- Security to rear of police station from access to proposed bin and cycle stores - Addressed in section 3.3 c);

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

3.4 Conditions/reasons/informatives

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. Prior to the commencement of construction works on site:
 - a) A site survey (including initial desk study as a minimum) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

3. Prior to the commencement of the development full details of the glazing units for the external bedrooms and living rooms within the facades highlighted in Table S20017/T13- (Sound Reductions of Façade Elements - New Residential) in the Noise Impact Assessment, Report S20017/NIA/RI-, dated 4th August 2020, shall be submitted and approved by the Local Planning Authority.

The approved glazing units shall thereafter be installed prior to first occupation of the proposed residential units hereby approved and thereafter retained.

4. Prior to the commencement of the development full details of the alternative means of ventilation identified in Table S20017/T13- (Sound Reductions of Façade Elements - New Residential) in the Noise Impact Assessment, Report S20017/NIA/RI-, dated 4th August 2020, shall be submitted and approved by the Local Planning Authority.

The approved details shall thereafter be fully installed and operational prior to the first occupation of the residential units hereby approved and thereafter retained.

5. Prior to the commencement of development, full detail of all boundary treatments must be submitted and approved in writing by the Local Planning Authority and thereafter implemented prior to the first occupation of the residential units hereby approved.

6. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to ensure the site is safe for the proposed use.
3. In order to ensure the adequate implementation of details to safeguard the living environment of future occupiers.
4. In order to ensure the adequate implementation of details to safeguard the living environment of future occupiers.
5. In order to consider these matters in detail.
6. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation all of those matters identified in the proposed Heads of Terms. -

These matters are:

- A total of 6 units are required to be Affordable Housing Units, equating to 25% in accordance with LDP Policy Hou 6 'Affordable Housing'.

This site falls within Sub-Area W-1 of the 'West Edinburgh Education Contribution Zone'. The following contributions are required for additional educational infrastructure to support the projected increase in school rolls as a result of the development.

Total infrastructure contribution required:

- £53,664.00

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

Total land contribution required:

- £11,424.00

Note - no indexation to be applied to land contribution.

The applicant will be required to;

- a) Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development (section of footway for site access to be redetermined as shared surface);

- b) Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary; The sum to be indexed as appropriate and the use period to be 10 years from date of payment;

A legal agreement will be required to secure these funds.

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

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

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

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

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

2. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;

3. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
4. The works to form a footway crossing (site access) must be carried out under permit and in accordance with the specifications. See Road Occupation Permits : <https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1>
5. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;
6. The applicant should contact the City Council's Waste and Cleaning Service to arrange a waste strategy and then a minimum of 12 weeks prior to any waste collections being required and prior to the occupation of the development.
7. Should the use of cranes be required during construction of the proposed development the applicant's attention should be drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome.

This is explained further in Advice Note 4, 'Cranes' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

8. All private parking spaces shall be served by at least a 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. The charging points shall be installed and operational in full prior to the development being occupied as detailed on the approved plan reference 04A.
9. All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.
10. Vegetation clearance works should be undertaken outside of the nesting bird season (March - August). If this is not possible, a nesting bird check should be undertaken by an ecologist prior to works commencing. Should it be necessary to clear ground during the bird nesting season the land should be surveyed (no more than 48 hours prior to works) by a suitably qualified ecologist and declared clear of nesting birds before vegetation clearance starts.

11. All hard surfaces shall be constructed in a porous material.
12. The applicant requires confirmation from Scottish Water that the proposed surface water discharge rate will be accepted to the combined sewer system.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

12 representations have been received (11 objections and 1 neutral comment)

Background reading/external references

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

Statutory Development

Plan Provision

Policies - Edinburgh Local Development Plan - Urban Area

Date registered

20 August 2020

Drawing numbers/Scheme

01 A, 03 B, 04 A, 05 A, 06 A, 07 A, 08, 11 A, 12, 15,

Scheme 2

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Lewis McWilliam, Planning Officer
E-mail: lewis.mcwilliam@edinburgh.gov.uk

Links - Policies

Relevant Policies:

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

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

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

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

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

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

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

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

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

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

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

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

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

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 - on affordable housing gives guidance on the situations where developers will be required to provide affordable housing.

Appendix 1

Application for Planning Permission 20/03461/FUL At 20 Meadow Place Road, Edinburgh, EH12 7UQ Erection of 24 residential apartments including access, parking, landscaping and associated works. (as amended)

Consultations

Archaeology:

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the erection of 24 residential apartments including access, parking, landscaping and associated works.

Nineteenth Century show the site as occupying arable land formerly located on the edge of the former Gogar Loch/Corstorphine Myre drained during the 17/18th centuries. As such the site occurs within an area of archaeological interest. However, modern development on the site and its location/scale it has been assessed that the scheme is unlikely to disturb significant insitu deposits.

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

Aerodrome Safeguarding:

The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to this proposal, however have made the following observation:

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

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

Affordable Housing:

Housing Management and Development are the statutory consultee for Affordable Housing. Housing provision is assessed to ensure it meets the requirements of the city's Affordable Housing Policy (AHP).

-Policy Hou 6 Affordable Housing in the Edinburgh Local Development Plan states that planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing.

-25% of the total number of units proposed should be affordable housing.

-The Council has published Affordable Housing Guidance which sets out the requirements of the AHP, and the guidance can be downloaded here:

<https://www.edinburgh.gov.uk/affordable-homes/affordable-housing-policy/1>

2. Affordable Housing Provision

This current proposal is for a development of 24 homes. The applicant has stated that six homes (25%) will be an approved affordable housing tenure. This aspect of the proposal accords with the requirements of the AHP and must be secured by a Section 75 Legal Agreement.

The original proposal was to deliver all six of the required affordable homes as Golden Share (a form of low-cost home ownership where homes are sold at 80% of market value). Housing Management and Development previously raised concerns that the delivery of the affordable homes as Golden Share did not accord with the Council's guidance on 'Affordable Housing'.

In response to these concerns all six of the affordable homes will now be delivered by a RSL. This is welcome. A revised Affordable Housing Statement (AHS) has been submitted to explain and justify the proposal.

The affordable homes will comprise a mix of five two-bedroom units and one three-bedroom unit which is representative of the market provision. The affordable units will be well integrated with the market homes and will be "tenure blind".

The proposal is supported by a RSL who has had detailed engagement with the applicant. The affordable homes will be delivered for mid-market rent. Mid-market rent is the Council's second highest priority tenure.

The inclusion of homes for social rent was considered by the RSL but discounted as they would not be accessed from a self-contained stairwell, which is important for management purposes. It is disappointing that the applicant has not brought forward a scheme that will deliver any homes for social rent, but it is accepted that this would not be feasible for the scheme as designed. The updated AHS states that other designs had been considered for the site but a viable alternative solution that was in character with the surrounding area was not possible.

The provision of affordable housing proposed in the amended scheme is acceptable to Housing Management and Development.

3. Summary

The applicant is proposing to deliver six (25%) on-site affordable homes as required by LDP Policy Hou 6, to be secured through a S75 legal agreement.

The proposal is to deliver six two- and three-bedroom homes for mid-market rent which will be well-integrated into the development. The proposal is supported by an RSL and is acceptable in this case.

The provision of affordable housing proposed in the amended scheme is acceptable to Housing Management and Development.

We would be happy to assist with any further queries on the affordable housing requirement for this application.

Communities and Families:

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

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

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

Assessment and Contribution Requirements

Assessment based on: 24 Flats

This site falls within Sub-Area W-1 of the 'West Edinburgh Education Contribution Zone'.

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

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

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

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

Total infrastructure contribution required:
£53,664

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

Total land contribution required:
£11,424

Note - no indexation to be applied to land contribution.

Environmental Protection:

I refer to the above and would advise that Environmental Protection does not object to the application.

The application proposes the erection of 24 residential apartments on the site of an existing 69 space car park. Meadow Place Road bounds the site to the east with commercial premises to the north. Tesco car park is to the west with a Police station to the south.

Noise

A noise impact assessment (NIA) has been provided in support of the application and advises that noise from road traffic on Meadow Place Road and noise from the adjacent supermarket car park bottle banks may impact upon the application properties. The NIA recommends glazing (closed windows and alternative means of ventilation) as a means of controlling noise from the road which is accepted by Environmental Protection. However, closed windows to mitigate bottle bank noise is not supported as residents will have the right to open their windows for ventilation purposes. Environmental Protection will accept though that there is the potential for the bottle banks to be moved should noise issues arise in the future. The applicant also recommends trickle vents are fitted at the windows to allow for ventilation to occur whilst also addressing the traffic noise. The applicant should ensure that the trickle vents (as highlighted within the NIA) are included within the completed ventilation design proposals.

The NIA also advises that daytime noise levels for the external amenity areas are predicted to be <55dB LAeq,T which is below the upper threshold of 55dB LAeq,T as recommended in BS 8233:2014. The report also advises that noise from the supermarket and other surrounding commercial premises are not expected to impact upon the proposed development.

Air Quality

The application proposes 15 private parking spaces and includes 4 electric vehicle charging points. Whilst this complies with the parking standards, the development feeds traffic into the St Johns Road Air Quality Management Area and could impact upon that

area by way of traffic pollution and congestion. This section would have much rather seen a car free development in this position and are disappointed not see that since the site is so well placed for use of public transport and walking. However, the applicant has updated and improved their original plans by reducing the parking to 15 spaces which is seen as a positive development albeit this team is of the opinion that due to the close proximity of the AQMA, the parking should be minimised and any parking spaces that are included should be fitted with electric vehicle charging infrastructure.

The use of gas as a means of energy for spatial and water heating is also not supported in this position and the developer should look to remove this element from the application if possible.

On balance though, the proposed parking is not excessive, complies with the parking standards and is reducing existing car park capacity by removing a 69 space car park and so this team sees this as an air quality positive. In addition, the development includes solar photovoltaic/heat recovery sustainable measures.

Site Contamination

Limited information has been provided in support of the application which considers site contamination or remediation. It is therefore deemed prudent to recommend a condition which will ensure that the site is made safe for the proposed end use.

Therefore Environmental Protection does not object to the development and recommends the following conditions:

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

(a) A site survey (including initial desk study as a minimum) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

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

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

2. All private parking spaces shall be served by at least a 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. The charging points shall be installed and operational in full prior to the development being occupied (and be as shown on drawing 19-314 PL(01) Rev C and dated July 2020).

Flooding:

No objections subject to confirmation that Scottish Water accept the surface water discharge rate to the combined system.

Scottish Environment Protection Agency:

We are satisfied that there is only a surface water flood risk to the site, a matter which is the responsibility of the City of Edinburgh Council as the Flood Risk Management Authority, therefore we off no objection to the proposal.

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 Capacity Assessment Scottish Water has carried out a Capacity review and we can confirm the following: -There is currently sufficient capacity in the Glencorse Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment -There is currently sufficient capacity for a foul only connection in the Edinburgh Waste Water Treatment works to service your development. 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.

Asset Impact Assessment

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 via our Customer Portal to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Surface Water

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

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

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

General notes:

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
- Site Investigation Services (UK) Ltd -Tel: 0333 123 1223
- Email: sw@sisplan.co.uk
- www.sisplan.co.uk

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

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

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

-The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed. -Please find information on how to submit application to Scottish Water at our Customer Portal.

Next Steps:

-All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals. Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

-Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their

behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

-Trade Effluent Discharge from Non Dom Property:

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

-If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).

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

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

-The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on 0800 389 0379 or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Transport:

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

1. The applicant will be required to:
 - a. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development (section of footway for site access to be redetermined as shared surface);
 - b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
2. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges

and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;

3. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;

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

5. The works to form a footway crossing (site access) must be carried out under permit and in accordance with the specifications. See Road Occupation Permits <https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1>

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;

Note

a) A transport statement has been submitted in support of the application. 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. The development is predicted to generate 6 and 7 two-way vehicular trips respectively for the weekday morning and evening peak period. Most of the people trips will be by sustainable transport/travel;

b) The proposed 15 car parking spaces including 4 EV charging spaces and 1 disabled bay complies with the Council's parking standards which could allow a maximum of 24 parking spaces for the proposed development in Zone 2; the proposal replaces 69 existing car parking spaces on site;

c) Applicant proposes 48 number of secure cycle parking spaces in 6 stores and 2 spaces in a form of Sheffield stands and complies with the Council's parking standards for the proposed development (2 bed x 20 and 3 bed x 4) in Zone 2;

d) Refuse collection to be done from Meadow Place Road;

e) The site is accessible by public transport - Lothian service 1, 21, 31, 200, X18

f) It is well linked by to the footway network and close to supermarket and other services;

g) Applicant has demonstrated that appropriate visibility splay(43mX2.4m) can be achieved for the site access.

Waste:

I have been asked to consider the application on Meadow Place Road, Corstorphine on behalf of Waste and Cleansing.

As this is to be a residential development, Waste and Cleansing would be expected to be the service provider for the collection of domestic waste (only).

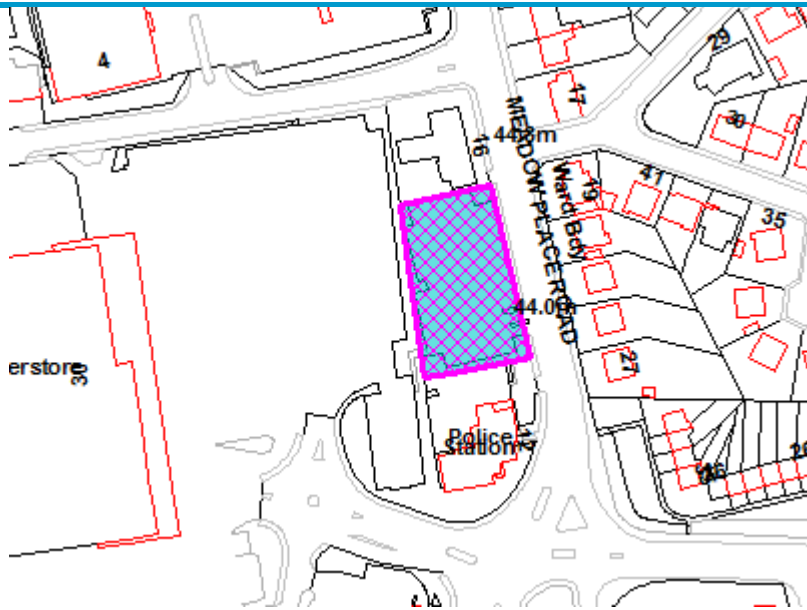
We understand there are a total of 24 units. The flats will be served by a full range of communal bins, from suitably accessible bin stores. Therefore, I can confirm that the information provided is acceptable under Instructions For Architects and Developers.

Please note that the detailed arrangements regarding the provision of waste collection services must be agreed at later stage, particularly as due to changes within the service over the next three years, the bin requirements will change, and you should review these with us prior to starting work. We can then agree a waste strategy, which would then be confirmed at completion with an inspection to confirm that all criteria are met.

Should planning permission be permitted, I would ask to be contacted to arrange a waste strategy, and then, a minimum of 12 weeks prior to any waste collections being required, to allow for the necessary work to be completed to commence waste collections, ahead of residents moving in.

A site visit will be conducted to ensure that all has been constructed in line with our agreement. Any waste produced on site by the residents will be the responsibility of the developer/builder until the final inspection is accepted and waste collections are in place.

Location Plan



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