

Notice of meeting and agenda

Development Management Sub-Committee

10.00 am Wednesday, 6th October, 2021

Virtual Meeting - via Microsoft Teams

This is a public meeting and members of the public are welcome to view the meeting via the webcast on the Council's website.

Contacts

Email: veronica.macmillan@edinburgh.gov.uk / taylor.ward@edinburgh.gov.uk

Tel: 0131 529 4283

1. Order of business

1.1 Order of Business

- 1.1 Including any notices of motion, hearing requests from ward councillors and any other items of business submitted as urgent for consideration at the meeting.
- 1.2 Any member of the Council can request a Hearing if an item raises a local issue affecting their ward. Members of the Sub-Committee can request a presentation on any items in part 4 or 5 of the agenda. Members must advise Committee Services of their request by no later than **1.00pm on Monday 4 October 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 Declaration of interests

Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying

the relevant agenda item and the nature of their interest.

3. Minutes

- | | | |
|-----|---|---------|
| 3.1 | Minutes of Previous Meeting of Development Management Sub-Committee of 8 September 2021 – submitted for approval as a correct record | 9 - 24 |
| 3.2 | Minutes of Previous Meeting of Development Management Sub-Committee of 22 September 2021 – submitted for approval as a correct record | 25 - 30 |

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 | Report for a forthcoming application by Ability Hotels Ltd for extensions to existing hotel at 5 Almond Avenue, Edinburgh EH12 9GN – Report by the Chief Planning Officer | 31 - 36 |
| 4.2 | Former Agilent Technologies, Scotstoun Avenue, South Queensferry - Residential development comprising 16 flats with associated car and cycle parking, infrastructure and landscaping - application no 21/00518/FUL

It is recommended that this application be GRANTED . | 37 - 64 |
| 4.3 | Bangholm Outdoor Centre, Craighall Gardens, Edinburgh -
Erection of electrical substation for proposed sports and outdoor | 65 - 76 |

centre - application no 21/03881/FUL

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

- 4.4** 4 Barnton Road West (At Site 90 Metres East Of), Edinburgh - 77 - 114
Erection of retirement accommodation comprising 44x
apartments and 4x dwelling houses with associated parking,
drainage and landscaping arrangements - application no
21/00461/FUL

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

- 4.5** 16 Buckstone Terrace, Edinburgh, EH10 6PZ - Change of use 115 - 126
from Class three (Food and Drink) to Mixed use Class three/hot
food take away (sui generis) - application no 20/04929/FUL

It is recommendation that the application be **GRANTED**.

- 4.6** 32 Craigs Road, Edinburgh, EH12 8EN - Proposed single storey 127 - 134
extension to rear and associated alterations - application no
21/03512/FUL

It was recommended that the application be **GRANTED**.

- 4.7** 25A Dundas Street, Edinburgh, EH3 6QQ - Remove existing 135 - 144
shop sign and erect new non-illuminated individual metal letters
signage on stand-offs, paint stone facade, window and door and
change use class from Class 1 shop to Class 1, 2 and 4 (as
amended - application no 20/03501/FUL

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

- 4.8** 21 - 24 Joppa Terrace (at Land Opposite) Edinburgh - 145 - 168
Subdivision of garden to form house plot and erection of
detached dwelling including landscaping, boundary treatment,
parking and formation of community garden. (as amended) -

application no 21/03730/FUL

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

- 4.9** Western General Hospital, 55 Crewe Road South, Edinburgh - 169 - 188
Construction of new Class 4 office and research facility. Five-storey extension to the existing Systems Medicine building (research facilities with associated support spaces, cell offices, and meeting facilities), associated works including landscaping, boundary treatments and cycle provision (as amended) - application no 21/00054/FUL
- It is recommended that this application be **GRANTED**.

5. Returning Applications

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

- 5.1** None.

6. Applications for Hearing

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

- 6.1** None.

7. Applications for Detailed Presentation

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

- 7.1 34 Fettes Row, Edinburgh, EH3 6RH - Residential development with ground floor commercial uses and associated landscaping and infrastructure - application no 21/03481/FUL 189 - 260
- 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.

Nick Smith

Service Director – Legal and Assurance

Committee Members

Councillors Councillor Neil Gardiner (Convener), Councillor Maureen Child (Vice-Convener), Councillor Chas Booth, Councillor Lezley Marion Cameron, Councillor Denis Dixon, Councillor George Gordon, Councillor Max Mitchell, Councillor Joanna Mowat, Councillor Hal Osler, Councillor Cameron Rose and Councillor Alex Staniforth

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.

Further information

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

Webcasting of Council meetings

Please note this meeting may be filmed for live and subsequent broadcast via the Council's internet site – at the start of the meeting the Convener will confirm if all or part of the meeting is being filmed.

The Council is a Data Controller under current Data Protection legislation. We broadcast Council meetings to fulfil our public task obligation to enable members of the public to observe the democratic process. Data collected during this webcast will be retained in accordance with the Council's published policy including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site.

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

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

This page is intentionally left blank

Minutes

Development Management Sub-Committee of the Planning Committee

10.00 am, Wednesday 8 September 2021

Present:

Councillors Gardiner (Convener), Child (Vice-Convener) (items 4.1-4.14 and 5.1-5.2), Booth, Cameron, Gordon (items 4.5, 4.6, 4.9, 4.10 and 4.12), Key (substituting for Councillor Gordon, 4.1-4.4, 4.7,4.8, 4.11, 4.13 and 4.14), Mitchell, Mowat, Osler, Rose, Staniforth and Ethan Young.

1. General Applications and Miscellaneous Business

The Sub-Committee considered reports on planning applications listed in Sections 4, 5 and 6 of the agenda for this meeting.

Requests for a Presentation:

Councillor Staniforth requested a presentation in respect of Item 4.5 – 3B Dundas Street, Edinburgh

Councillor Rose requested a presentation in respect of Item 4.6 – 14-16 Hope Terrace, Edinburgh

Councillors Booth and Staniforth requested presentations in respect of Items 4.9 and 4.10 – Kirkland House, 2 Trefoil Centre, Gogarmuir Road, Edinburgh

Councillor Gardiner requested a presentation in respect of Item 4.12 – Powderhall Bowling Green, Edinburgh

Decision

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

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

2. Centrum House, 108-114 Dundas Street, Edinburgh

At the Development Management Sub-Committee meeting on 16 June 2021, Committee agreed to continue an application for planning permission and conservation area consent at Centrum House, 108-114 Dundas Street, Edinburgh, to be by means of a hearing at a future Development Management Sub-Committee. The Chief Planning Officer had identified an application for planning permission to be dealt with by means of a hearing. The application for

planning permission at Centrum House, 108-114 Dundas Street, Edinburgh for the proposed demolition of existing office buildings and erection of a mixed-use development comprising 50 flats with 3 commercial units (Class 1, 2 and 3 uses), amenity space, landscaping, basement level car and cycle parking and other associated infrastructure (as amended) - application no. 20/05645/FUL. The application for conservation area consent was for the demolition of the existing buildings on the site and comprised two adjoining office blocks: 108-114 Dundas Street 116 Dundas Street, dating from the 1980s - application no. 20/05646/CON.

(a) Report by the Chief Planning Officer

The application was for the demolition of the existing buildings on the site and erection of a mixed-use development comprising 50 flats, including 12 affordable units, with three commercial units in Class 1 (retail), 2 (office) and 3 (café/restaurant) uses at ground and lower ground level, private and communal amenity space, landscaping and basement level car and cycle parking.

The residential accommodation was as follows: – market price - four-bedroom x 1, 3-bedroom x 17 and two-bedroom x 20 = 38 – affordable - two-bedroom x 4 and one-bedroom x 8 = 12

The commercial units were as follows: Unit A 121sqm Unit B 165sqm Unit C 538sqm at ground and basement level.

An associated application for conservation area consent had been submitted for the demolition of the existing buildings on the site (application number 20/05646/CON).

The proposed building was L-shape in plan with a projecting corner element to Fettes Row and comprises eight levels in total with a basement, lower ground floor and top storey set back from the front building lines. These lines followed the building lines of the adjacent flats and Victorian tenements on Dundas Street and modern residential blocks on Fettes Row. The latter had a basement lightwell.

The architectural style of the proposed building was contemporary with three distinct sections and two stair/lift cores, incorporating modern interpretations of traditional tenemental detailing and ground floor shopfronts. The principal elevations to Dundas Street and Fettes Row would be finished in natural blonde coloured ashlar sandstone, with a rusticated lower ground façade on Fettes Row and the rear elevation would be in blonde coloured brick with natural sandstone string courses. The top floor would have extensive areas of glazing within dark-grey finished, rusticated aluminium clad framing with chamfered perimeter edges. The windows and door frames would be formed in dark-grey finished aluminium and this material would also be used for the window fascia panels between the first and second floors and recessed infill bay on Fettes Row. All safety balustrades would be in dark-grey coloured metal.

The stone and aluminium window reveals on Dundas Street would have chamfer detailing and the shopfronts and commercial unit frontage to the rear would be framed in dark-grey coloured aluminium with stone piers for the shopfronts within the section furthest north on Dundas Street. A biodiverse brown roof would occupy most of the flat roof surface and there would be two plant/lift cap enclosures at either end of the Dundas Street section formed in dark-grey coloured aluminium acoustic louvres. An extensive

array of photovoltaic panels would occupy a large area of the Fettes Row section of the roof.

All the existing street trees would be removed. A raised communal garden would be formed over part of the basement car park to the rear with a blonde coloured brick elevation incorporating a dark-grey coloured aluminium garage door and central flight of steps. A brick boundary wall would be erected on the north boundary where the existing building stood extending approximately 2.2 metres high from the garden terrace level. The commercial unit occupying the lower ground floor would have access to two private rear courtyards on this level and there were two private rear gardens serving the rear-facing and dual-aspect flat at lower ground level on Fettes Row. The latter flat and two remaining flats at this level facing Fettes Row would have private terraces within the front basement lightwell and the flats at top floor level would have private external terraces facing Dundas Street and Fettes Row.

The rear landscaping would comprise areas of porous clay paving in blonde and red tones laid in stretcher bond and herringbone patterns respectively. Evergreen hedges and shrubs would form boundaries between the private and public areas and climbing plants will be trained up the boundary walls. Six trees would be planted within the area. A Siberian Larch Pergola would run along the west edge of the terrace with communal seating areas and a barbeque area at the north end. The seats and tables would also be in larch.

The private courtyards to the front would be formed in natural sandstone (Yorkstone) pavers, including the cladding of the car park ventilation louvres and the private courtyard of commercial Unit C facing Fettes Row.

The residential flats would be accessed via a level bridge link on Fettes Row and a level access within the north block on Dundas Street. The flats would also have accesses from the rear terrace. The three commercial units would have level access from Dundas Street and the lower floor of commercial Unit C would be accessed from Fettes Row. Vehicular access to the car/cycle park would be via Henderson Row and there were two stair/lift accesses from the basement to the upper levels.

Centralised heating and hot water plant, cold water storage and electrical plant would be housed within the basement car park and rainwater attenuation tanks would also be located in this area. A waste store would be provided at side of the vehicular ramp access to the basement.

Within the basement car park, a total of 32 car parking spaces, including three accessible and seven with electric vehicle charging spaces and 118 cycle parking spaces are proposed.

Scheme 1 - The original scheme proposed:

- 44 flats with two, three and four bedrooms;
- the top story set further forward by approximately one metre;
- no 0.5 metre setback or eaves break and a stone parapet rather than metal balustrade on the north section facing Dundas Street;
- no advanced corner or shadow gap on the Fettes Row elevation;

- less rusticated stone tooling on the lower level facades facing Fettes Row; and
- no window chamfers on the Dundas Street elevation and less distinction between the elevational treatment of the two sections fronting Dundas Street.

Supporting Documents

- Pre-application Consultation Report
- Planning Statement;
- Design and Access Statement;
- Heritage Statement;
- Noise Impact Assessment;
- Daylight and Sunlight Report;
- Affordable Housing Statement;
- Transport Statement;
- Drainage Strategy and Flood Risk Assessment;
- Sustainability Statement and S1 Form; and
- Landscape Management and Maintenance Plan and
- Tree Survey and Report.

The presentation can be viewed in full via the link below:

[Development Management Sub-Committee - Wednesday, 8th September 2021 at 10:00am - City of Edinburgh Council Webcasts \(public-i.tv\)](#)

(b) New Town and Broughton Community Council

Annick Gaillard and Richard Price addressed the Development Management Sub-Committee on behalf of the New Town and Broughton Community Council

Ms Gaillard advised that the view from Dundas Street made it possible to see Centrum House and Bupa House. The trees looked healthy, however, this was a picture from 2008. Ms Gaillard would focus on the key issues, but first wanted to first give some context. The planning history was outlined, referring to the New Town in 1825. Both buildings were approved in 1970s. When the recommendation was made to approve these, it was stated that the front-line should be 68 feet from centre line of Dundas Street. 5 years later, approval was given for an office block at 120 Dundas Street. In 2006, there was an application for the demolition and re-purposing of the building. Approval was granted to demolish that building. There were no gable windows on the Victorian section of the buildings, gable windows were normally, but not always protected. For the re-purposing of the building, this respected the established building form and alignment. The key issue was the building line. The current application was for the demolition and replacement of Centrum House. The design did not consider the re-development of Centrum House, however the community council disagreed with this. When it was originally approved, the community council thought that the proposal would

prejudice the possibility to develop the area in front of the offices. The area in front of Bupa house, was not intended for development. When the building line was considered, the line was consistent with Georgian tenements. Considering the building line, the line was generally consistent, but some sections on 120 to 158 on Dundas Street, were set forward. Other sections aligned with the Georgian line. The only anomaly for the whole of Dundas Street, was the section of Fettes Row to Henderson Row. The community council thought that a better compromise for amenity, would have been to have the building line halfway to the Georgian tenements. That it would protect the amenity of 120 Dundas Street. If the buildings did not stand the purpose of time, then this was contrary to the planning process.

Mr Price advised that he wanted to reinforce the comments of the previous speaker. From the perspective of the developers, they had chosen, in terms of the building line, something that was of benefit to them. There were other ways of looking at the situation, from the original and the amended application. The community council were clear that they did not support the building line.

The presentation can be viewed in full via the link below:

[Development Management Sub-Committee - Wednesday, 8th September 2021 at 10:00am - City of Edinburgh Council Webcasts \(public-i.tv\)](#)

(c) Local Residents – Dundas Street and Fettes Row

Chris Day addressed the Development Management Sub-Committee on behalf of the Local Residents – Dundas Street and Fettes Row.

Mr Day advised that he represented 30 residents of Dundas Street and Fettes Row. The development would shape this part of the New Town for decades, but it would dominate excessively and was a wrong decision. The provision of affordable housing not an issue.

Mr Day outlined the key points. Firstly, heritage had been explored, including a variety of building lines and the height of the site since the 19th century. Immediately round this site, there was a combination of set-back buildings and trees which were included in the new development. In the previous meeting, an elected member had asked what historical point would be chosen, as a reference point for the future. There had not been a combination of advanced building lines and heights, since the 19th century. Sixty residents indicated that they quite liked the existing arrangement and the trees. Edinburgh World Heritage still objected to this design. It was claimed that the earlier presentation complied with existing New Town styles. This was in fact unsympathetic and was an overbearing monolith. If the existing buildings were in the contemporary style, then would this scheme stand the test of time and how did it create a sense of place? The line of trees was much appreciated. They were pruned in 2018 and 2020 and this had detracted from their natural form, but they were Lime Trees and would recover. Regarding the brick building in the report, that was described as being an entity which should be evoked at back. That was not the old tram depot, but was a 1990s building. There was a planning application in to demolish that building and replace it with flats. Secondly, in terms of sustainability, the assessment did not show carbon

impacts. There was also the issue of transport. This worked for office workers Thirdly, with regard to amenity, discussion had focused on new residents. The communal area at the back was not visible from the surrounding streets and the new trees would compensate for the trees lost to at the front. The new units were not comparable, their views were compromised, and it was known that windows helped residents' wellbeing. To conclude, there were 12 issues for the Sub-Committee to consider. This application failed six of these, which included preserving listed buildings, preserving the conservation area, creating a sense of place, being detrimental to residential amenity, having an adverse impact on trees and biodiversity and addressing public comments. LDP Policy Des 1 stated that designs should draw on the positive characteristics of the area and create a sense of place. The slide being displayed was a current street scene. Was this the kind of animated street scene that the council sought to evoke. The proposal was clumsy, overbearing and unsympathetic to the character of the area. The local residents faced the stress of two substantial applications and years of disruption. The consultation which took place was of a cursory nature and this was taken at a time when people's mental health had been adversely affected.

The presentation can be viewed in full via the link below:

[Development Management Sub-Committee - Wednesday, 8th September 2021 at 10:00am - City of Edinburgh Council Webcasts \(public-i.tv\)](#)

(d) The Cockburn Association

Terry Levinthal addressed the Development Management Sub-Committee on behalf of The Cockburn Association.

Mr Levinthal advised that the association formally objected to this proposal. They had engaged a range of experts, including architects, planners and urban designers. Firstly, they believed that the housing-led re-purposing was an acceptable approach in principle and supported this, but the proposals did not reflect the quality, character or scale of the adjacent building. It seemed to be a speculative design approach. They did not feel that there was clear residential character being expressed, complementing the Georgian architecture nearby. They noted the stark contrast of the engagement at street level between the Georgian buildings and modern buildings. There was a lack of understanding of the top, middle and bottom components of the building. This contradicted the dominant architectural patterns. The development did not meet Edinburgh LDP Policy Des 4, in relation to mass, detailing or proportions in scale. Their main objection was the demolition of the entire structure. In line with the Council vision of carbon management, the demolition and re-development of the site was an inappropriate response to repurposing these buildings. There was nothing they could find regarding the review and re-use of these structures that would mitigate against the carbon management. A wider design objective should be undertaken. There were challenges, but these could be overcome and in this way the scale of the building would contribute more to carbon management in the city. In considering carbon management, in the round, the proposals were not consistent with Edinburgh LDP Policy Des 6, and sustainability. The applicant should repair what was already in place,

as the structures could be re-used. Finally, considering the planning in context, with regard to the building line, the association would support the wishes of the community council and residents and retain the trees. They noted that the 1825 plan had been illustrated. However, it should be appreciated that this was a feuing plan, not an architectural or site plan for development. It was simply a mechanism to show how an area could be developed, behind this, there would be series of rules to be applied, including having setback from the street.

The presentation can be viewed in full via the link below:

[Development Management Sub-Committee - Wednesday, 8th September 2021 at 10:00am - City of Edinburgh Council Webcasts \(public-i.tv\)](#)

(e) Applicant and Applicant's Agent

Guy Morgan (Morgan McDonnell Architecture), Paul Scott (Scott Hobbs Planning) Andrew Rennick (Applicant representative) were heard in support of the application.

Mr Morgan highlighted some high-level points which had been overlooked by the community council and neighbour representors when making comparisons with the existing situation and their own proposals. These related to amenity, sustainability and townscape. With respect to amenity, specifically, the improved daylight and sunlight, in the proposed windows at the building at 120 Dundas street. There had been much discussion about the merits of bringing the building line forward, but no mention of the benefits of that to the rear of the proposed building at 120 Dundas street and the current Centrum House. Reference was made to 120 Dundas Street and Henderson Street and the shared amenity deck. It was interesting that 120 Dundas street had living rooms to the west facing the rear and kitchen and dining spaces to Dundas Street. The balconies on one side were obscured by the set back of existing building on the application site.

Looking at the comparison of the existing and proposed block, it was possible to see the benefits of daylight by pulling the building forward. Also, in terms of aspect, the balconies had currently a blank gable wall coming out. In the proposed scheme, this aspect was opened up and there would be more sunlight and daylighting. This was a significant improvement to the current situation. They would now compare the existing and proposed situation regarding the sunlight study. There was a significant difference in shadowing between the two situations. Regarding sustainability, the existing trees to the front had a limited lifespan. There as a full arborological report in the application, which highlighted the issue of the trees. These were all Category C and had only a 10-year life span. The existing rear car park was made of Tar McAdam, with no opportunity for biodiversity. In the proposed building, the communal garden would introduce variety of species. The proposed brown self-seeding roof allowed for biodiversity and offered a natural habitat. The existing roof was made of hard surface, whereas the brown roof would help with rainwater dispersion. Renewable energy solutions would give green energy to the proposed building, unlike the existing building which was heated by gas fire boilers. The new heating would be fossil free.

Finally, regarding townscape, the current building was compared to the proposed building. This was an opportunity to unify the city block and enhance the relationship. Earlier they engaged at pre application stage with the Planning Division and bodies such as the Edinburgh Heritage Trust. They all agreed that the Victorian building line was the correct response to the site. The existing deep set-back on Dundas Street provided a significant break, there was an established pattern of uses along this block and the proposal followed the pattern of residential over commercial frontage. The proposal followed this plan. The last piece of focus on the junction of the proposed building, was the front of 120 Dundas Street, the east façade of which was referred to and there was a shared boundary with application site. They were anomalous with the established Edinburgh feu development pattern. The developers had been careful to create a set back that met daylight requirement. The proposed building drew back 1.29 metres from the boundary, A detailed sunlight analysis had been carried out. This showed the proposal to be compliant with policy requirements, in relation to any potential impact on windows on 120 Dundas Street, not even accounting for improvements to living rooms, balconies and other rooms. It was hoped that this clarified these points, specifically in relation to the adjacent building and it was hoped that the Sub-Committee would support the recommendation for approval.

The presentation can be viewed in full via the link below:

[Development Management Sub-Committee - Wednesday, 8th September 2021 at 10:00am - City of Edinburgh Council Webcasts \(public-i.tv\)](#)

Division 1 (for planning permission)

Motion

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

- moved by Councillor Rose, seconded by Councillor Cameron.

Amendment

To **REFUSE** planning permission for the reason that the policies were contrary to Edinburgh Local Development Plan Policies Des 4, Env 3 and Env 6 as the proposal was considered to have a positive impact on its setting in terms of design, footprint and street relationship.

- moved by Councillor Gardiner, seconded by Mowat.

Voting

For the motion: - 2 votes

For the amendment: - 8 votes

(For the motion: Councillors Gardiner, Booth, Key, Mitchell, Mowat, Osler, Staniforth and Young.)

(For the amendment: Councillors Cameron and Rose.)

Cameron, Mitchell and Mowat.)

Decision

Development Management Sub-Committee of the Planning Committee 8 September 2021

To **REFUSE** planning permission for the reason that the policies were contrary to Edinburgh Local Development Plan Policies Des 4, Env 3 and Env 6 as the proposal was considered to have a positive impact on its setting in terms of design, footprint and street relationship.

Division 2 (for conservation area consent)

Motion

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

- moved by Councillor Rose, seconded by Councillor Cameron.

Amendment

To refuse conservation area consent for the reason that the policies were contrary to Edinburgh Local Development Plan Policies ENV 5 and ENV 2 (Part C) as the replacement scheme did not justify the demolition of the existing building.

- moved by Councillor Gardiner, seconded by Mowat.

Voting

For the motion: - 2 votes

For the amendment: - 8 votes

(For the motion: Councillors Gardiner, Booth, Key, Mitchell, Mowat, Osler, Staniforth and Young.)

(For the amendment: Councillors Cameron and Rose.)

Decision

To **REFUSE** conservation area consent for the reasons that the policies were contrary to Edinburgh Local Development Plan Policies ENV 5 and ENV 2 (Part C) as the replacement scheme does not justify the demolition of the existing building.

(References – Development Management Sub-Committee 16 June 2021 (item 3); report by the Chief Planning Officer, submitted.)

3. Kirkland House, 2 The Trefoil Centre, Gogarmuir Road

Details were provided of an application for planning permission for the change of use class from Class 8 Residential Institution (care home / hospice) to Class 9 houses. Removal of non original extensions to North & West of the property, replaced with new town houses. Internal alterations to retained property. Remove and replace existing glazing with double glazing & upgrade existing services. New parking and landscaping arrangements at Kirkland House, 2 The Trefoil Centre, Gogarmuir Road, Edinburgh - application no. 20/03901/FUL

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

First Vote

Motion

To **GRANT** planning permission subject to:

1. The conditions, reasons, informatives and a legal agreement as set out in section 3 of the report by the Chief Planning Officer.
 2. An additional condition for a reduction in the capacity of car parking to a more appropriate standard.
- moved by Councillor Gardiner, seconded by Councillor Child.

Amendment 1

To **REFUSE** planning permission as the proposal breached Edinburgh LDP Policies Env 10, Env 11 and Tra 2, and represented a danger to the preservation of the greenbelt.

- moved by Councillor Staniforth, seconded by Booth.

Amendment 2

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

- moved by Councillor Rose, seconded by Councillor Osler.

Voting

For the motion: - 4 votes

For amendment 1: - 2 votes

For amendment 2: - 5 votes

(For the motion: Councillors Child, Gardiner, Gordon and Ethan Young.)

(For amendment 1: Councillors Booth and Staniforth.)

(For amendment 2: Councillors Cameron, Mitchell, Mowat, Osler and Rose.)

There being no overall majority, Amendment 1 fell and a second vote was taken between the Motion and Amendment 2.

Second Vote

Motion

To **GRANT** planning permission subject to:

1. The conditions, reasons, informatives and a legal agreement as set out in section 3 of the report by the Chief Planning Officer.
 2. An additional condition for a reduction in the capacity of car parking to a more appropriate standard.
- moved by Councillor Gardiner, seconded by Councillor Child.

Amendment 2

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

- moved by Councillor Rose, seconded by Councillor Osler.

Voting

For the motion: - 6 votes

For amendment 2: - 5 votes

(For the motion: Councillors Child, Booth, Gardiner, Gordon, Staniforth and Ethan Young.)

(For amendment 2: Councillors Cameron, Mitchell, Mowat, Osler and Rose.)

Decision

To **GRANT** planning permission subject to:

1. The conditions, reasons, informatives and a legal agreement as set out in section 3 of the report by the Chief Planning Officer.
2. An additional condition for a reduction in the capacity of car parking to a more appropriate standard.

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

Appendix

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register.		
4.1 – Currie High School, 31 Dolphin Avenue, Currie	Proposed 3G Pitch including floodlighting, fencing and spectators' area - application no. 21/02381/FUL	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.
4.2 – 12 Dean Bank Lane, Edinburgh	Alter windows, doors and roof materials from previously consented proposals outlined in application 20/01245/LBC (as amended) - application no. 21/03192/LBC	To GRANT listed building subject to the conditions and reasons as set out in section 3 of the report by the Chief Planning Officer.
4.3 – Drylaw House, 32 Groathill Road North, Edinburgh	Section 42 application for Drylaw House. Variation of Condition 1 of application 20/04410/FUL to allow use of the building by all class 7 uses - application no. 21/03191/FUL	To GRANT planning permission subject to the informatives as set out in section 3 of the report by the Chief Planning Officer.
4.4 – Drylaw House, 32 Groathill North, Edinburgh	Change of use of Drylaw House to short-term let visitor accommodation (Sui Generis) - application no. 21/02664/FUL	To GRANT planning permission subject to the informatives as set out in section 3 of the report by the Chief Planning Officer.
4.5 – 3B Dundas Street, Edinburgh	Change of use of from flatted dwelling to use for short-term letting - application no. 21/03226/FUL	To GRANT planning permission subject to the informatives as set out in section 3 of the report by the Chief Planning Officer.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>4.6 – 14-16 Hope Terrace, Edinburgh</p>	<p>Change of use from a children's hospital, to reinstating the villas back into use as residential dwellings. Contemporary extensions are proposed to both villas to expand and rationalise their layouts. A new single residential dwelling is also proposed to an open area to the East of the plot currently occupied by a tennis court - application no. 21/00857/FUL</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>4.7 – 28 Inglis Green Road, Edinburgh</p>	<p>Erect Hoarding Sign - application no. 21/02911/ADV</p>	<p>To GRANT advertising consent subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer.</p>
<p>4.8 – 7B Jamaica Street South Lane, Edinburgh</p>	<p>Change of use dwelling to commercial short term holiday let - application no. 21/03509/FUL</p>	<p>To REFUSE planning permission for the reasons given in section 3 of the report by the Chief Planning Officer.</p>
<p>4.9 – Kirkland House, 2 The Trefoil Centre, Gogarmuir Road</p>	<p>Change of use class from Class 8 Residential Institution (care home / hospice) to Class 9 houses. Removal of non original extensions to North & West of the property, replaced with new town houses. Internal alterations to retained property. Remove and replace existing glazing with double glazing & upgrade existing services. New parking and landscaping arrangements - application no. 20/03901/FUL</p>	<p>To GRANT planning permission subject to:</p> <ol style="list-style-type: none"> 1. The conditions, reasons, informatives and a legal agreement as set out in section 3 of the report by the Chief Planning Officer. 2. An additional condition for a reduction in the capacity of car parking to a more appropriate standard. <p>(on a division)</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>4.10 – Kirkland House, 2 The Trefoil Centre, Gogarmuir Road</p>	<p>Alter Residential Institution (care home/hospice) to from Houses. Removal of non original extensions to North & West of the property, replaced with new town houses. Internal alterations to retained property. Remove and replace existing glazing with double glazing & upgrade existing services. New parking and landscaping arrangements - application no. 20/03902/LBC</p>	<p>To GRANT listed building consent subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer.</p>
<p>4.11 – 18 Pipe Lane (At Site 30 Metres North Of), Edinburgh</p>	<p>Proposed residential development comprising 10 flats with associated car and cycle parking, infrastructure and landscaping - application no. 21/02434/FUL</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>4.12 – Powderhall Bowling Green, Broughton Road, Edinburgh</p>	<p>Phase 2 of 3 phase masterplan at Powderhall. Phase 2 is the former Bowling Green Site, this area is a mixed use development, to include an early years nursery, accessible housing for independent living for those aged 55 and over, outdoor amenity space for Broughton Primary School and associated landscaping, including new public entrance square and enhanced landscaping works to St Mark's Path - application no. 21/00381/FUL</p>	<p>To continue consideration of the matter to allow transport officers to investigate interim solutions for the provision of disabled parking as soon as possible.</p>
<p>4.13 – 28 Wellflats Road (At Land 135 Metres Northeast Of), Kirkliston</p>	<p>Approval of matters specified in conditions 1, 6 and 10 of 17/04571/PPP comprising residential development, landscaping, access and associated works (amendment of planning permission 20/00718/AMC) - application no. 21/03112/AMC</p>	<p>To APPROVE matters specified in conditions 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>4.14 – Western Harbour, Western Harbour Drive, Edinburgh</p>	<p>Approval of matters specified in condition 3 of planning permission 20/03225/PPP for residential and commercial development providing for use classes 1, 2, 3 and 4 and associated infrastructure - application no. 21/02203/AMC</p>	<p>To APPROVE matters specified in conditions subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer.</p>
<p>5.1 – Lochside Way (At Land Adjacent To), Edinburgh</p>	<p>Development of southern phase of Edinburgh Park to comprise mix of uses including residential (Class 9 houses and sui generis flats), offices (Class 4), hotel (Class 7), crèche (Class 10), leisure (Class 11), ancillary Class 1/Class 2/Class 3 and sui generis public house, car parking, landscaping, roads, access and associated works - application no. 20/02068/FUL</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>5.2 – 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</p>	<p>To AGREE to extend the deadline for concluding the legal agreement until 27th October 2021 to enable planning permission to be released for this application.</p>
<p>6.1 – Centrum House, 108-144 Dundas Street, Edinburgh</p>	<p>Protocol Note by the Chief Executive - application no. 20/05645/FUL and 20/05646/CON</p>	<p>To note the protocol note.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p><u>6.2 – Centrum House, 108-114 Dundas Street, Edinburgh</u></p>	<p>Proposed demolition of existing office buildings and erection of a mixed-use development comprising 50 flats with 3 commercial units (Class 1, 2 and 3 uses), amenity space, landscaping, basement level car and cycle parking and other associated infrastructure (as amended) - application no. 20/05645/FUL</p>	<p>To refuse planning permission for the reason that the policies were contrary to Edinburgh Local Development Plan Policies Des 4, Env 3 and Env 6 as the proposal is considered to have a positive impact on its setting in terms of design, footprint and street relationship. (On a division)</p>
<p><u>6.3 – Centrum House, 108-114 and 116 Dundas Street, Edinburgh</u></p>	<p>Complete demolition of existing buildings - application no. 20/05646/CON</p>	<p>To refuse conservation area consent for the reason that the policies were contrary to Edinburgh Local Development Plan Policies ENV 5 and ENV 2 (Part C) as the replacement scheme did not justify the demolition of the existing building. (on a division)</p>

Minutes

Development Management Sub-Committee of the Planning Committee

10.00 am, Wednesday 22 September 2021

Present:

Councillors Gardiner (Convener), Child (Vice-Convener), Booth, Cameron, Dixon (substituting for Councillor Ethan Young), Gordon, McLellan (substituting for Councillor Rose), Mitchell, Mowat (items 1.1-4.11), Osler (items 1.1-4.8, 4.10-7.1), and Staniforth.

1. Minutes

Decision

To approve the minute of the Development Management Sub-Committee of 18 August 2021 as a correct record.

2. General Applications and Miscellaneous Business

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

Requests for a Presentation:

Councillors Cameron and Rose requested a presentation in respect of Item 4.3 and 4.4 – 14 George Street, Edinburgh

Ward Councillor Barrie requested a presentation in respect of Item 4.9 – 74 Telford Road, Edinburgh

Requests for a Hearing

Ward Councillor Barrie requested a hearing in respect of Item 4.9 – 74 Telford Road, Edinburgh

Decision

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

Declaration of Interests

Councillor Osler declared a non-financial interest in Item 4.9 – 74 Telford Road, Edinburgh as she had been involved in the past so did not take part in the decision on this item.

Councillor Mowatt declared a financial interest in Item 7.1 – 1A Orchardfield Avenue, Edinburgh (at Car Park Area) as the applicant rented a garage from her so did not take part in the decision on this item.

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

3. 14 George Street, Edinburgh

Details were provided for an application for planning permission and listed building consent for a proposed partly retractable glazed roof to Rose Street Café terrace to the rear of the Dome (as amended) – application nos 20/04432/FUL and 20/04433/LBC.

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

Motion

To **REFUSE** planning permission and listed building consent for the reasons set out in section 3 of the report by the Chief Planning Officer.

- moved by Councillor Gardiner, seconded by Councillor Child

Amendment

To **GRANT** planning permission and listed building consent.

- moved by Councillor Cameron, seconded by Councillor McLellan

Voting

For the motion: - 9 votes

For the amendment: - 2 votes

(For the motion: Councillors Booth, Child, Dixon, Gardiner, Gordon, Mitchell, Mowat, Osler and Staniforth.)

(For the amendment: Councillors Cameron and McLellan.)

Decision

To **REFUSE** planning permission and listed building consent for the reasons set out in section 3 of the report by the Chief Planning Officer.

(Reference – reports 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 – 29 Beaverhall Road, Edinburgh</p>	<p>Report for forthcoming application by HUB for Proposal of Application Notice – Redevelopment of site for residential dwellings, incorporating affordable homes, private amenity and open space as well as the reprovision of cultural/arts workspace/commercial space – application no. 21/04608/PAN</p>	<p>1) To note the key issues at this stage.</p> <ul style="list-style-type: none"> • To request that the applicant take into consideration the foundry to the north-west of the site • Well-connected, sustainable travel and maximise routes through the site
<p>4.2 – 3 Hawes Brae, South Queensferry (The Forts)</p>	<p>Report for forthcoming application by Network Rail Infrastructure Limited for Proposal of Application Notice – Proposed development of reception centre and bridge access system with associated car parking, landscaping and servicing, alterations to existing pedestrian and vehicular access and retention of operational land for maintenance purposed – application no. 21/04153/PAN</p>	<p>1) To note the key issues at this stage</p> <p>2) To request that the applicant take into consideration:</p> <ul style="list-style-type: none"> • Sustainable transport while work is taking place
<p>4.3 – 14 George Street, Edinburgh</p>	<p>Proposed partly retractable glazed roof to Rose Street Café terrace to the rear end of the Dome – application no. 20/04432/FUL</p>	<p>To REFUSE planning permission for the reasons given in section 3 of the report by the Chief Planning Officer. (On a division)</p>
<p>4.4 – 14 George Street, Edinburgh</p>	<p>Proposed partly retractable roof to Rose Street Café terrace to the rear end of the Dome – application no. 20/04433/LBC</p>	<p>To REFUSE listed building for the reasons given in section 3 of the report by the Chief Planning Officer. (On a division)</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>4.5 – 5-25 Grosvenor Street and 21A Grosvenor Street, Edinburgh (Hilton Grosvenor)</p>	<p>Refurbishment and alterations to create new bedrooms; change of use existing flat 21A Grosvenor Street from domestic flat to hotel class use; internal alterations and convert 1st floor rear mews from staff quarters to new suited accommodation; and upgrade external M&E plant – application no. 21/02973/FUL</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.</p>
<p>4.6 – 5-25 Grosvenor Street and 21A Grosvenor Street, Edinburgh (Hilton Grosvenor)</p>	<p>Refurbishment/Alterations to create new bedrooms; change of use to existing flat 21A Grosvenor Street from domestic flat to hotel class use; refit of bedrooms, public facing areas and back of house areas; remove existing GFL public lobby stair; convert 1st floor rear mews from staff quarters to new suited accommodation; and upgrade external M&E – application no. 21/02982/LBC</p>	<p>To GRANT listed building consent subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.</p>
<p>4.7 – 7A Jamaica Street South Lane, Edinburgh</p>	<p>Change of use dwelling to commercial short term holiday let – application no. 21/03508/FUL</p>	<p>To REFUSE planning permission for the reasons given in section 3 of the report by the Chief Planning Officer.</p>
<p>4.8 – 69 Lauriston Farm Road, Edinburgh (Land Adjacent to)</p>	<p>Change of use from agriculture to private hire dog field with associated fencing and other temporary (removable) structures – application no. 21/02595/FUL</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.</p>
<p>4.9 – 74 Telford Road, Edinburgh</p>	<p>Section 42 Variation of Condition GD0 of Planning Permission 96/01125/FUL to enable the drive-thru to operate between the hours of 07:00-23:00, seven days a week – application no. 21/02735/FUL</p>	<p>To REFUSE the application for a Section 42 Variation of Condition as the proposal was contrary to Local Development Plan Policy Hou 7</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>4.10 – 96 Temple Park Crescent, Edinburgh</p>	<p>Demolition of existing commercial building with construction of new 5 / 6 storey residential development comprising 46 dwellings (1, 2 and 3 bed apartments) with associated car parking, landscaping and public realm; change of use from commercial to residential – application no. 21/02715/FUL</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.</p>
<p>4.11 – 19 Turnhouse Road, Edinburgh (Site 100 North East of)</p>	<p>Erection of 213x dwellings and associated drainage, infrastructure and landscaping (Approval of Matters Specified in Conditions 5 (Part 2 i, ii, iii, iv, v, vi), 6(a), 6(b), 6(c), 6(d), 6(e), 6(f), 6(g), 6(i), 6(j), 6(k(i-ix)) & 10 for Plot 1 of consent 16/04738/PPP) – application no. 21/02336/AMC</p>	<p>To APPROVE matters specified in conditions, subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer.</p>
<p>7.1 – 1A Orchardfield Avenue, Edinburgh (Car Park Area)</p>	<p>Use the current car park within St Margaret’s Park next to The Dower House for a weekly farmer’s market at the weekend – application no. 21/02166/FUL</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 and an additional informative that a green travel plan be produced.</p>

This page is intentionally left blank

Development Management Sub Committee

Wednesday 6 October 2021

Report for forthcoming application by

Ability Hotels (Edinburgh) Ltd. for Proposal of Application Notice

21/03840/PAN

**at 5 Almond Avenue, Edinburgh, EH12 9GN
Extensions to existing hotel.**

Item number

Report number

Wards

B01 - Almond

Summary

The purpose of this report is to inform the Development Management Sub-committee of a forthcoming application for full planning permission for extensions to an existing hotel at 5 Almond Avenue, Edinburgh.

Links

Coalition pledges

Council outcomes

Single Outcome Agreement

Recommendations

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

Background

2.1 Site description

The application site is located within the urban area of Edinburgh Airport, lying directly to the south of the airport's main terminal buildings, control tower and car park. The site is currently used as a hotel and car park within a surrounding landscaped area and hardstanding. The site is accessed from Almond Avenue which comes off Almond Drive to the west. The site has some existing vegetation and trees with landscape mounding around parts of the site's perimeter. A Spitfire memorial sculpture sits on the northern perimeter of the existing hotel building. An existing office building is located to the west of the site boundary and other notable roads around the site include Jubilee Road to the north and Fairview Road to the south.

2.2 Site History

17 April 2012 - Planning permission was granted for a 350-bedroom hotel (planning reference 10/01392/FUL). The application site for that proposal was larger, extending to Fairview Road in the south.

20 July 2012 - An application for prior notification and prior approval for demolition of five existing buildings on land at Almond Avenue, Edinburgh Airport, Edinburgh determined that permission was not required (Application reference 12/01892/PND).

20 August 2012 - Planning permission was granted for temporary facade works to the approved 350-bedroom hotel development consented under application 10/01392/FUL (Application reference 12/02443/FUL).

29 July 2015 - Planning permission was granted for a 175-bedroom hotel at 1, 2, 3, 4 Edinburgh Airport Police Station, Almond Road, Edinburgh Airport (application reference: 15/00661/FUL).

9 June 2016 - An application to vary the height of the hotel granted under planning application 15/00661/FUL by 600mm was approved (application reference 15/00661/VARY).

17 October 2016 - Proposal of application notice was submitted for 'Demolition of existing buildings and redevelopment of site for mixed used including hotel (Class 7) food and drink (Class 3), petrol filling station (Sui Generis), retail (Class 1) Office, (Class 4) with associated infrastructure (inc access, servicing arrangements, car parking, landscaping and public realm) at 1, 2, 3, 4 Edinburgh Airport Police Station, Almond Road, Edinburgh Airport (application reference: 16/05145/PAN).

15 November 2018 - Planning permission was granted for the 'erection of a six storey hotel (Class 7), with associated facilities, car parking and hard and soft landscaping (as amended)' at Edinburgh Airport Police Station, Almond Road, Edinburgh Airport (application reference: 17/03186/FUL).

Main report

3.1 Description of the Proposal

The applicant proposes 'extensions to the existing hotel' at 5 Almond Avenue, Edinburgh.

It is anticipated the proposal will be a major development and no further details on the proposal are submitted at this time with the proposal of application notice.

3.2 Key Issues

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

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

The site is located within the Edinburgh Airport Special Economic Area which is designated in the Edinburgh Local Development Plan (LDP). The principle of the development would therefore be subject to compliance with Policy Emp 4 (Edinburgh Airport) and consideration must be given to all other relevant policies in the Edinburgh LDP such as design policies and policy Emp 10 (Hotel Development). The development will also be required to comply with the West Edinburgh Strategic Design Framework.

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

The applicant will be required to comply with relevant design policies in the LDP as well as supplementary guidance where applicable (e.g. Edinburgh Design Guidance, West Edinburgh Strategic Design Framework). A design and access statement will be required to support the application and demonstrate how the proposed hotel extension will create a sense of place in the context of the surrounding airport area.

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

The proposal should have regard to transport policy in the Edinburgh LDP, Designing Streets and the West Edinburgh Transport Appraisal Refresh (2016). The applicant will be required to submit transport information in support of the application.

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

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

- Pre-Application Consultation report;
- Design and Access Statement;
- Planning Statement;
- Transport Information;
- Detailed Site Landscape Proposals and Planting Schedule;
- Flood Risk and Drainage Impact Assessment;
- Air Quality Impact Assessment;
- Tree Survey;
- Ecology information;
- Archaeology Assessment;
- Noise Assessment;
- Sustainability information.

The above is not an exhaustive list and other supporting details or assessments may be identified prior to the application being submitted or during the application assessment stage.

Environmental Impact Assessment

The proposal and site will be screened under the terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, to determine whether an Environmental Impact Assessment is required.

3.3 Assessment

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

Financial impact

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

Risk, Policy, compliance and governance impact

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

Equalities impact

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

Sustainability impact

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

In light of the ongoing Covid-19 situation, Scottish Government guidance on pre-application consultation makes provision for public consultation to be carried out without the need for a face-to-face public event.

Following receipt of the proposal of application notice (PAN) the applicant has given details of a dedicated project website (<http://www.plansforhiltonextension.co.uk/>) where members of the public will be able to view proposals and submit comments. An interactive consultation event will take place on 29 September between 1pm and 7pm. Between these times a web chat function will be available on this page and a member of the project team will be able to answer any questions. The live event was advertised in the Edinburgh Evening News on 15 September 2021 prior to the eventing being held. The closing day for comments via the website would be 13 October 2021.

The results of this consultation will be submitted with the future planning application as a Pre-application Consultation (PAC) Report.

Ratho and District Community Council have been notified of the proposal by the applicant. The applicant also carried out a letter-drop for surrounding businesses and neighbours.

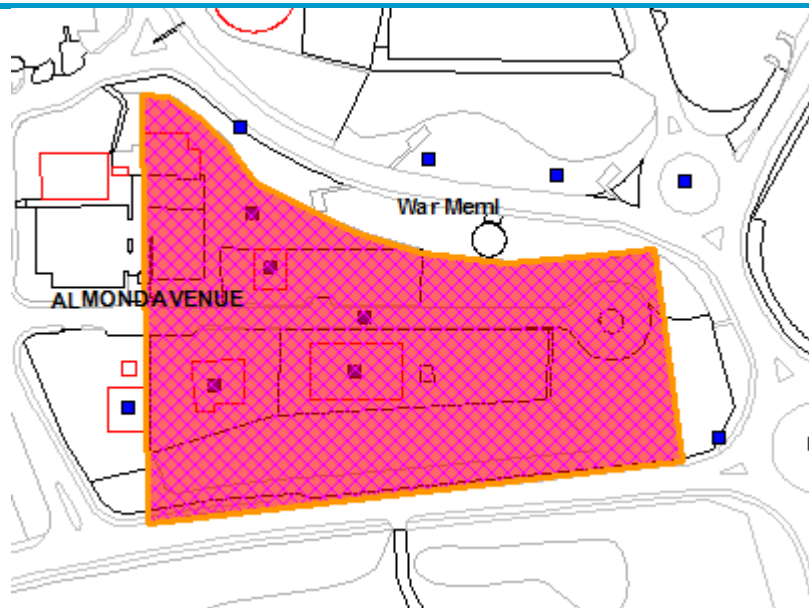
Background reading/external references

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

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Sean Fallon, Planning Officer
E-mail:sean.fallon@edinburgh.gov.uk Tel:0131 469 3723

Location Plan



© Crown Copyright and database right 2015. All rights reserved. Ordnance Survey License number 100023420
END

Development Management Sub Committee

Wednesday 6 October 2021

**Application for Planning Permission 21/00518/FUL
at Former Agilent Technologies, Scotstoun Avenue, South
Queensferry.**

**Residential development comprising 16 flats with associated
car and cycle parking, infrastructure and landscaping.**

Item number

Report number

Wards

B01 - Almond

Summary

The principle of development is acceptable, in compliance with LDP Policy Hou1 (Housing Development).

The proposal is appropriate in design and in keeping with the character of the surrounding area. The proposal will provide good amenity to future occupiers and will have no adverse impact on neighbouring amenity, in accordance with the Edinburgh Local Development Plan design policies and the Edinburgh Design Guidance.

An infringement of LDP Policy Hou 2 (Housing Mix) is accepted in this instance on the grounds the proposal will provide a suitable mix of accommodation within the context of the wider developed site.

The proposal will deliver a housing in a sustainable location that promotes sustainable modes of transport, in compliance with LDP Transport Policies Tra 2, 3 and 4.

The proposal complies with HES's (Managing change in the Historic Environment - Setting) and LDP Policy Env 3 (Listed Buildings - Setting) and will not impact upon the nearby listed building.

Overall, the proposal complies with the Edinburgh Local Development Plan. There are no material considerations which outweigh this conclusion.

Outcome of previous Committee

This application was previously considered by Committee on 08.09.2021

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES02, LDES04, LDES05, LDES06, LDES07, LEN09, LEN03, LEN09, LEN21, LEN22, LEMP09, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, LDEL01,

Report

Application for Planning Permission 21/00518/FUL at Former Agilent Technologies, Scotstoun Avenue, South Queensferry. Residential development comprising 16 flats with associated car and cycle parking, infrastructure and landscaping.

Recommendations

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

Background

2.1 Site description

The site measures 1159m² and comprises an area of car parking (15 spaces) to the west and grassland to the east.

Immediately to the north and west, there is an area of tarmacked car parking, beyond which there are two-storey detached, semi-detached and terraced houses. To the south there is a four-storey flatted residential block and to the east there is a three-storey flatted residential block.

The immediately surrounding area is predominantly new build residential and the wider surroundings comprise more established residential dwellings; varying in height from one to four storeys.

Dalmeny train station is a short walk from the site. Bus stops are available less than a five-minute walk from the site located at Sommerville Gardens. The Newbridge to Queensferry and Kirkliston Core Path (reference CEC10) is located in close proximity to the site, providing active travel connections across the wider area.

The site is located over 100 metres from the category B Listed Dalmeny Station (Ref: LB5511 dated 30/01/1981)

2.2 Site History

10 April 2008 - Outline planning permission was granted for a residential development (application reference: 06/00842/OUT).

14 May 2012 - Planning permission in principle was granted for redevelopment for residential and mixed use development including retail units (class 1), business use (class 4), financial and professional services (class 2), food and drink (class 3), non-residential institution e.g. creche (class 10) and associated access, parking and landscaping (application reference: 11/00995/PPP).

6 December 2013 - Application for Approval of Matters Specified in Conditions of application 11/00995/PPP granted for mixed use development of 450 houses and flats and commercial building. This included a 1400sq. m of Class 4 office floorspace (application reference: 13/03310/AMC).

22 March 2019 -An application granted permission to erect 3 storey building to include class 1 (retail) plus classes 2+4 (financial/professional services and office) uses (application reference: 18/08606/FUL).

Main report

3.1 Description of the Proposal

The application seeks planning permission to erect a residential block of 16 flats. It is proposed that 100% of the units will be delivered as affordable housing.

The application proposes a mix of accommodation; 50% one bed units, 37.5 % two bed units and 12.5 % three bed units, with the following breakdown:-

- 2no. x three-bed (91sqm)
- 8 no. x one-bed (52sqm)
- 6no. x two-bed (70sqm)

A mix of 3 bed family units and 1 bed units is proposed at ground floor level.

Approximately 32% of the total site area is proposed as usable green space. Landscaped communal green space, of approximately 370 square metres is proposed to the front and rear of the development for use by all residents. 217 square metres of this space is south facing. 153 square metres is proposed for private gardens for residents in ground floor units.

The proposal will be a four-storey development in an urban block form. A material palette of blonde brick and part white render cladding is proposed, reflecting the surrounding contemporary development.

Pedestrian access will be provided to the site from the eastern boundary and pedestrian, cycle and vehicular access will be provided from the southern boundary. Level access is proposed throughout the ground floor of the development.

12 car parking spaces are proposed, four of which will have EV charging infrastructure and two of which will be accessible. A total of 36 cycle parking spaces will be provided within a secure store adjacent to the car parking area.

Waste and recycling storage and collection facilities are proposed within an external store, adjacent to the car parking.

The application is supported by the following documents available to view on the Council's Planning and Building Standards Public Access Portal:

- Planning Statement;
- Design and Access Statement;
- Surface Water and Drainage Plan and Checklist;
- A1 Self Certification;
- Site Investigation Statement; and
- Affordable Housing Statement;

3.2 Determining Issues

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

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of the development is acceptable;
- b) the proposal will impact upon the setting of a listed building or conservation area;
- c) the proposal is acceptable in scale and design;
- d) the proposal will achieve a good level of residential amenity for future occupiers, and will adversely affect neighbouring amenity;
- e) the proposal is acceptable in terms of road safety and parking provision;
- f) any impact upon local infrastructure as a result of the proposed development can be mitigated;
- g) the proposal delivers adequate affordable housing provision;
- h) any adverse impacts upon air quality can be mitigated;
- i) the proposal will increase flood risk;
- j) the proposal meets sustainability standards;
- k) any comments received in public representations have been addressed.

a) Principle

Housing

The development plan identifies the site as being within the urban area where residential development would be acceptable, in principle, subject to compliance with other specific policies and non-statutory guidelines.

LDP Policy Hou 1 'Housing Development' d) prioritises the delivery of housing on sites identified in the LDP. This policy is intended to apply to all suitable sites in the urban area, including the application site which is vacant and unconstrained for development.

The principle of residential development at this site has been already been established as the site is allocated for mixed-use, housing led development (HSG 2) in the Local Development Plan. The site is surrounded by established residential uses and is well connected by existing public transport links, bus and rail links all within the locality, including connections to Edinburgh. The site is therefore an appropriate and sustainable location for housing.

Accordingly, the principle of residential use is acceptable at this location.

Policy Hou 2 (Housing Mix) is applicable to the proposed development and requires provision of a mix of house types and sizes, to meet a range of housing needs. The Edinburgh Design Guidance recommends that 20% of the total units should have three or more bedrooms.

In this instance, the proposed development proposes two three-bedroom units, equating to 12.5% of the total number. The reduced number of three-bedroom units is based on affordable housing need in the area, which has been accepted by the Council's Housing Service. The proposed mix will align with the local housing need and still deliver a mixed, sustainable community despite the shortfall in provision. The site has also been considered within the context of the wider masterplan housing that has been developed with a high percentage of family housing.

The proposal adds to an appropriate mix within the wider site. As such, the departure from LDP Policy Hou 2 is acceptable in this instance.

LDP Policy Hou 4 (Housing Density) seeks an appropriate density of development having regard to its characteristics and those of the surrounding area.

The proposal provides for a medium density development compatible with external open space and minimal area of car parking. This is in keeping with the character of the surrounding development which encompasses flatted buildings as a form of residential accommodation sitting alongside lower density two-storey dwellinghouses.

Employment Land

Whilst the former use of the site was employment, the allocation of the site in the Rural West Edinburgh Local Plan established the residential use as part of the masterplan. As such, the development of this site as residential is in keeping with the characteristics of the masterplan.

Commercial Use

The site was subsequently designed for commercial use under the developed masterplan (planning ref 13/03310/AMC). Previous permission (planning application ref: 18/08606/FUL) approved development of a three-storey building to include Class 1 (retail), Class 2 (financial/professional services) and Class 4 (office) uses at the application site.

This permission was never implemented. The applicant has stated that the intended commercial uses previously approved are not viable, as demonstrated by the letter prepared by Canning Vale Property submitted with the application.

Local residents have objected to the proposal on the grounds of loss of retail/commercial use. The nearest local centre (Scotstoun Grove, Queensferry) is located 1.25km to the west of the site. The closest largest supermarket (Tesco) is located 1.8 km away at Ferrymuir. At present the immediate area is under-represented in terms of choice of shopping provided. Notwithstanding, there is no policy requirement within the local development plan requiring the site to be reserved for commercial use.

Policy Conclusion

Overall, the application proposes a residential development in the urban area, in compliance with LDP Policy Hou 1. The development's density and proposed mix of accommodation is appropriate for the area, in compliance with LDP Hou 4. A departure from LDP Policy Hou 2 is acceptable in this instance.

b) Historical Environment and Setting

Historic Environment Scotland's guidance on Managing Change sets out the principles that apply and how it should inform planning policies. HES's document (Managing change in the Historic Environment - Setting) states that 'setting' is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced.

Policy Env 3 (Listed Buildings - Setting) states that development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance, or historic interest of the building, or to its setting. Policy Env 6 Conservation Areas Development supports development that will impact the setting of a conservation area provided it preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

The site is located approximately 100 metres from the category B Listed Dalmeny Station and the Queensferry Conservation Area and is screened from view by the intervening buildings which have recently been constructed.

The additional height, and positioning of the building within the site, will not impact upon key views such as the view across to the Forth Rail Bridge, designated as a UNESCO World Heritage Site. The proposals are no higher than existing development on the wider masterplan site and will maintain the limited views across to the Forth Rail Bridge.

In light of this, the proposed development will not have an adverse impact upon the setting of the Listed Building, the Conservation Area or the World Heritage Site.

c) Design, Scale, Layout and Materials

LDP Policy Des 1 (Design Quality) supports new development where the design reflects the positive characteristics of the area. 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 Des 4 (Design- Impact on Setting) requires new development proposals to have similar characteristics to the surrounding urban grain, paying close attention to scale, height and positioning of buildings, materials and detailing.

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.

In terms of height, the previously approved building (planning application ref: 18/08606/FUL) was three storeys in height. However, to accommodate commercial premises, the internal configuration resulted in a greater floor to ceiling height at ground level. As such, there will only be a 4m height increase from that previously approved scheme. The proposed four storey building remains in keeping with the four-storey flatted blocks on the adjacent site and is acceptable.

The form and layout are appropriate in the context of the urban site, respecting the established street pattern and the proposed building will occupy the same area of the site as the previously consented scheme.

In terms of materials, the proposal provides for a contemporary design using a brick facade and render. The design incorporates vertical emphasis windows to maximise light. Overall, the proposed material palette is appropriate for residential development and is in keeping with the material palette already established in the area, preserving its appearance and character. The surrounding area is of mixed character which varies in style and material palette, with brick and render being the predominant material finishes.

Overall, the proposed height, scale, and massing of the proposals, along with the contemporary materials palette and fenestration pattern is therefore compatible with its surrounds, in compliance with policies Des 1, Des 4 and Section 2 of the Edinburgh Design Guidance (Designing places: buildings).

d) Amenity

Creation of a Satisfactory Living Environment

Policy Des 5 (Design- Amenity) states that development will be permitted where future occupiers have acceptable levels of amenity.

The proposed units will meet the floorspace requirements of the Edinburgh Design Guidance. All of the proposed flats will be dual aspect and adequate daylight will be available into windows, in line with Edinburgh Design Guidance.

Policy Hou (3 Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development. This policy requires a minimum of 20% of the total site area as useable greenspace and aims to ensure flats without a private garden have at least 10sqm of communal green space.

A landscaped communal green space will be provided to the north west and east of the development. This area will incorporate low-level planting, shrubs, and trees.

In accordance with this Policy, 32% of the total site area will be usable green space. The 12 flats without a private garden will have 370 square metres of communal green space in total, exceeding minimum requirements. This onsite greenspace is south facing, maximising sunlight to the space.

The ground floor flats will each have access to private front gardens.

The site is also located close to multiple areas of good quality publicly accessible open space including the large recreational fields adjacent to the Queensferry Sports and Community Hub. The site is accessible to areas of open countryside and the Newbridge to Queensferry and Kirkliston Core Path (reference CEC10), which provides access to surrounding areas of open space.

In terms of waste collection, the proposal does not raise any issues in respect of waste collection in compliance with LDP Policy Des 5.

Neighbour Amenity

LDP Policy Des 5 (Design- Amenity) supports proposals that have no adverse impact on neighbouring developments.

The proposed building will be located further away from surrounding properties than the consented commercial building; being set back from the northern boundary to provide garden ground to the front. There are no gable windows on the properties to the north, and there will be no direct overlooking or unacceptable impacts on neighbouring privacy.

Concerns have been raised with regards to loss of views in letters of objection from residents. The proposal will not impact upon any immediate outlook.

Whilst the proposal is 4 metres higher than the previously consented scheme, the building is set further back from the boundary, with a pyramid hipped roof form. The building occupies the eastern side of the site. This ensures any overshadowing will fall upon an area of the front garden ground of the nearest properties to the north west and the public street, and not their rear gardens. As such residential amenity will not be adversely affected.

Daylight and Sunlight analysis was submitted by the applicant. Daylight has been measured using the Vertical Sky Component (VSC) method, which models the level of daylight to each window on the two nearest existing dwellings and what impact the proposed development has on the availability of daylight. The VSC analysis demonstrates, that all of the windows are within acceptable daylight levels.

Overall, the proposal will not be to the detriment of neighbouring residential amenity. The proposal will achieve a good level of occupier amenity, in terms of access to daylight, onsite amenity space and access to local open space and core paths.

The proposal therefore accords with LDP Policy Des 5, Hou 3 and the Edinburgh Design Guidance.

e) Road and Pedestrian Safety

LDP Policy Tra 2 (Private Car Parking) relates to car parking provision and takes into consideration the accessibility of the site to public transport stops on routes well served by public transport, to shops, schools, centres of employment, cycle and public transport. Developers are encouraged to pursue lower levels of parking.

The proposed development will provide 12 car parking spaces for the 16 flats. Out of the 12 car parking spaces, two spaces will be accessible, and four spaces will incorporate electrical vehicle charging points. This car parking provision complies with Council's parking standards which could allow a maximum of 16 spaces for the proposed development, in Zone 3. The proposed development is therefore in accordance with LDP Policy Tra 2 and Edinburgh Design Guidance.

LDP Policy Tra 3 (Private Cycle Parking) relates to the cycle parking. The proposed development will provide a total of 36 cycle parking spaces for the 16 flats, exceeding minimum requirements of the EDG. The cycle parking will be provided in secure, covered external stores, promoted in EDG. The proposed development is therefore in accordance with LDP Policy Tra 3.

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) is applicable to the proposed development. The proposed car parking area will have not impact on the active frontage to the public street or amenity areas or public realm. The proposed development is therefore in accordance with this policy.

The Roads Authority was consulted on the proposal and is satisfied that the proposed infrastructure will be able to accommodate the impact of the proposed development, and that the development raises no road safety issues.

Overall, the development complies with LDP Policies Tra 2, Tra 3 and Tra 4.

f) Developer Contributions

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) states that proposals will be required to contribute towards infrastructure provision where relevant and necessary to mitigate any negative additional impact (either on an individual or cumulative basis) and where commensurate to the scale of the proposed development.

Education

The Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' states that no contribution towards education infrastructure is required from developments that are not expected to generate at least one additional primary school pupil.

Whilst 16 flats are proposed, eight of these are one bedroom and are therefore excluded from assessment. The remaining development of eight flats is not expected to generate a requirement for additional capacity, and therefore, a contribution towards education infrastructure is not required in this instance.

Healthcare

The CEC Developer Contributions and Infrastructure Delivery Supplementary Guidance indicates that contributions are required towards the South Queensferry Medical Practice Contribution Zone. At the established cost of £210 per dwelling, this would equate to a total contribution of £3,360 to mitigate the impact of the proposed development on local healthcare infrastructure.

A Section 75 Legal Agreement will be required to secure the above contributions. On the proviso that a legal agreement is concluded to secure the necessary mitigation, the proposal is in compliance with LDP Policy Del 1.

g) Affordable Housing

LDP Policy Hou 6 (Affordable Housing) states that planning permission for residential development consisting of 12 units of more should include provision for affordable housing amounting to 25% percent of the total number of units.

An Affordable Housing Statement was submitted with the application. The application proposes 16 affordable units (12 more than the minimum that would be required under policy).

It should be noted that the applicant intends the 16 affordable units proposed as off-site affordable housing provision relating to a current planning application for 48 homes at 4 Barnton Avenue West (planning application reference 21/00461/FUL). This application is still to be considered. As such, the provision of 16 units is appropriate in this instance.

The affordable homes have been designed to be tenure blind with the surrounding units and will reflect Housing for Varying Needs. The applicant has confirmed discussions with a Registered Social Landlord (RSL) and that the RSL is supportive of the proposal to deliver the 16 units as affordable homes.

A letter of support has been received from the RSL. This states that the proposed housing and tenure mix has been developed in conjunction with City of Edinburgh Council, Juniper Residential, and Dunedin Canmore. The letter confirms the following:-

- Dunedin Canmore Housing will deliver the affordable housing;
- Juniper Residential has undertaken to provide housing that is acceptable to Dunedin Canmore in terms of layout and specification that complies with the requirements of the Dunedin Canmore Design Standards;
- The housing mix above meets the priority housing needs as identified in the HNDA and includes the following a mix of housing size and type that is acceptable to Dunedin Canmore; and
- The tenure will be agreed with CEC as part of the upcoming Strategic Housing Investment Plan discussions.

The proportion of homes to be delivered for social or mid-market rent has not been identified. This aspect will require further discussion and will need to be agreed with the Council prior to works commencing on site.

Overall, the proposal meets the required level of affordable housing contribution on site and is in compliance with LDP Policy Hou 6. A Section 75 legal agreement will be prepared and concluded to secure this provision.

h) Air Quality

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.

The development will generate minimal vehicular movements and has been designed to mitigate operation impacts through the provision of cycling spaces and limited car parking which is good practice.

Overall, the proposal complies with Policy Env 22.

i) Flood Risk and Surface Water Management

Policy Env 21 (Flood Protection) 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.

The applicant has submitted Flood Risk information and a Surface Water Management Plan. The Council's Flood Prevention Team is satisfied that the mitigation proposed is acceptable.

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

j) Sustainability

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

The use of sustainable transport will be encouraged by the proposed development, which will provide 36 secure, covered cycle parking spaces. The site is also situated close to the core path network and excellent public transport links, with a train station less than a two-minute walk from the site.

Separate refuse and recycling storage and collection facilities are integral to the design of the proposed development. The proposed development is therefore in accordance with Policy Des 6 of the ELDP.

k) Public Comments

64 letters of objections were received from the public which raised the following material considerations: -

- Principle of housing. This matter is addressed in Section 3.3a;
- Loss of retail. This matter is addressed in Section 3.3a;
- Loss of view. This matter is addressed in Section 3.3c;
- Overdevelopment of site. This matter is addressed in Section 3.3a;
- Impact on education and health infrastructure; This matter is addressed in Section 3.3f;
- Impact upon daylight and overshadowing. This matter is addressed in Section 3.3c;
- Parking provision. This matter is addressed in Section 3.3e;
- Congestion and emergency vehicle access. This matter is addressed in Section 3.3e;
- Height. This matter is addressed in Section 3.3 c and d; and
- Design not in keeping. This matter is addressed in Section 3.3 c; and
- Cycle Parking Security. This matter is addressed in Section 3.3 d;

Non-material considerations

- Noise disturbance caused by building works. Matter not controlled by Planning Legislation.
- Request for existing playpark and paths to be improved. Matter not subject to current proposal.
- Request that site is used for allotments, nursery, community garden or existing residents parking. Matters not subject to current proposal. There are no policy requirements within the Edinburgh Local Development requiring these uses to have priority over housing.

Letters of Support

Two letters of Support were received which raised the following: -

- Good quality of lifestyle for family.
- Fantastic location and space for family homes

Neutral Comments

- City Plan Provisions and interpretation of National Planning Framework and Scottish Planning Policy.

Conclusion

The principle of development is acceptable, in compliance with LDP Policy Hou1.

The proposal is appropriate in design and in keeping with the character of the surrounding area. The proposal will provide good amenity to future occupiers and will have no adverse impact on neighbouring amenity, in accordance with the Edinburgh Local Development Plan design policies and the Edinburgh Design Guidance.

An infringement of LDP Policy Hou 2 is accepted in this instance on the grounds the proposal will provide a suitable mix of accommodation within the context of the wider developed site.

The proposal will deliver a housing in a sustainable location that promotes sustainable modes of transport, in compliance with LDP Transport Policies Tra 2, 3 and 4.

The proposal complies with HES's (Managing change in the Historic Environment - Setting) and LDP Policy Env 3 and will not impact upon the nearby listed building.

Overall, the proposal complies with the Edinburgh Local Development Plan. There are no material considerations which outweigh this conclusion.

Addendum to Assessment

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to commencement of work, 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. Thereafter sample panels of the materials are to be erected and maintained on site as agreed by the Council.
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 development a Landscape Management Plan should be submitted for approval by the planning authority.

Reasons:-

1. In order to enable the Head of Planning to consider this/these matter/s in detail.
2. In order to enable the Head of Planning to consider this/these matter/s in detail.
3. To ensure landscape proposals are implemented and maintained accordingly.

Informatives

It should be noted that:

1. Developer Contributions Informative

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 16 units are proposed for Affordable Housing units, equating to 100% in accordance with LDP Policy Hou 6 'Affordable Housing' with the following breakdown:-

- 2no. x three-bed;
- 8 no. x one-bed; and
- 6no. x two-bed.

The proportion of homes to be delivered for social or mid-market rent has not been identified. This aspect will require further discussion and will need to be agreed with the Council prior to works commencing on site.

A contribution is required towards the South Queensferry Medical Practice Contribution Zone. At £210 per dwelling, this equates to a total contribution of £3,360 to mitigate the impact of the proposed development on local healthcare infrastructure.

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. Transport Informative

A contribution to the sum of £2,000 is required to progress a suitable order to introduce waiting and loading restrictions as necessary (The T-junction at the south east corner of the site requires waiting and loading restriction for safe visibility and crossing); and A contribution to the sum of £2,000 is required to promote a suitable order to introduce a 20pmh speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council

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;

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;

Any off-street parking space should comply with the Council's Guidance for Householders dated 2018 (see http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guide_lines_including);

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

http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

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. Environmental Protection Informative

The parking spaces as shown on drawing referenced 6820-JMA-01-ZZDR-A-PL-1001 and dated April 2021 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. They shall be installed and operational in full prior to the development being occupied.

Financial impact

4.1 The financial impact has been assessed as follows:

The application is subject to a legal agreement for developer contributions.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

68 letters of representation have been received in relation to the proposal. The 68 submissions comprise of 64 letters of objection, two letters of support and two neutral 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**

Edinburgh Local Development Plan.

Date registered

12 February 2021

Drawing numbers/Scheme

01-02, 03A, 04-08,

Scheme 1

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Sonia Macdonald, Planning Officer

E-mail:sonia.macdonald@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 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Appendix 1

Application for Planning Permission 21/00518/FUL At Former Agilent Technologies, Scotstoun Avenue, South Queensferry Residential development comprising 16 flats with associated car and cycle parking, infrastructure and landscaping.

Consultations

Roads Authority Issues

The application should be continued.

Reasons:

- I. The proposed 32 cycle parking spaces do not comply with the minimum Council requirement of 34 spaces for the proposed development in Zone 3;*
- II. The proposed design is dominated by hardstanding/parking spaces contrary to Edinburgh Design Guidance requirement that street scene should not be dominated by parking. The applicant should explore using trees/soft landscaping to break up the proposed car parking space.*
- III. The T junction at the south east corner of the site will require waiting and loading restriction for safe visibility and crossing*

Should you be minded to grant the application the following should be added as conditions or informatives as appropriate

- 1. The applicant will be required to contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*
 - a. Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;*
- 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. 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. Any off-street parking space should comply with the Council's Guidance for Householders dated 2018 (see http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guidelines including:

- a. Off-street parking should be a minimum of 6m deep and a maximum of 3m wide;
- b. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
- c. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
- d. Any gate or doors must open inwards onto the property;
- e. Any hard-standing outside should be porous;
- f. The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

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

Note:

- a) Applicant proposes 12 car parking spaces including 2 disabled bays and 2 EV charging spaces and complies with the Council's parking standards which could allow a maximum of 16 parking spaces for the proposed development in Zone 3;
- b) 32 secure cycle parking spaces proposed for the development;
- c) Refuse collection to be undertaken from Craw's Close
- d) The proposed development is accessible by public transport- train, Lothian service 43, 63

Communities and Families response

Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' states that no contribution towards education infrastructure is required from developments that are not expected to generate at least one additional primary school pupil.

Sixteen flats are proposed, although eight have one bedroom and have been excluded from this assessment. Using the pupil generation rates set out in the Supplementary Guidance, a development of eight flats is not expected to generate at least one

additional pupil. A contribution towards education infrastructure is therefore not required.

Roads Authority Issues updated

. *The applicant will be required to;*

a. *contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary (The T-junction at the south east corner of the site requires waiting and loading restriction for safe visibility and crossing)*

b. *Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;*

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. *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. *Any off-street parking space should comply with the Council's Guidance for Householders dated 2018 (see http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guidelines_including;*

a. *Off-street parking should be a minimum of 6m deep and a maximum of 3m wide;*

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

c. *A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;*

d. *Any gate or doors must open inwards onto the property;*

e. *Any hard-standing outside should be porous;*

f. *The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits*

http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

5. *All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this*

legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;

Note:

- a) Applicant proposes 12 car parking spaces including 2 disabled bays and 2 EV charging spaces and complies with the Councils parking standards which could allow a maximum of 16 parking spaces for the proposed development in Zone 3;
- b) The applicant proposes 36 secure cycle parking spaces for the proposed development and complies with the Council parking standards which requires a minimum of 54 spaces in zone 3;
- c) Refuse collection to be undertaken from Craw's Close
- d) The proposed development is accessible by public transport- train, Lothian service 43, 63

Affordable Housing response

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

- o 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.
- o 25% of the total number of units proposed should be affordable housing.
- o 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 application is for a development consisting of up to 16 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (4) homes of approved affordable tenures.

The applicant has proposed that all 16 homes on this site would be affordable housing units and would consist of 8 x 1-bed flatted units, 6 x 2-bed flatted units and 2 x 3-bed flatted units.

The affordable homes have been designed to be tenure blind with the surrounding units and will reflect Housing for Varying Needs.

The applicant has had initial discussion with a Registered Social Landlord (RSL). The RSL is supportive of the proposal to deliver the 16 units as affordable homes in

principle. The applicant should continue to engage with the RSL to ensure that the design meets their requirements.

The proportion of homes to be delivered for social or mid-market rent has not been identified. This aspect will require further discussion and will need to be agreed with the Council prior to works commencing on site. The Council aims to secure 70% of new onsite affordable housing for social rent.

It should be noted that the applicant has proposed that the 16 affordable units (12 more than the minimum that would be required under policy) could include off-site affordable housing provision relating to a current planning application for 48 homes at 4 Barnton Avenue West (planning application reference 21/00461/FUL). This application is still being considered. For information, if the proposal for off-site affordable housing delivery on this site was accepted the delivery of 16 affordable homes would represent 25% of the total number of homes being delivered across both sites.

3. Summary

The applicant is proposing to provide a minimum 25% on site affordable housing and this will be secured by a Section 75 Legal Agreement. This approach will assist in the delivery of a mixed sustainable community:

- o The applicant has submitted an "Affordable Housing Statement", setting out their approach to the following points and which will be a public document available on the City of Edinburgh Council's Planning Portal;*
- o The applicant has entered into an early dialogue with a Registered Social Landlord (RSL) to deliver all 16 of the proposed homes as affordable housing;*
- o The applicant should make provision for a minimum of 70% of the affordable housing on site to be social rent;*
- o The affordable housing offers a variety of house sizes;*
- o In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be expected to be identical in appearance to the surrounding housing units, an approach often described as "tenure blind";*
- o The affordable homes should be designed and built to the RSL design standards and requirements;*
- o The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.*

Flood Planning response

This application can proceed to determination, with no further comments from CEC Flood Prevention.

Environmental Protection response

Environmental Protection will not object to the application development.

The application proposes a residential development including 16 flats. Residential properties surround the site with a railway line further to the east.

The application proposal includes 12 car parking spaces for 16 residential units. Environmental Protection believe that the number of spaces could be reduced and indeed this team would support a car free development as the site is close to the railway station and bus services going to and from central Edinburgh. However, it is accepted that the site is presently a car parking area and parking levels are within those prescribed within the parking standards.

The proposal includes only 4 electric vehicle charging points. Whilst again, it is understood that the levels are within those prescribed within the guidance, Environmental Protection is of the opinion that this site is excellently placed to encourage electric vehicle use. As the development includes 12 car parking places, which will increase pollution when utilised by petrol and diesel vehicles, Environmental Protection would encourage the developer to increase the number of spaces which includes electric vehicle charging infrastructure on site.

The applicant is proposing to use gas as an energy source for spatial and water heating for the development. It is now well known that fossil fuel use impacts upon global warming and is not compatible with the Council's macro-policies for a sustainable future for the city. Environmental Protection would therefore urge the developer to remove this element of the proposal and utilise more sustainable measures within the flats. The applicant has included 36 PV panels on the roof which is supported by Environmental Protection however the use of gas simply goes some way to negating the sustainable gains from the PV panels proposed.

The site should also be investigated for site contamination to ensure that it is made safe for the proposed end use. A condition is recommended below in this regard.

In conclusion, there are some elements of the application which, in the opinion of Environmental Protection, do not chime with the Council's macro-policies for a sustainable future city. However, the applicant advises that they are complying with relevant policies and standards and so this team will not object to the application subject to the following conditions:

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

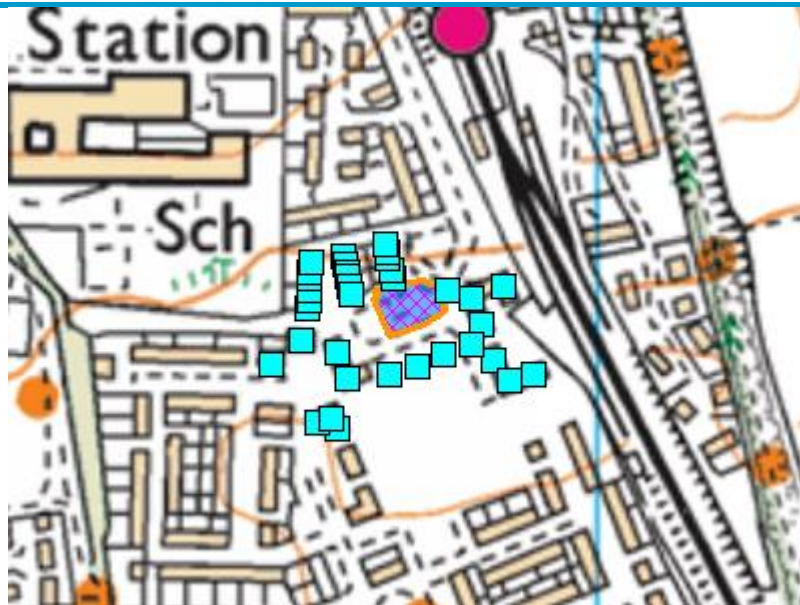
(a) A site survey (including initial desk study as a minimum) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective 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. The parking spaces as shown on drawing referenced 6820-JMA-01-ZZDR-A-PL-1001 and dated April 2021 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. They shall be installed and operational in full prior to the development being occupied.

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420
END

Development Management Sub Committee

Wednesday 6 October 2021

**Application for Planning Permission 21/03881/FUL
at Bangholm Outdoor Centre, Craighall Gardens,
Edinburgh.
Erection of electrical substation for proposed sports and
outdoor centre.**

Item number

Report number

Wards

B04 - Forth

Summary

The proposed substation and its enclosure are small in scale and will be a discreet element within the wider approved Bangholm scheme. The design and location of the substation will not impact on the character and appearance of the nearby conservation area. As a modern substation, there will be no impact on residential amenity in relation to noise.

The proposal complies with the Local Development Plan. There are no material planning considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LEN18, LEN06, LDES01, LDES03, LDES04, LDES05, LHOU07, LTRA02, LTRA04,

Report

Application for Planning Permission 21/03881/FUL at Bangholm Outdoor Centre, Craighall Gardens, Edinburgh. Erection of electrical substation for proposed sports and outdoor centre.

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 an area of open space and sports facilities known as Bangholm Recreation Ground. The site is used by the nearby Trinity Academy and the community and is owned by the Council.

Planning permission was granted in October 2020 for a replacement sports facility and outdoor centre and work has commenced on site.

The site lies within the urban area with the majority of the wider site designated as open space with the exception of the land covered by the previous sports facility buildings which have recently been demolished.

The surrounding area is predominantly residential. To the east, this includes two storey villas and flatted blocks which form part of the Trinity Conservation Area. The Bangholm site itself is outwith the conservation area.

2.2 Site History

20 December 2005 - proposal for replacement pavilion and all weather sports pitches and floodlighting determined as deemed consent following referral to Scottish Ministers (application reference: 05/00082/CEC).

4 September 2006 - New changing pavilion to replace existing, deemed permission (application reference: 06/02862/CEC).

28 October 2020 - Planning permission granted for erection of new build Sports and Outdoor Centre to replace existing facilities on site (to be demolished) and provide sports facilities to be used by both Trinity Academy (located on Craighall Avenue) and the wider community. (application reference: 19/05832/FUL)

23 July 2021 - Pending Non-Material variation to planning permission - Redesign & relocation of outdoor building, road access and associated landscape (application reference: 19/05832/VARY)

Main report

3.1 Description of the Proposal

It is proposed to erect an electrical substation within the grounds of the new sports facility.

The substation would be located to the east of the site opposite the main entrance and adjoining a trailer storage area. It would be set approximately 4m off the boundary of numbers 20 to 24 Craighall Gardens, a modern flatted block within the conservation area.

The substation is proposed to be enclosed by a 5m-by-5m vertical timber fence with a height of 2.5m. The substation itself would measure 3m by 2.5m with a height of 2.5m.

Supporting documents

The following document has been submitted in support of the application:

- Design statement

This is available to view on the Planning and Building Standards Online Service.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of development is acceptable;
- b) the proposals preserve or enhance the character or appearance of the conservation area;
- c) the design and location are acceptable;
- d) impact on neighbouring amenity is acceptable;
- e) parking and access arrangements are acceptable;
- f) any comments have been addressed.

a) Principle of Development

The site is within the urban area with the area of land for the proposed substation lying within an area of designated open space.

Local Development Plan (LDP) Policy Env 18 (Open Space Protection) is used to assess any loss of open space. This states that proposals involving the loss of open space will not be permitted unless they meet a set of criteria.

As established under application 19/05832/FUL, the principle of developing in this area is acceptable. The area has no recreational value and the replacement sports and outdoor facilities have a community purpose and the benefits to the local community outweigh any loss.

The loss of open space complies with LDP Policy Env 18.

b) Conservation Area

The site lies adjacent to the Victoria Park Conservation Area but is not within the area itself.

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 affecting the setting of a conservation area will be permitted if it preserves or enhances the special character or appearance of the conservation area.

The substation will be a small unit within the wider scheme for the replacement of facilities at Bangholm. Its height will be lower than the main buildings proposed on site and, subject to condition, will utilise materials consistent with other buildings on site.

The substation and enclosure's location to the north east of the site, and context within other modern buildings, structures and the parking area, mean that it will not be apparent in views to or from the conservation area.

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals preserve or enhance the character and appearance of the conservation area, in compliance with LDP Policy Env 6.

c) Design and location

LDP Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) seeks to retain existing characteristics and features on sites.

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.

The proposed substation and enclosure would be located to the east of the site opposite the main entrance to the sport facility. It would adjoin a trailer storage area and be 4 metres from the boundary of the flatted block to the north east of the site on Craighall Gardens.

As a substation, suitable vehicle access is required to ensure it can be maintained and in case of any emergency works. The need for vehicle access limits the potential locations within the site. The applicant has submitted supporting information detailing other locations which have been considered for the substation. These locations have been discounted by the applicant for reasons including impact on the nearby conservation area, loss of open space, lack of vehicle access and reduction in space for minibuses and disabled visitors.

The proposed location of the substation in combination with its small scale means that it will be a relatively discreet within the context of the wider approved Bangholm development. The structure will be surrounded by a 2.5 metre vertical timber screen coated black. As noted in (b), the materials will be conditioned to ensure coherence with the wider site.

The proposal complies with policies Des 1, Des 3 and Des 4.

d) Neighbouring amenity

LDP Policy Des 5 (Development Design - Amenity) states that development will be permitted where the amenity of neighbouring development is not adversely affected.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) does not permit development which would have a materially detrimental effect on the living conditions of nearby residents.

The nearest residential properties to the development lie to the east of the site on Craighall Gardens and Grandfield to the north east. The site would be 4 metres from the boundary of the grounds of the modern flatted block on Craighall Gardens and 6 metres from the residents' balconies within the block.

Visually, the structure enclosed by a 2.5 metre high and 5 metre wide fence would not significantly alter the overall appearance of the site from the residents' balconies. These already overlook the wider Bangholm site including various compounds and storage containers, as existed prior to the site's recently approved development. The utilitarian structure would not be out of place in this context.

At 2.5m in height and 6m away from the flatted block, the compound and substation will not cause an unacceptable loss of daylight or directly overshadow residents' windows or amenity space.

The applicant's statement describes the substation as a modern type omitting no noticeable noise. Environmental Protection was consulted on the proposal and has no objections to the proposal in relation to noise and impacts on human health.

The proposal complies with policies Des 5 and Hou 7.

e) Parking and access arrangements

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

The proposed substation will supersede two parking spaces proposed in the consented scheme. The Roads Authority has no objection to the loss of these spaces as there is not requirement to provide general use parking on the site.

The facility by its nature requires uninterrupted vehicular access. This access will be taken from the existing vehicle access from Craighall Gardens and the proposed vehicle access is within the approved site plan.

The access and parking arrangements are acceptable.

f) Public Comments

Material Comments:

- Impact on character of conservation area - addressed in 3.3 b);
- Impact on amenity - addressed in 3.3 d);
- Loss of parking - addressed in 3.3 e);
- Location of proposal - addressed in 3.3 c);
- Design - addressed in 3.3 c).

Non-Material Comments:

- Lack of foresight that substation would be required;
- Health risk from living near substation;
- Will attract birds.

Conclusion

The proposed substation and its enclosure are small in scale and will be a discreet element within the wider approved Bangholm scheme. The design and location of the substation will not impact on the character and appearance of the nearby conservation area. As a modern substation, there will be no impact on residential amenity in relation to noise.

The proposal complies with the Local Development Plan. 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. Sample/s of the proposed fence/cladding shall be submitted to and approved in writing by the Planning Authority before work commences on site.

Reasons:-

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

Informatives

It should be noted that:

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

A total of 31 objections were received.

The representations are summarised and addressed in the assessment section of this 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**

Local Development Plan - conservation area.

Date registered

19 July 2021

Drawing numbers/Scheme

01-04,

Scheme 1

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynne McMenemy, Senior Planning Officer

E-mail:lynne.mcmenemy@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

Appendix 1

Application for Planning Permission 21/03881/FUL At Bangholm Outdoor Centre, Craighall Gardens, Edinburgh Erection of electrical substation for proposed sports and outdoor centre.

Consultations

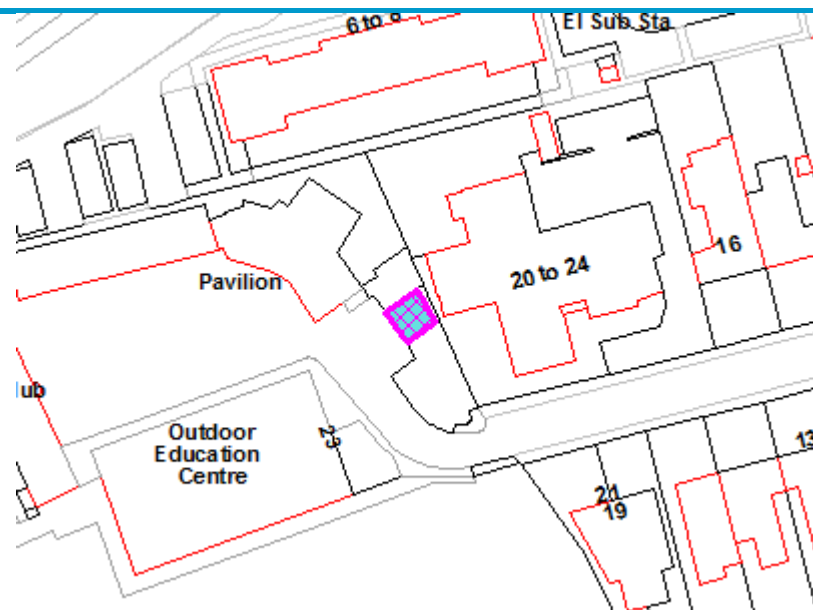
Environmental Protection

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

Substations can produce a low humming noise which could impact upon residential amenity and in this case the proposed substation is around 5 metres from the nearest flats on Craighall Gardens. The applicant has advised within the supporting information that the proposed substation emits no noise and has been designed so that they can be sited adjacent to residential properties without causing noise impacts. It has also been confirmed that there are already several existing examples where such substations are already sited and operational adjacent to residential properties within the city.

Therefore Environmental Protection offers no objections to the proposal.

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420

END

This page is intentionally left blank

Development Management Sub Committee

Wednesday 6 October 2021

**Application for Planning Permission 21/00461/FUL
at Site 90 Metres East of 4 Barnton Avenue West, Edinburgh.
Erection of retirement accommodation comprising 44x
apartments and 4x dwelling houses with associated parking,
drainage and landscaping arrangements.**

Item number

Report number

Wards

B01 - Almond

Summary

The principle of residential development in this location is acceptable and complies with the Edinburgh Local Development Plan.

Its approach to design, scale and density is compatible with the surrounding area. The development will provide a good level of amenity to future occupiers whilst having no detrimental impact upon neighbouring amenity or the natural environment. The proposed culvert diversion will provide betterment to an existing flooding problem.

The proposal complies with the Edinburgh Local Development Plan and associated supplementary guidance.

Outcome of previous Committee

This application was previously considered by Committee on 08.09.2021

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES03, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LEN10, LEN12, LEN15, LEN16, LEN18, LEN19, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, NSG, NSGD02, NSHAFF, SGDC, LEN08, LEN09,

Report

Application for Planning Permission 21/00461/FUL at Site 90 Metres East of 4 Barnton Avenue West, Edinburgh. Erection of retirement accommodation comprising 44x apartments and 4x dwelling houses with associated parking, drainage and landscaping arrangements.

Recommendations

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

Background

2.1 Site description

The application site is located on the south side of Barnton Avenue West and is approximately 1.92 hectares. Large residential properties lie to the east and west of the site, set within spacious mature grounds set back from the main road. The Royal Burgess Golf Club lies directly to the south, which is within the Green Belt, designated open space and classed as a Local Nature Conservation Site. Cargilfield School is located 350m to the north east of the application site.

The site was historically occupied by a large, detached dwelling which is now demolished. The site is presently overgrown with no buildings present and bounded by a number of mature trees and shrubs. The topography of the site slopes down from the north east corner to the west by approximately 4 metres.

The wider surrounding area has a mixture of house types and densities and has seen some modern developments in recent years which can be found to the west of the site and along the eastern end of Barnton Avenue West. Cramond Conservation Area lies 250m to the west of the site. Neighbouring properties at 4 and 4B Barnton Avenue West are Category C Listed Buildings (Ref: LB43930).

The application site incorporates part of the Royal Burgess Golf Club to the south, part of 8 Barnton Avenue West to the east and a section of Whitehouse Road to accommodate the flooding and drainage proposals. TPO 93 at Almond Lodge Barnton Avenue West (confirmed December 1977), is located to the west of the site.

2.2 Site History

17 January 2001 - An outline planning application granted for proposed housing development (as amended to 4 houses) (Application number: 00/02056/OUT).

10 January 2004 - Outline permission granted for demolition of existing house and erection of 7 no. dwelling houses (Application Number: 03/02733/OUT).

23 December 2004 - Application for reserved matters approved to erect 7 new dwellings, demolish existing house (reserved matters relating to access formation) (as amended) (Application number: 04/02606/REM).

24 May 2006 - Application approved for reserved matters to erect 7 new dwellings, demolish existing single dwelling, reserved matters application for removal and retention of proposed trees (as further amended to include siting of houses) (Application number: 05/01180/REM).

19 November 2007 - Application for approval of reserved matters granted for the erection of one number dwelling - reserved matters application for design, height, site drainage, siting, external appearance, parking of per condition 2 of approval ref 03/02733/OUT. (Application number: 07/01701/REM).

30 November 2007 - Application for approval of reserved matters granted for the erection of five new dwellings - reserved matters application for design, height, site drainage, siting, external appearance, parking - of per condition 2 of approval ref: 03/02733/OUT. (Application number: 07/01704/REM).

23 April 2009 - Application withdrawn to vary condition 3 of approval reference no, 07/01701/REM, namely to fell additional trees on site. (Application number: 08/03855/FUL).

09 February 2021 - Application withdrawn for Sheltered Housing development comprising 36 apartments and 12 cottages, associated parking and landscaping (as amended). (Application number: 17/03129/FUL).

Main report

3.1 Description of the Proposal

The proposal seeks development of the vacant site to construct retirement accommodation for those over 55 years of age, consisting of 48 units in total. The units comprise of 44 apartments and four dwelling houses. The development would be a single retirement complex with all facilities and services within the main block and grounds, including the services of a daytime house manager, available to all residents as part of a wider service agreement.

Four blocks of accommodation are proposed throughout the site. The north western part of the site will accommodate a three storey block, with ten apartments. In the north eastern corner, four semi-detached dwellings are proposed which would be two storeys high each with a private garden. The largest block is to the south of the site; a four storey block consisting of 34 apartments, a communal area, a guest suite, a manager's office accommodation, a central lift and integrated scooter/ cycle storage

The proposal has one site access for vehicles and pedestrians, located in the centre of the site's frontage on Barnton Avenue West. A total of 48 private car parking spaces are proposed and 44 cycle spaces.

As the site has historical flooding issues due to an existing culvert which is not fit for purpose, the proposal includes a culvert diversion to the south of the site into the grounds of the neighbouring Royal Burgess Golf Club.

The Landscape Plan for the site includes three separate small areas of open space with seating areas. A number of trees are proposed to be removed to accommodate the development in the heart of the site whilst the majority of mature landscaping bordering the site will be retained.

Supporting Documents

The applicant has submitted the following supporting documents:

- Design and Access Statement;
- Drainage Strategy;
- Ecological Assessment;
- Flood Risk Assessment;
- Planning Statement;
- Site Investigation Report;
- Transport Statement; and
- Tree Survey.

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

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The principle of the development is acceptable;
- b) The proposed design, layout and density is acceptable;
- c) Flooding and drainage issues have been addressed;
- d) The proposal raises any concerns in relation to transport;
- e) The impact on landscape, trees and biodiversity is acceptable;
- f) The proposal would preserve the amenity of neighbours and future occupants;
- g) There is any impact on archaeology;
- h) Infrastructure contributions will be required;
- i) The proposal meets sustainability criteria and
- j) Issues raised in representations have been addressed.

a) Principle of Development

The application site is identified as white land within the Urban Area in the Edinburgh Local Development Plan (LDP).

In accordance with LDP Policy Hou 1 (Housing Development) part d), housing development is suitable in this location as it is an infill housing site in a residential area. The principle of housing on this site has already been established by the previous planning permissions for housing on this site.

The principle of housing development on this site is therefore acceptable and complies with LDP Policy Hou 1.

b) Design, Layout and Density

LDP Policies Des 1 (Design Quality and Context), Des 3 (Development Design - Incorporating and Enhancing Potential Features) and Des 4 (Development Design - Impact on Setting) ensure that developments will create or contribute towards a sense of place, based upon positive characteristics of the surrounding area, and planning permission will not be granted for poor quality or inappropriate design that would damage the surrounding character of the area.

The Edinburgh Design Guidance (EDG) seeks to ensure that new developments will have a positive impact on their surroundings through height and form, scale and proportions, site layouts and materials utilised.

The surrounding area has a varied built and architectural form. The dominant house type is large detached dwellings set in large garden grounds, but more recently there has been subdivision of plots, new dwellings erected in garden ground and flatted and terraced developments, most notably directly opposite the application site at 9 Barnton Avenue West (application reference: 18/09541/FUL). The character of the surrounding area is therefore varied, with a vast range of architectural style and scale.

The site is currently overgrown and does not make a positive contribution to the character or appearance of the area. The proposal aims to draw on the surrounding characteristics to ensure the development integrates well with the wider area. The retention of mature landscaping on the northern boundary will ensure the streetscape is not hugely altered, with a contemporary development nestled behind the positive frontage to Barnton Avenue West.

The main block to the south of the site ranges from two storeys to four storeys in height, with the top storey set back and recessed to reduce the overall scale and mass whilst achieving density and good design quality. The natural topography of the site also allows for the built form to be higher in this southern part of the site, as it slopes four metres down from Barnton Avenue West. This lower level in the southern section of the site helps to absorb the impact and density of the main block. The overall scale of the building is such that, the horizontal massing of the top storey has been broken down to ensure the scale is appropriate, with enhanced articulation on both the elevational and roof design. The proposal also benefits from extensive existing mature landscaping on the site boundaries which provides natural screening, from both Barnton Avenue West and the Royal Burgess Golf Club.

The design of this block has evolved throughout the planning process and whilst this design has four storeys, this has allowed for a smaller footprint for the block resulting in additional open space, landscaping, and a greater distance from neighbouring properties. In addition, the existing mature landscaping allows the height of the block to be visually contained and integrated within the surrounding context.

The smaller block to the north west of the site is three storeys in height and will host 10 apartments. Similar to the main block this has recessed sections with a setback upper storey. A further two units are proposed in the north east corner, providing four semi-detached houses of a similar contemporary design.

The proposed design is contemporary whilst incorporating traditional design qualities. Varying building heights and recessed elements provide interest to the built form. With regards to the height and scale of the main block, the upper floor has been further set back with enhanced roof articulation in the revised scheme on all four elevations to soften the visual impact. Whilst not a notable characteristic of the area, the flat roof design and change in materials assists in visually absorbing the height of this block.

The proposed materials are largely white render and stone coloured brick, with grey cladding features. Dark grey windows and galvanised railings and balconies are also proposed. It is considered that the proposed materials are reflective of their context and acceptable.

LDP Policy Des 7 (Layout Design) requires new development to have a comprehensive and integrated approach to the layout whilst enhancing site connectivity.

The proposed layout respects the existing building lines directly to the east and west of the site. The access road and parking form the central spine of the site but it is considered this is the most direct approach and allows for additional landscaping throughout the site.

LDP Policy Hou 2 (Housing Mix) emphasises the importance of providing a wide range of house sizes and types on development sites.

Whilst the proposal provides a specialist type of accommodation, exclusively for those over 55 years of age, a range of houses and flatted blocks are proposed to ensure a variety of unit types.

LDP Policy Hou 4 (Housing Density) seeks appropriate densities on development sites, having regard to the surrounding area.

The proposed density equates to 25 units per hectare, based on the application site boundary of 1.92 hectares. Whilst this is higher than the average density within the surrounding area, it is not dissimilar to recent flatted developments within close proximity. Historically the site was occupied by a single detached dwelling but it is considered that the site can accommodate the proposed density without having a detrimental impact on the spatial character of the surrounding area, which is already diverse. The site is large enough to accommodate the 48 units as proposed, whilst maintaining the existing boundary landscaping and offering open space within the development proposals.

The Design Brief for Barnton Avenue West (2004) sub-divides the street into four different zones and sets specific development aims for the street as a whole. It is considered that this Design Brief is out of date and has been superseded by the Edinburgh Design Guidance.

c) Flooding and Drainage

LDP Policy Env 21 (Flood Protection) ensures that any new development does not result in increased flood risk for the site being developed or elsewhere.

This site and the surrounding area have an historic surface water flooding issue which arises from the existing culvert being in poor condition structurally with considerable capacity issues; particularly downstream of the site where the diameter of the culvert reduces significantly. A large part of the catchment area draining to the watercourse comes from within the golf course, although there is also contribution from some urban areas to the east of the site. Model results show that the culvert is unable to convey the estimated 1 in 200-year flood event, and the excess flows unable to enter the culvert flow overland along the line of the culvert and enter the southern part of the site.

City of Edinburgh Council are aware of the flood risk to existing properties and the poor condition of the culvert with historical plans to improve the capacity of the culvert. However, the timeframe of such work is not considered to be in the near future and resources are currently prioritised elsewhere.

The proposed mitigation is to divert the culvert along the edge of the golf course which borders the application site, capturing flood waters in the golf course and route it around the section of poor condition culvert to re-connect with the existing storm drainage system on Whitehouse Road. Furthermore, additional flood storage within the golf course is proposed which will be produced by raising land close to the existing golf tees and along the edge of the golf course. This package of mitigation measures will reduce the flows in the culvert between the golf course and Whitehouse Road, decreasing the risk of flooding to existing properties and allowing appropriate discharge to the culvert from the site and surrounding properties.

As the culvert route goes through a functioning golf course, the applicant has a specific time period during winter months to undertake the work. Whilst the work is being undertaken, the applicant will ensure the culvert remains in its current operational state until the diversion is complete. No on-site operations will affect the existing culvert's current performance, ensuring the situation is not made worse during construction. No new on-site drainage will be connected to the existing culvert and a surface water management plan will be developed prior to commencement on site to ensure that there is no detriment to the existing culvert and water environment from the development site. A suitable condition encompassing this has been recommended.

Scottish Environmental Protection Agency (SEPA) have been consulted on this application and support the proposed culvert diversion as it will provide betterment to existing, neighbouring properties by significantly reducing the flood risk in the area.

Whilst Edinburgh's Water Vision seeks for the conveyance, attenuation and storage of storm water above ground this site is problematic due to existing culvert and flooding problems. The proposed underground tanks and associated culvert diversion is the best solution to resolve the existing flooding issues for both the development site and surrounding properties.

It is considered that the proposals comply with LDP Policy Env 21.

The application site boundary contains part of the golf course to encompass the drainage proposals. Therefore LDP Policies Env 10 (Development in the Greenbelt and Countryside), Env 15 (Sites of Local Importance), Env 18 (Open Space Protection) and Env 19 (Protection of Outdoor Sports Facilities) are applicable.

It is the drainage works only that will physically encroach on the golf course and its sensitive location, providing long term benefits and enhancing surface water flood protection for the surrounding area and therefore the proposals do not conflict with the relevant natural environment policies noted above.

d) Transport and Access

LDP Policy Tra 2 (Private Car Parking) and Tra 3 (Private Cycle Parking) ensures that private car parking and cycle parking in new developments complies with and does not exceed the parking levels set out in the Edinburgh Design Guidance.

The proposal seeks to provide 48 communal car parking spaces which includes five disabled bays. A minimum of eight EV charging parking bays should also be required and an informative has been applied in relation to this. Representations were received raising concerns about the lack of parking and potential for cars to overspill park on Barnton Avenue West. However, in line with the Council's Parking Standards for Zone 3, the number of parking spaces have been reduced further (from 50 spaces to 48) to ensure compliance with the guidance. Similarly, SCOTS National Road Development Guide specify parking standards for retirement accommodation and suggest 1 space per dwelling as an appropriate provision.

A total of 44 cycle parking spaces will be provided within the main block, to the west of the main entrance. In line with the Guidance, 88 secure cycle spaces would usually be required in this zone, however given the demographic of the potential future residents the proposal of one space per flat is considered acceptable. Scooter parking will also be available in this location.

One main vehicular and pedestrian access is provided from Barnton Avenue West, consistent with numerous private accesses on this residential street. The access will link into the existing cycle network, National Cycle Route 1 which routes along Barnton Avenue West directly past the application site.

The site location provides good access to public transport. Bus stops serving the city centre are located on Whitehouse Road, some 280 metres from the site access. Lothian Buses Service 41 serves this bus stop every 15 minutes (weekday) into the city centre.

A Transport Assessment has been submitted in support of the application. This 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 development is expected to generate a two-way vehicular trip of 8 and 12 respectively for the morning and evening peak periods. Due to the nature of the development and demographic of future residents, it is estimated that there will be a lack of commuting activity at peak times with generally a lower trip rate spread throughout the day.

The transport, parking and access proposals are satisfactory and accord with LDP Policies Tra 2 and Tra 3.

e) Landscape, Trees and Biodiversity

LDP Policy Env 12 (Trees) ensures there is no unnecessary damage to any trees or woodland worthy of retention.

The site has established mature landscaping on all four of its boundaries, as well as within the site. The proposal seeks to retain a large majority of the boundary landscaping to ensure the site is well screened and retain the biodiversity value.

The supporting Tree Survey for the development site recorded a total of 93 trees, with a large concentration of these on the southern boundary. This includes 10 Grade A trees and 39 Grade B trees. A separate Tree Survey has been submitted for the land within the Royal Burgess Golf Course which forms part of the application site and identifies 110 trees in total.

To accommodate the development, trees need to be removed and this is set out in the Tree Removal Plan submitted in support of the application. A total of 60 trees are proposed for removal to accommodate the development and storm drainage works within the golf course, including those trees recommended for removal for safety reasons. The proposed tree removals include seven Category A trees, 23 Category B trees, 18 Category C trees and 12 Category U trees. The proposal includes 53 replacement trees to be planted, using a variety of native species.

It is considered that the loss of mature trees is suitably compensated by the new planting proposed and the proposal therefore is in accordance with LDP Policy Env 12.

LDP Policy Des 8 (Public Realm and Landscape Design) supports proposals where all external spaces, and features, including streets, footpaths, green spaces and boundary treatments have been design as an integral part of a scheme as whole.

Given the importance of landscaping on this site, it is recommended that a condition be attached to confirm all hard and soft landscaping details prior to the development commencing.

LDP Policy Env 16 (Species Protection) ensures that development has no adverse impact on species protected under European or UK Law unless there is no alternative and suitable mitigation is proposed.

An Ecological Assessment has been submitted by the applicant which concluded that there are no matters in relation to protected species which would preclude development on this site, with negligible adverse impacts on biodiversity. In addition, the applicant has proposed biodiversity enhancements in the form of dead wood piles, native hedge planting, wildflower areas and bat boxes. However, as there will be significant tree and vegetation loss, a condition regarding breeding birds is proposed

The proposal complies with LDP Policy Env 16.

f) Amenity

LDP Policy Des 5 (Development Design - Amenity) states that development will be permitted where the amenity of neighbouring development is not adversely affected. In terms of daylight, sunlight, privacy and outlook, the Edinburgh Design Guidance sets out criteria to ensure that these amenity factors are protected when new developments are proposed.

Two residential properties border the application site on the western boundary and one residential property to the east. The dwelling to north west of the application site is within 18 metres of the proposed 3 storey block. However, this existing dwelling has no windows on its eastern elevation and is well screened by existing mature landscaping. Furthermore, the applicant has submitted an addendum to the Planning Statement providing an assessment for daylighting, overshadowing and privacy which confirms there will be no detrimental impact on the neighbouring daylight, overshadowing or privacy.

The proposed development complies with the daylighting, overshadowing and privacy set out in the Edinburgh Design Guidance and LDP Policy Des 5 and will not result in an adverse impact on neighbouring amenity.

LDP Policy Hou 3 (Private Green Space in Housing Development) ensures that all new developments will provide adequate private green space for the amenity of future residents. The policy requires that 10 square metres per flat should be provided in communal areas for flatted blocks, and a minimum of 20% of the total site area should be useable greenspace.

The applicant has confirmed that over 120 square metres of communal open space is proposed for each flat and over 60% of the site (excluding the part within the golf course) will be useable open space. Therefore the proposal complies with LDP Policy Hou 3.

The Edinburgh Design Guidance sets out the minimum internal floor area for new developments. All of the proposed units comply with these.

g) Archaeology

LDP Policy Env 8 (Protection of Important Remains) and Env 9 (Development of Site of Archaeological Significance) ensures that development does not have an adverse impact on archaeological features.

The proposed development will require significant ground-breaking and landscaping works associated with the construction of dwellings and landscaping. Such works given the sites location have the potential for disturbing significant remains associated with the development of Barnton House and possibly the medieval estate of Cramond Regis. It is recommended therefore that a programme of archaeological excavation is undertaken prior to the development. A suitable condition has been recommended.

The proposal complies with LDP Policies Env 8 and 9.

h) Infrastructure Contributions

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) requires contributions to the provision of infrastructure to mitigate the impact of development. The Action Programme and Developer Contributions and Infrastructure Delivery supplementary guidance sets out the contributions required towards the provision of infrastructure.

Affordable Housing

LDP Policy Hou 6 (Affordable Housing) states that residential developments consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units. In accordance with Scottish Planning Policy and the LDP, affordable housing may not be required in some instances where specialist housing is proposed. However, this proposal includes houses and flats built and marketed for sale or rent to a particular age group, but the age of owners or tenants does not make them a materially different land use and therefore it is common practice to seek affordable housing for sheltered housing proposals.

The applicant has proposed to deliver the affordable housing provision contribution through as off-site land transfer at Scotstoun Avenue, South Queensferry. This is in the same ward as the current application. A planning application to develop 16 flats on the site has been submitted (application reference: 21/00518/FUL) and is currently being assessed.

The Council's planning guidance on Affordable Housing sets out that if options for on-site delivery have been explored but are not viable, then a proposal for delivery on an alternative site can be considered.

The applicant has identified high construction costs associated with the scheme as the most significant factor in meaning that on-site delivery would not be viable. The applicant has submitted a detailed cost plan which identified a cost per unit of around £228,494. The cost plan has been reviewed by a third-party cost consultant and the submission is in line with current market trends. It is noted that around £46,000 of the per unit cost comes from abnormal costs, including from drainage, flooding and culvert-related matters.

A build cost of around £130,000 - £160,000 per unit is what would normally be expected for a project to be viable to an RSL. The funding gap is therefore significant and the use of any commuted sums or additional grant funding to bridge this gap would not represent value for money, particularly because an alternative site has been identified.

It is accepted that the nature of the development, and the high construction and abnormal costs are exceptional reasons that could justify the delivery of the affordable housing requirement on an alternative site.

The land should be transferred to the Registered Social Landlord (RSL) prior to commencement of the principal development and in line with the provisions of the Council's model legal agreement i.e. serviced and remediated land to be transferred at nil value. The off-site affordable housing contribution could be delivered quicker than if it was to be part of the principal development.

The proposed 16 affordable homes comprise a mix of one, two and three bedroom flats and would all be delivered as social rent.

A letter has been received from Dunedin Canmore Housing confirming their support, as the chosen RSL, for the proposals for off-site affordable housing.

Overall, the proposal to deliver the affordable housing requirement on an alternative site is in line with the expectations of LDP Policy Hou 6 and the relevant planning guidance and is therefore acceptable.

Healthcare

Whilst representations have been received concerning capacity at the local GP surgery, the LDP Action Programme does not identify an issue with existing capacity and therefore a contribution is not sought.

Education

The Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' states that no contribution towards education infrastructure is required from developments that are not expected to generate at least one additional primary school pupil. Due to the type of development proposed and future demographic, a contribution towards education infrastructure is therefore not required.

i) Sustainability Criteria

LDP Policy Des 6 (Sustainable Buildings) aims to tackle the causes and impacts of climate change, reduce resource use and moderate the impact of development on the environment. The applicant has submitted an S1 Sustainability Statement Form which demonstrates that the proposal meets the essential criteria set out.

The proposal accords with LDP Policy Des 6.

j) Representations

A total of 62 representations were received: 59 objections, two in support and one neutral comment. These are broadly summarised below:

Objection

Principle of Development - addressed in section 3.3 a) and b):

- Proposals are not in line with the approved Design Brief for Barnton Avenue West;
- Overdevelopment.
- Approval would set the wrong precedent for future development in the area.

Placemaking and Design - addressed in section 3.3 b):

- Overall height of the development is too high;
- Development is not in keeping with existing streetscape character;
- The proposed scale and density is too high in an area which is largely low density individual large detached houses set in mature garden grounds;
- Flat roof design is inappropriate and not typical of surrounding developments;
- Site layout does not correspond with surrounding character;
- Unsympathetic development in close proximity to the sensitive Barnton Conservation Area.

Neighbouring Amenity - addressed in section 3.3 f):

- Development would result in loss of privacy and overlooking with neighbouring properties;
- Limited inadequate screening to neighbouring properties;
- Positioning of apartment blocks too close to neighbouring properties.

Transport and Connectivity - addressed in section 3.3 d):

- Access to the development does not accord with Edinburgh Streets Design Guidance;
- Development would result in increased traffic on Barnton Avenue West which will be detrimental to walkers and cyclists using this route (national cycle route), as well as drop off and pick up at Cargilfield School;
- Road safety concerns;
- Insufficient amount of parking spaces proposed on site which will lead to overspill on street parking;
- No clear indication of suitable access for emergency vehicles;
- No public transport provision on Barnton Avenue West;
- Submitted Transport Statement is deficient.

Natural Environment - addressed in section 3.3 d) and e):

- Development would destroy habitats of protected species - most notably bats and badgers;
- Loss of mature trees;
- No Woodland Management Plan proposed;
- Concerns over further congestion and consequently air quality.

Flooding and Drainage - addressed in section 3.3 c):

- Flooding proposal needs to be accepted by Golf Club.

Local Infrastructure - addressed in section 3.3 h):

- Lack of healthcare resources in area with local GP surgery operating at capacity.

Affordable Housing - addressed in section 3.3 h):

No proposal for onsite affordable housing.

Non-material

- The area is at risk of becoming a ghetto for the elderly;
- Cargilfield School will be impacted by this development;
- Previous application was more suitable in terms of density and design.

Support

- Good solution proposed for outstanding flooding issue.

Cramond and Barnton Community Council

Cramond and Barnton Community Council were consulted as a statutory consultee and supports the provision of accommodation for elderly residents and notes that the drainage proposals will resolve local flooding issues. They have the following reservations:

- Capacity of local GP surgeries; addressed in section 3.3 h);
- Lack of parking; addressed in section 3.3 d);
- Layout prevents direct pedestrian access to street; addressed in section 3.3 b) and d);
- Access to cycle/ scooter parking; addressed in section 3.3 d).

Conclusion

The proposal complies with the development plan and relevant non-statutory guidance. The principle of housing is acceptable on this site and will deliver a good range of off-site affordable housing within the same ward. The development will provide a solution to the existing flooding problems, providing betterment for the surrounding properties. There are no material considerations that outweigh this conclusion.

Addendum to Assessment

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

3.4 Conditions/reasons/informatives

Conditions :-

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

2. All flood mitigation works, including the culvert diversion, shall be constructed and operational prior to the occupation of any units and no new on-site drainage will be connected to the existing culvert. The works shall be undertaken in a manner that does not increase the existing flood risk to the adjacent properties, and as a minimum maintain the existing culvert in its current condition. The applicant shall develop a surface water management plan to be submitted to the Head of Planning prior to commencement on site to ensure that there is no detriment to the existing culvert / water environment from the development site.
3. Only the tree/s shown for removal on the approved drawing/s shall be removed, and no work shall be carried out on the remaining trees at any time without the approval of the Planning Authority.
4. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
5. 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.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. To ensure no flooding issues are exacerbated as a result of the development.
3. In order to safeguard trees on site.
4. In order to enable the planning authority to consider these in detail.
5. 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 to affordable housing and transport infrastructure.

This should include the provision of off site affordable housing in the form of 16 units at Former Agilent Technologies, South Queensferry.

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.

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.
5. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification.
6. A minimum of 8 EV charging spaces required.
7. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation.
8. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of 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.
9. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity.
10. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property.
11. Works affecting adopted road 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>

12. 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.
13. A Method Statement for the treatment and removal of Japanese Knotweed should be submitted to the planning authority for approval prior to works commencing on site.
14. A Method Statement for the removal of trees with low bat roost potential should be produced.
15. Development will not have a significant impact on the species, but a precautionary approach is recommended, putting measures in place to ensure small mammals do not come to harm during this time; open pipes should be closed up at the end of each working day, and trenches should be covered, or a ramp provided to permit animals that fall in a means of exit, to prevent animals becoming trapped. Chemicals and materials should be stored securely.
16. The nests of all species of bird should be protected when the nests are active (Wildlife and Countryside Act 1981, as amended). Clearance of any vegetation should avoid the breeding bird season (March to August inclusive). If this is not possible a suitable qualified individual should check the areas prior to removal.

Financial impact

4.1 The financial impact has been assessed as follows:

The application is subject to a legal agreement for developer contributions.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

A total of 62 representations were received; 59 objections, 2 in support and one neutral comment. These are summarised in the Assessment section of the report.

Background reading/external references

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

**Statutory Development
Plan Provision**

Edinburgh Local Development Plan.

Date registered

1 February 2021

Drawing numbers/Scheme

01, 02, 03A, 04B, 05-09, 10C, 11, 12, 13A, 14A, 15-17,
18A,,
19, 20A, 21B, 22-24,

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Nicola Orr, Planning Officer

E-mail: nicola.orr@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

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

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

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

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

LDP Policy Env 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 19 (The Protection of Outdoor Sports Facilities) sets criteria for assessing the loss of outdoor sports facilities.

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

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

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

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

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

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

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

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.

Appendix 1

Application for Planning Permission 21/00461/FUL At Site 90 Metres East Of , 4 Barnton Avenue West, Edinburgh Erection of retirement accommodation comprising 44x apartments and 4x dwelling houses with associated parking, drainage and landscaping arrangements.

Consultations

response

site lies within the grounds of the former site of Barnton House (Cramond Regis), demolished in the early part of the 20th century. This house originally stood to the northeast of this property centred upon No.'s 13 & 31 Barnton Avenue West and was formally known as Cramond Regis, taking its later name of 'Barnton House' from the original which stood c.1km further to the east until it was demolished during the 1st half of the 19th century. Barnton/Cramond Regis House is depicted in John Wood's The ancient and modern state of the Parish of Cramond, published in 1792, as a substantial storey L shaped mansion and probably dates from the late 16th/17th century.

It is also likely that the site was formed part of the important medieval crown estate of Cramond Regis referred to in charters dating from 1391 onwards. The 1st edition OS map of the estate indicates that the site lies on or close to a large group of outbuildings associated with house.

Based on the historical and archaeological evidence the site has been identified as occurring within an area of potential archaeological significance. Accordingly, this application must be considered under terms of Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), PAN 02/2011, HES's Historic Environment Policy for Scotland (HEPS) 2019 and CEC's Edinburgh Local Development Plan (2016) Policies ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

The proposed development will require significant groundbreaking and landscaping works associated with the construction of dwellings and landscaping. Such works given the sites location have the potential for disturbing significant remains associated with the development of Barnton House possibly also the earlier medieval estate of Cramond Regis. It is recommended therefore, that a programme of archaeological excavation is undertaken prior to development in order to fully excavate, record and analysis any significant buried remains affected by groundbreaking.

This will see a phased archaeological programme of works the initial phase being the undertaking of an archaeological evaluation of the site (10%). The results of this evaluation will allow for the production of detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains prior to construction. Depending on the results of the evaluation a programme of public engagement information boards, public viewing etc may be required to be undertaken during subsequent phases of archaeological work.

It is recommended that the following condition be attached to permission, if granted, to ensure that this programme of archaeological works is undertaken either prior to or during construction.

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

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

Planning response

. *Could the applicant please provide a signed copy certificate A1 covering the Drainage proposals? This can be found on page 13 on the link below:*

o *<https://www.edinburgh.gov.uk/downloads/file/22711/flood-risk-and-surface-water-management-plan-requirements> (Page 13)*

2. *Please provide a SWMP checklist. A copy of the checklist can be found at the link below. The checklist provides a summary of the information provided to support this application.*

o *<https://www.edinburgh.gov.uk/downloads/file/22712/surface-water-management-checklist>*

3. *Please identify existing and proposed ground level surface water flow paths on drawings. This can be achieved by taking the existing site survey and over-marking arrows to denote falls and then completing the same with the post-development arrangement. This should include runoff from outside of the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system. The purpose of these drawings is twofold. First, to understand if there is any significant re-direction of surface flows to surrounding land. Second, to identify if surface water will flow towards property entrances and sensitive receptors. It would be useful to understand how the proposed bund changes overland flow paths.*

4. *An underground surface water storage tank is proposed. Could the applicant please confirm that above ground surface water attenuation and treatment features are not feasible. Above ground features that are integrated into the landscape, such as*

raingardens and basins, allow for easier maintenance and identification of potential reduction in storage capacity or blockages. SuDS features that encourage evapotranspiration and infiltration also have the potential to reduce the volume of surface water discharging from the site. We are also keen to see SuDS features that encourage wider benefits such as biodiversity improvements.

5. *The drainage calculations identify some flooding from the surface water network during a 1:200-year+40%CC 15-minute winter storm. Please confirm that this flood volume can be safely managed on site, without posing a flood risk to the proposed or neighbouring properties.*

6. *Regarding the proposed culvert diversion, has an open channel been considered as opposed to a culvert?*

7. *The diversion, bund and proposed golf course attenuation should be constructed prior to the development of the site.*

Planning response updated

facilitate the diversion of the culverted watercourse through the Royal Burgess Golf Course it is necessary to undertake these works through the winter months and if any delays occur this may not be completed until the following year. All flood mitigation works, including the culvert diversion, shall be constructed and operational prior to the occupation of any units and no new on-site drainage will be connected to the existing culvert.

The works shall be undertaken in a manner that does not increase the existing flood risk to the adjacent properties, and as a minimum maintain the existing culvert in its current condition. The applicant shall develop a surface water management plan prior to commencement on site to ensure that there is no detriment to the existing culvert / water environment from the development site.

+Barnton Community Council response

of Cramond+Barnton Community Council's Submission

The Community Council supports provision of accommodation for elderly residents and notes that the drainage proposals will resolve local flooding issues. The CC has reservations regarding -

- a. The capacity of local GP services to cater for additional elderly residents
- b. Any reductions the Council may consider applying to parking provision - given potential mobility needs of elderly residents, the distance from Barnton shops and need to minimise on-street parking - especially as Barnton Avenue West is a key part of two National Cycle Network routes. Suggestions for underground/undercroft parking have been ignored by the applicants.

c. The layouts of parking, footways and specimen trees prevent direct pedestrian access between the main residential block and Barnton Ave. West and potential hazards to pedestrians. There is no continuous footway on the east side of the access road.

d. The entrance to the cycle/mobility scooter stores should have a separate external access, rather via the entrance lobby and hallway.

The Community Council supports, in principle, the provision of additional residential accommodation for elderly people given the current and forecast growth of this demographic. It welcomes, also, the pre-application consultations by Juniper residential, which have resulted in some amendments to the developers' plans.

In general, the Community Council supports the proposals and notes that the drainage proposals will help to resolve long-standing, periodic, flooding issues within and adjacent to the site.

The CC wishes to draw the planning authority's attention to the CC's reservations about the following aspects -

a. It is essential that the Planning Service works closely with the health and care authorities to monitor the growth of care homes, retirement estates and similar developments in areas such as Cramond, where local GP practices are already operating at/over-capacity, and ensures that sufficient facilities are available to cater for the residents of such properties, who often have higher than average medical and personal care needs;

b. Given the elderly and relatively affluent characteristics of likely occupants and their visitors and their potential use of services, such as cleaners, tradesmen and shopping deliveries, it is essential that sufficient parking space is provided on-site. The Community Council suggested the provision of underground or undercroft parking, but this has not been provided. In order to minimise residents'/visitors' parking on Barnton Avenue West and potential conflicts with cyclist on the popular National Cycle Network routes using this road, the Community Council strongly recommends that the City Council accepts the 50 proposed parking spaces, or, preferably, provision of additional on-site parking spaces.

c. Concerns, previously mentioned to the applicants by the Community Council, regarding pedestrian movements and safety within the development have not been satisfactorily met. The layouts of parking spaces and footways and positioning of specimen trees, results in -

o Potential safety hazards for elderly and less mobile pedestrians using the footway on the west side of the main access road, who will need to detour around parked cars and leave the footway, where a tree is planted, to cross the access road.

o Lack of a direct and continuous footway on the east side of the access road between the main accommodation building and Barnton Avenue West.

d. For users' convenience and cleanliness, it would be advisable for the cycle/mobility scooter stores to have a separate external access, rather than access via the main entrance lobby and hallway.

Representatives of the Community Council will be please to discuss any of the above matters with Council staff and look forward to your positive consideration of the issues outlined.

Authority Issues

application should be continued.

Reasons:

- I. The proposed 50 car parking spaces breaches the Council parking standards which could allow a maximum of 48 spaces in Zone 3;
- II. Footway required on both side of the site access. The proposed footway on the west side should be direct. The proposed footway is indirect and compromised by car parking spaces;
- III. Continuous raised crossing with tight junction corner radii is required for the site access to promote pedestrian and cycle friendly crossing;
- IV. The proposed design is dominated by car parking spaces/hardstanding and is contrary to the principles of Edinburgh Design Guidance which requires that in all new development parking should not dominate the street scene;
- V. A minimum of 88 secure cycle parking spaces required for the proposed development in Zone 3 and the applicant is required to demonstrate by design the minimum cycle parking spaces required can be achieved;

Should you be minded to grant the application the following should be added as informatives or conditions:

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;
 - b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
 - c. Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit on Barnton West Avenue, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;
 - d. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of a car club vehicle in the area;
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. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;

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

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

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

8. Works affecting adopted road 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>

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

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

Note:

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 development is expected to generate a two-way vehicular trip of 8 and 12 respectively for the morning and evening peak periods. The

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

- b) Visibility splay of 2.4m by 43m is achievable for the site access junction;
- c) Barnton Avenue West form part of the National Cycle Route1;
- d) Lothian service 41 along whitehouse Road with weekday service frequency 15 minutes;
- e) Toucan crossing on whitehouse Road to provide safe crossing.

Authority Issues updated

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;
 - b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
 - c. Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit on Barnton West Avenue, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;
 - d. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of a car club vehicle in the area;
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;
3. A minimum of 44 secure cycle parking spaces is required for the proposed development (see note c below);
4. A minimum of 8 EV charging spaces required;
5. Continuous footway to be provided at the site access junction;
6. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;
7. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of 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;

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

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

10. Works affecting adopted road 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>

11. 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 development is expected to generate a two-way vehicular trip of 8 and 12 respectively for the morning and evening peak periods. The submitted document is generally in line with the published guidelines on transport assessments.

b) The proposed 48 car parking spaces including 5 disabled bays complies with the Council parking standards for the proposed development in Zone 3;

c) A minimum of 88 secure cycle parking is required for the proposed development but given the age of prospective tenants, 44 cycle spaces (1 space per flat) is considered acceptable;

d) The layout has excessive hardstanding due to provision of car parking spaces and it is considered that the design layout does not fully accord with the principles of Edinburgh Design Guidance;

e) Visibility splay of 2.4m by 43m is achievable for the site access junction;

f) Barnton Avenue West form part of the National Cycle Route1;

g) Lothian service 41 along whitehouse Road with weekday service frequency 15 minutes;

h) Toucan crossing on whitehouse Road to provide safe crossing.

Authority Issues updated

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;
 - b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
 - c. Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit on the proposed vehicular access;
 - d. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of a car club vehicle in the area;
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;
3. A minimum of 44 secure cycle parking spaces is required for the proposed development (see note c below);
4. A minimum of 8 EV charging spaces required;
5. Continuous footway to be provided at the site access junction;
6. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;
7. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of 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;
8. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;
9. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has

been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;

10. Works affecting adopted road 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>

11. 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 development is expected to generate a two-way vehicular trip of 8 and 12 respectively for the morning and evening peak periods. The submitted document is generally in line with the published guidelines on transport assessments.

b) The proposed 48 car parking spaces including 5 disabled bays complies with the Council parking standards for the proposed development in Zone 3;

c) A minimum of 88 secure cycle parking is required for the proposed development but given the age of prospective tenants, 44 cycle spaces (1 space per flat) is considered acceptable;

d) The layout has excessive hardstanding due to provision of car parking spaces and it is considered that the design layout does not fully accord with the principles of Edinburgh Design Guidance;

e) Visibility splay of 2.4m by 43m is achievable for the site access junction;

f) Barnton Avenue West form part of the National Cycle Route1;

g) Lothian service 41 along whitehouse Road with weekday service frequency 15 minutes;

h) Toucan crossing on whitehouse Road to provide safe crossing.

Services response

this is to be a residential development, waste and cleansing services would be expected to be the service provider for the collection of any household domestic and recycling waste produced.

I have looked at the drawings provided and we would require further input to the points raised below in conjunction with our current instruction for architects and developers guidance, available at <https://www.edinburgh.gov.uk/wasteplanning> , to ensure waste and recycling requirements have been fully considered.

1. Please provide a scaled plan of the bin store, showing the allocation (below) in place and door opening sizes Etc, confirming with our guidance.

Based on 44 flats you would require the following amount of waste containers -

6x 1280L Domestic
4x1280L Dry Mixed Recycling
2x 660 Glass
2x 500L Food

The 4 houses would get Individual wheelie bins, please ensure that there is storage on each premises for the following.

1 x 140 Domestic
1x240 Recycling
1x 240 Garden Bin
1x 55l Blue box
1 x Food Waste Caddy

In view of these factors I would ask that the Architect/developer contact the officer for the area directly Claire Bolton (CC'd above) Claire.Bolton@edinburgh.gov.uk or waste@edinburgh.gov.uk at the earliest point to agree their options so that all aspects of the waste & recycling service are considered.

Services updated response

this is to be a residential development, waste and cleansing services would be expected to be the service provider for the collection of any household domestic and recycling waste produced.

response

the basis that Drawing E12068/0902 Rev D forms part of the planning application and any planning permission, we have no objection to planning application 21/00461/FUL.

The proposed culvert diversion will provide a betterment to existing, neighbouring properties by reducing significantly the flood risk in the area. We are supportive of providing betterment to existing developments. Drawing E12068/0902, Revision D,

indicates there are no 90 degree bends within the realigned culvert and, therefore, we have no objection to the proposed development on flood risk grounds.

As mentioned in earlier correspondence, we agree with the City of Edinburgh Council flood protection officer's comments that this diversion should be completed before any units are occupied.

Housing response

. Introduction

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

- o 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.*
- o 25% of the total number of units proposed should be affordable housing.*
- o 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 application is for a development consisting of 44 apartments and four houses and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (12) homes of approved affordable tenures.

The development will deliver housing for people aged 55 or over. The entire scheme will be developed as a single retirement complex with all facilities and services within the main block and grounds, including the services of a daytime house manager, available to all residents as part of a wider service agreement.

Although, the proposal is for a development for people aged over 55 with shared facilities the requirement for affordable housing remains. The applicant has proposed to deliver the affordable housing contribution through an off-site land transfer on a site in South Queensferry.

For applications of 20 or more units, the Council expects the 25% affordable housing contribution to be delivered on-site. More than 9 out of every 10 applications have affordable housing delivered onsite. However, the Council's planning guidance on 'Affordable Housing' sets out that if options for onsite delivery have been explored but are not viable, then a proposal for delivery on an alternative site can be considered.

The guidance sets out the circumstances that an off-site land contribution can be accepted, which will be considered below:

- a) *There are exceptional reasons to avoid on-site provision;*
- b) *An agreed mechanism to deliver the requisite number of affordable units in the same area of the city is in place;*
- c) *The proposed alternative site meets an equally satisfactory contribution to meeting unmet local housing needs.*

Exceptional reasons

For the affordable housing be delivered on-site and integrated to the main development it would have to align with the over 55 model to avoid management issues between the two parts of the development. The applicant did contact RSLs about the project, but the proposed scheme was not a viable option for cost reasons set out below. Housing Management and Development asked the applicant to consider if the apartment block proposed for the front of the site could be redesigned to provide separate on-site affordable housing but a viable on-site solution was not forthcoming.

The applicant has identified high construction costs associated with the scheme as the most significant factor in meaning that on-site delivery would not be viable. The applicant has submitted a detailed cost plan which identified a cost per unit of around £228,494. The cost plan has been reviewed by a third-party cost consultant and the submission is in line with current market trends. It is noted that around £46,000 of the per unit cost comes from abnormal costs, including from drainage, flooding and culvert-related matters.

A build cost of around £130,000 - £160,000 per unit is what would normally be expected for a project to be viable to an RSL. The funding gap is therefore significant and the use of any commuted sums or additional grant funding to bridge this gap would not represent value for money, particularly because an alternative site has been identified.

It is accepted that the nature of the development, and the high construction and abnormal costs are exceptional reasons that could justify the delivery of the affordable housing requirement on an alternative site.

Delivery mechanism

The applicant has identified an alternative site for affordable housing delivery in South Queensferry which is in the same ward as the principal development site. The land should be transferred to the RSL prior to commencement of the principal development and in line with the provisions of the Council's model legal agreement i.e. serviced and remediated land to be transferred at nil value. The off-site affordable housing contribution could be delivered quicker than if it was to be part of the principal development.

Contribution to meeting local housing needs

The alternative site is part of the recent development of the former Agilent site in South Queensferry. A planning application to develop 16 flats on the site has been submitted (21/00518/FUL) and is currently being assessed.

If planning permission is granted, the delivery of 16 flats will exceed the principal site's requirement to deliver 12 affordable homes.

Although 16 affordable homes is what would be required when considering the 64 homes in total to be delivered across the two sites, if the 16-unit development was a stand-alone proposal it might have been too small for an RSL to deliver on-site. Payment of a commuted sum might have been proposed instead. The off-site proposal may therefore deliver four extra affordable homes than would otherwise have been achieved.

The applicant has engaged with a RSL to deliver the 16 affordable homes. The 16 homes comprise a mix of one, two- and three-bedroom flats which is a good mix and will help to meet a range of local housing needs. The proposal includes two larger three bedroom flats on the ground floor which will suit larger families. The site is close to Dalmeny train station and other local amenities.

The Council aims to secure 70% of new affordable housing for social rent. The RSL has indicated that all of the 16 homes would be delivered as social rent. The design of affordable housing will be informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides and we require that applicants work with the Council and the RSL to achieve this.

3. Summary

NOTE: A decision on the affordable housing aspect of this application should not be taken until it has been determined that planning permission for application 21/00518/FUL will be granted. This is to give the Council confidence that the required number of affordable homes can be delivered on the alternative site.

The development will deliver 48 homes for people aged 55 or over. The affordable housing requirement for this development is 12 units. The applicant has proposed to provide the 25% affordable housing requirement on an alternative site which can accommodate 16 homes. The alternative site is to be remediated and serviced and transferred to a RSL at nil value. This will be secured by a Section 75 Legal Agreement.

The applicant has justified not delivering on-site affordable housing as high construction and abnormal site costs means that it would not be viable for a RSL to deliver.

The alternative site is within the same ward, can be delivered quickly, and will meet an equally satisfactory contribution to meeting local housing needs. It will potentially deliver more affordable homes than would have been achieved if an on-site solution was possible. The applicant has engaged with a RSL who is supportive of the proposal and seeks to deliver 100% social rent.

Overall, the proposal to deliver the affordable housing requirement on an alternative site is in line with the expectations of the relevant planning guidance and is therefore accepted by Housing Management and Development.

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420
END

This page is intentionally left blank

Development Management Sub Committee

Wednesday 6 October 2021

**Application for Planning Permission 20/04929/FUL
at 16 Buckstone Terrace, Edinburgh, EH10 6PZ.
Change of use from Class three (Food and Drink) to Mixed
use Class three/hot food take away (sui generis).**

Item number

Report number

Wards

B08 - Colinton/Fairmilehead

Summary

The proposal complies with the relevant policies contained within the Edinburgh Local Development Plan. The principle of the use is acceptable, there is no adverse impact on neighbouring amenity and parking and access standards are met. There are no material planning considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LRET11, LHOU07, NSG, NSBUS,

Report

Application for Planning Permission 20/04929/FUL at 16 Buckstone Terrace, Edinburgh, EH10 6PZ. Change of use from Class three (Food and Drink) to Mixed use Class three/hot food take away (sui generis).

Recommendations

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

Background

2.1 Site description

The application property is a ground floor and basement shop unit located at the southern end of a shopping parade. The rear of the application property has been extended at basement and ground floor level.

The parade includes flatted properties at first floor level. There is also a flatted development to the south of the site and residential units on the opposite side of the road.

Buckstone Terrace forms part of Comiston Road, one of the main routes into the city. A lay-by, which is capable of accommodating approximately six cars, is located in front of the parade of shops.

The site lies within Buckstone Local Shopping Centre.

2.2 Site History

6 July 2009 - Planning permission was refused for a change of use from shop to hot food take away (planning application number 09/01093/FUL).

12 November 2010 - Planning permission was granted for a change of use from Class 1 (shop) to Class 3 (cafe) in retrospect, and as amended to include external ventilation (planning application number 10/00951/FUL).

Main report

3.1 Description of the Proposal

The proposal is for a change of use from Class three (Food and Drink) to Mixed use Class three/hot food take away (sui generis).

The proposed hours of operation are 08:00-23:00 seven days a week.

No physical changes are to be made to the building.

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 proposal is acceptable;
- b) there is any loss of residential amenity;
- c) there are any road safety and parking issues and
- d) any comments received have been addressed.

a) Principle of Development

The unit is presently operating as a class three café, with an incidental takeaway function.

Edinburgh Local Development Plan (LDP) Policy Ret 11 (Food and Drink Establishments) seeks to guide proposals for the change of use to a food and drink establishment. It supports restaurants and cafes in principle, provided this will not lead to an unacceptable increase in noise, disturbance, or on-street activities to the detriment of living conditions for nearby residents and provided there is not considered to be an excessive concentration of such uses.

The site lies outwith an area of restriction as defined within the Council's Guidance for Businesses, but within a cluster of existing commercial uses, where there are residential units above the application site.

The Guidance supports cafes and takeaways within such areas, provided it will not lead to an unacceptable increase in disturbance, on-street activity or antisocial behaviour to the detriment of the living conditions of nearby residents.

The proposed use would be an appropriate commercial use, which would complement the character of the local shopping centre and would not be detrimental to its vitality and viability.

The proposed development is acceptable in this location, subject to amenity considerations which are assessed below.

b) Neighbouring Amenity

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

The use of a premises as a Class 3 /hot food unit and the extension of the hours of operation, relative to the current hours of operation, could have the potential to increase external noise levels due to patrons, sometimes in groups, entering and exiting the premises. This could be exacerbated by patrons opening and closing the doors of parked motor vehicles within the adjacent layby or congregating on the pavement outside the premises.

Buckstone Terrace is part of a main thoroughfare into and out of south Edinburgh. The ambient noise level experienced on that road is above that found in a quieter location, due to the presence of significant levels of vehicular traffic. This background noise is relatively constant during the day and would partially mask any increase in noise levels as a result of the proposal. However, background noise levels drop later in the evening and the proposed mixed use, in conjunction with the hours of operation effectively extending to 23.00, could have a detrimental effect on neighbouring residential amenity. Although Environmental Protection has offered no objections to the proposal, it is considered appropriate to restrict the hours of operation to no later than 21:00, seven days a week.

It is not anticipated that the internal noise levels would increase as a result of this development, as the development proposes to utilise the existing ventilation system. Any deficiencies in the system or impact on amenity could be dealt with through Environmental Protection measures.

Subject to a restrictive condition in relation to hours of operation there would be no unreasonable loss to neighbouring amenity.

The proposal complies with LDP Policies Hou 7 and Ret 11.

c) Road Safety and Car Parking

The row of shops on Buckstone Terrace has a layby in front of the terrace, with restricted car parking parallel to the kerb.

The lay-by serving the parade of shops is heavily used and is often at capacity. Transport do not support the proposal as they have concerns that a food takeaway operation here would lead to double parking. However, the mixed use already has an incidental takeaway service, and as the relative increase in the hours of operation would be in the evening, when traffic is quieter and parking less restricted, it is not anticipated that the proposal would be detrimental to road safety.

d) Public comments

Material comments - objection

- contrary to LDP policy Ret 11 - assessed in sections 3.3a and 3.3b
- Increased traffic - assessed in section 3.3c
- Increased noise and disruption - assessed in section 3.3b

Conclusion

The proposal complies with the policies in the Edinburgh Local Development Plan and the relevant non-statutory guidance. The surrounding area and neighbouring amenity would not be adversely affected by the proposal. There are no material considerations that would outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions :-

1. The hours of operation shall be restricted to 08:00 to 21:00 Monday to Sunday.

Reasons:-

1. In order to safeguard the amenity of neighbouring residents and other occupiers.

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. This application relates to a flatted building. This planning permission does not affect the legal rights of any other parties with an interest in the building. In that respect, the permission does not confer the right to carry out the works without appropriate authority.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 27th November 2020 and 12 comments were received, all objecting. These included comments from Fairmilehead Community Council and Melford Park Properties Association.

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

Background reading/external references

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

Statutory Development

Plan Provision

The site lies within the urban area of the Edinburgh Local Development Plan and is part of Buckstone Local Shopping Centre.

Date registered

11 November 2020

Drawing numbers/Scheme

1,2,

Scheme 1

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Jennifer Zochowska, Senior Planning Officer

E-mail: jennifer.zochowska@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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.

Relevant Non-Statutory Guidelines

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

Appendix 1

Application for Planning Permission 20/04929/FUL At 16 Buckstone Terrace, Edinburgh, EH10 6PZ Change of use from Class three (Food and Drink) to Mixed use Class three/hot food take away (sui generis).

Consultations

Environmental Protection

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

The application proposes the change of use from Class 3 to Class 3 and Sui Generis to allow hot food take-away to be purchased from the premises including extension from 8pm to 11pm operating hours. The application premises sit at the end of a row of commercial premises each of which have a residential property above.

The application premises are situated on Buckstone Terrace which is a main thoroughfare road into and out of south Edinburgh. Therefore, the existing ambient noise environment would be dominated by a certain amount of traffic and footfall noise. Noise from hot food take-away premises can occur as patrons visit and leave the premises after purchasing food. Such external noise normally includes voices and vehicle engines and doors slamming. Internal noisy operations are not expected to change due to this application. However, Environmental Protection would be of the opinion that up to 11pm, the existing noise environment is likely to partially mask much of these noises. In addition, such noise sources would already be commonplace at the adjacent Buckstone Terrace off-road parking area.

Environmental Assessment would also advise that no complaints of noise are on record in relation to the existing Class 3 premises' operations.

Therefore, Environmental Protection would offer no objections to the application proposal.

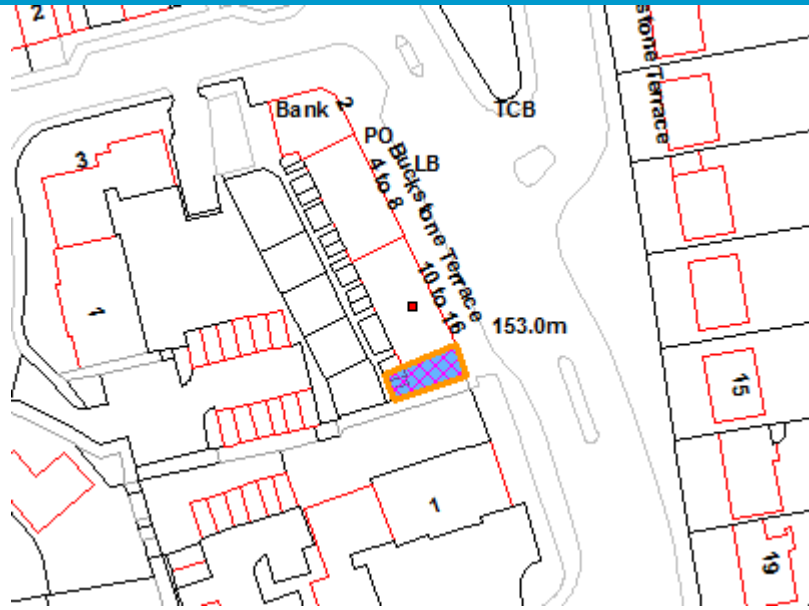
Should you wish to discuss the above please contact me on 0131 469 5802.

Roads Authority

The application should be refused.

The parking layby at the location is frequently fully utilised resulting in instances of double parking. Transport have concerns that a food takeaway operation here would exacerbate this issue, to the detriment of road safety.

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420
END

This page is intentionally left blank

Development Management Sub Committee

Wednesday 6 October 2021

**Application for Planning Permission 21/03512/FUL
at 32 Craigs Road, Edinburgh, EH12 8EN.
Proposed single storey extension to rear and associated
alterations.**

Item number

Report number

Wards

B03 - Drum Brae/Gyle

Summary

The application for development is in accordance with the Edinburgh Local Development Plan as it complies with LDP Policy Des 12 (Alterations and Extensions). It is compatible with the existing building and the character of the area and has no adverse impact on neighbouring residential amenity. There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDES12, NSG, NSHOU,

Report

Application for Planning Permission 21/03512/FUL at 32 Craigs Road, Edinburgh, EH12 8EN. Proposed single storey extension to rear and associated alterations.

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 a detached bungalow property in a residential area.

The area can be characterised as predominantly traditional bungalow properties, with some examples of other housing styles. A number of these bungalow properties have existing extensions and roofscape development.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description of the Proposal

This application is for installation of a new rooflight on the west elevation, new rooflight on the north elevation and erection of a new single storey side/rear extension, which will include the:

- Erection of a new dormer and rooflight to the east elevation;
- Removal of the existing chimney on the east elevation;
- Erection of a new dormer to the north elevation and
- Installation of a new ground floor window and door to north elevation.

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 proposed scale, form and design is acceptable and will not be detrimental to neighbourhood character;
- b) the proposal will cause an unreasonable loss to neighbouring amenity and
- c) any comments raised have been addressed.

a) Scale, form, design and neighbourhood character

LDP Policy Des 12 (Alterations and Extensions) states that planning permission will be granted for alterations and extensions to existing buildings, provided that the scale, form and design are acceptable.

The proposals are of an acceptable scale, form and design and are compatible with the existing dwelling and the surrounding area.

The application proposes a side/rear extension which is of an appropriate scale that can be accommodated within the plot. In terms of siting, the extension is set back from the front elevation and will not extend past the existing rear extension. The proposal has been designed in materials to match the original property and to reflect similar development within the immediate area.

In terms of roof alterations, the proposal seeks to retain the hipped roof character of the host building, as per the non-statutory Guidance for Householders. Furthermore, the proposed dormers are of an appropriate scale ensuring they do not dominate the existing roof form. The dormers meet the size requirements of the non-statutory Guidance for Householders.

The proposed materials will match those of the original property and will be compatible with the surrounding area.

Overall, the proposals are of an acceptable scale, form and design and are compatible with the existing dwelling and the surrounding area.

The proposals comply with Local Development Plan Policy Des 12 (Alterations and Extensions) and the non-statutory Guidance for Householders.

b) Neighbouring amenity

LDP Policy Des 12 (Alterations and Extensions) states that planning permission will be granted for alterations and extensions to existing buildings, provided that the proposal will not result in an unreasonable loss of privacy or natural light to neighbouring properties.

The proposals have also been assessed against requirements set out in the non-statutory Guidance for Householders to ensure there is no unreasonable loss to neighbouring amenity with respect to privacy, overshadowing and loss of daylight or sunlight.

In terms of overshadowing, the non-statutory Guidance for Householders states that sunlight of spaces between gables will not be protected. Regarding the proposed development, any potential overshadowing would fall onto the existing side gable of the neighbouring property and is therefore considered acceptable.

The non-statutory Guidance for Householders also asserts that windows will only be protected for privacy and light if they themselves accord with policies in terms of distance to the boundary. Windows on side walls or gables will not normally be protected as they are not set back sufficiently from the boundary to be "good neighbours" themselves.

With regard to daylight, it is acknowledged that the neighbouring property has a conservatory at the rear of property, with glass windows facing into the rear garden and onto the common boundary with the applicant's property, adjacent to the location of the proposed development. As noted above, side windows are not protected. That being said, although it is acknowledged that the proposal would result in some impact in terms of daylight to the side windows, given the extent of glazing on the conservatory this will not result in an unreasonable impact on amenity.

With regard to privacy, the non-statutory Guidance for Householders states that 18m is the minimum recommended distance between windows, usually equally spread so that each property's windows are 9 metres from the common boundary. The proposed windows on the rear elevation would comply with this requirement.

The proposed dormer on the north elevation also complies with this requirement as it would be over the recommended 9m distance to the common boundary (14.3m). Additionally, there is an existing hedge that limits visibility and an existing rear dormer on the original property.

The proposed dormer on the east elevation would be located within 9m of the common boundary, however, it will face the side gable of the neighbouring property and be finished with obscured glass to prevent any unreasonable loss of privacy. In addition, both the dormer and the proposed rooflight are for a bathroom, which are not considered to be 'habitable' rooms, as per the Edinburgh Design Guidance. As such, these proposals are considered acceptable in terms of privacy.

Overall, the proposals comply with Local Development Plan Policy Des 12 (Alterations and Extensions) and the non-statutory Guidance for Householders in terms of impact on neighbouring amenity.

c) Public comments

No comments were received.

The application requires a Committee decision as one of the applicants is an employee of the Council and is involved in the planning process. The applicant has taken no part in the processing of the application.

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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**

Edinburgh Local Development Plan - Urban Area.

Date registered

29 June 2021

Drawing numbers/Scheme

01-08,

Scheme 1

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Tom Hutchinson, Planning Officer

E-mail:tom.hutchinson1@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

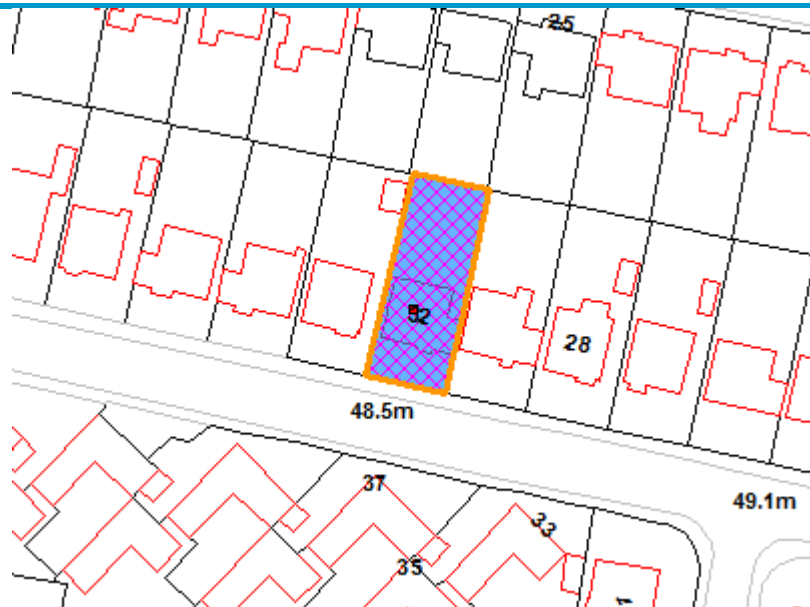
Appendix 1

**Application for Planning Permission 21/03512/FUL
At 32 Craigs Road, Edinburgh, EH12 8EN
Proposed single storey extension to rear and associated alterations.**

Consultations

No consultations undertaken.

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420
END

Development Management Sub Committee

Wednesday 6 October 2021

**Application for Planning Permission 20/03501/FUL
at 25A Dundas Street, Edinburgh, EH3 6QQ.
Remove existing shop sign and erect new non-illuminated
individual metal letters signage on stand-offs, paint stone
facade, window and door and change use class from Class
1 shop to Class 1, 2 and 4 (as amended)**

Item number

Report number

Wards

B11 - City Centre

Summary

The proposal complies with the adopted local development plan and associated guidance. The proposal is acceptable in principle, will not negatively impact on the listed building or conservation area, and will not be detrimental to neighbouring residential amenity. There are no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LRET06, LEN04, LEN06, LDES05, NSG, NSLBCA, NSBUS,

Report

**Application for Planning Permission 20/03501/FUL
at 25A Dundas Street, Edinburgh, EH3 6QQ.
Remove existing shop sign and erect new non-illuminated
individual metal letters signage on stand-offs, paint stone
facade, window and door and change use class from Class 1
shop to Class 1, 2 and 4 (as amended)**

Recommendations

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

Background

2.1 Site description

The application site is a B listed (Listing date: 18/08/1964; listing reference: LB28707), ground floor and basement unit located on Dundas Street. The site is part of an early 19th Century, David Paton designed, 4-storey tenement and basement. The site has residential units above. The site is within the Edinburgh World Heritage Site. This application site is located within the New Town Conservation Area.

2.2 Site History

27 October 2020 - Listed building consent granted for: Remove existing shop sign and erect new non-illuminated individual metal letters signage on stand-offs, paint stone facade, window and door and change use class from Class 1 shop to Class 1, 2 and 4 (as amended) (application reference: 20/03502/LBC).

Main report

3.1 Description of the Proposal

Planning permission is sought for a hand painted sign, to paint the stone facade, window and door and change use class from Class 1 shop to a mixed Class 1, 2 and 4,

Scheme 1

The initial submission was to remove the existing shop sign and erect non-illuminated individual metal letters signage on stand-offs. This has been revised to a hand painted sign instead.

3.2 Determining Issues

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

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

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of the proposal is acceptable in this location;
- b) the proposal will impact on the listed building and conservation area;
- c) the proposal will result in an unreasonable loss of neighbouring amenity;
- e) any impacts on equalities and human rights are acceptable and
- f) any comments have been addressed.

a) Principle of Development

The site is situated within the Urban Area where a mix of uses is supported. LDP Policy Ret 10 (Alternative Use of Shop Units in Other Locations) states that where a proposal site is located within a predominantly commercial area, whether the proposal would be compatible with the character of the area and whether the proposal would result in the loss of premises suitable for small business use.

Dundas Street is characterised by commercial units at ground and basement level with residential above. The site is currently in class 1 use as a shop and the change of use to a hairdresser, also a class 1 use, would not require planning permission. At basement level it is proposed to alter the use to include a class 2 use for a beauticians and class 4 use for an office. Both of these uses are present on the street in other areas and would be compatible with both the class 1 use as a hairdresser and the wider character of the area.

The proposal would not result in the loss of a premises suitable for a small business and is compatible with the character of the area. The proposal complies with policy Ret 10.

b) Listed building and conservation area

The proposal will not impact on any historical architectural features and will therefore not adversely impact on the special architectural or historic interest of the listed building. The changes to the listed building are of a minor scale. The colour change is acceptable, and the painted sign is an improvement on the existing signage. The proposal complies with policy Env 4 as it will not cause damage to the historic structure or result in the diminution of its interest.

The proposed alteration will have a positive impact on the character and appearance of the conservation area as the new hand painted signage and painting of the stone are an improvement on the premises as existing. The proposal complies with LDP Policy Env 6 as it preserves and enhances the special character and appearance of the conservation area.

c) Residential Amenity

LDP Policy Des 5 (Development Design - Amenity) states that permission will be granted where the amenity of neighbouring developments is not adversely affected by a proposal.

As stated in section a) of the report, the change of use to a hairdresser would not require planning permission as it falls within the same use class as the existing use. The use as a class 2 beautician is similar in terms of use to that of a hairdresser by virtue of its function and how the business is carried out. It is not considered that the use of a class 2 at this site will result in a detrimental impact on residential amenity. In terms of any issues from chemicals from the beauticians or hairdressers, this would be covered by separate legislation outwith the remit of planning.

Class 4 use is also proposed as an office use outwith class 2. Class 4 use can also include a use for research and development of products or processes or for any industrial process that would not be detrimental to the neighbouring residential amenity. In order to alleviate potential issues around this use a condition has been attached restricting the class 4 use solely to that of an office.

The proposal shall not have a detrimental impact on neighbouring residential amenity and complies with LDP Policy Des 5.

d) Equalities and human rights

No issues have been identified.

e) Public comment

A total of 13 letters of objection have been received. The contents of these are summarised below:

Material Considerations

- Use is not appropriate at this location: addressed in section 3.3(a);
- Potential noise nuisance: addressed in section 3.3(c);
- Potential for class 6 use: addressed by attached conditions.

Non-material Considerations

- Chemicals from beautician/hairdresser
- Potential fire hazard

Conclusion

The proposal complies with the adopted local development plan and associated guidance. The proposal is acceptable in principle, will not negatively impact on the listed building or conservation area, and will not be detrimental to neighbouring residential amenity. There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Notwithstanding the criteria set out within Class 4 of the Town and Country (Use Classes) (Scotland) Order 1997 and Class 13 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, the element of the proposal to be used as an office shall remain in such use and shall not benefit from any other rights conferred within the above classes of the aforementioned statutory instruments.

Reasons:-

1. In order to safeguard neighbouring residential amenity.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Following statutory neighbour notification, thirteen letters of objection have been received.

Background reading/external references

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

Statutory Development**Plan Provision**

The site is within the Urban Area, New Town Conservation Area and the Edinburgh World Heritage Site.

Date registered

31 August 2020

Drawing numbers/Scheme

01A,

Scheme 2

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Murray Couston, Planning Officer

E-mail:murray.couston@edinburgh.gov.uk

Links - Policies

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

Non-statutory guidelines '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 20/03501/FUL

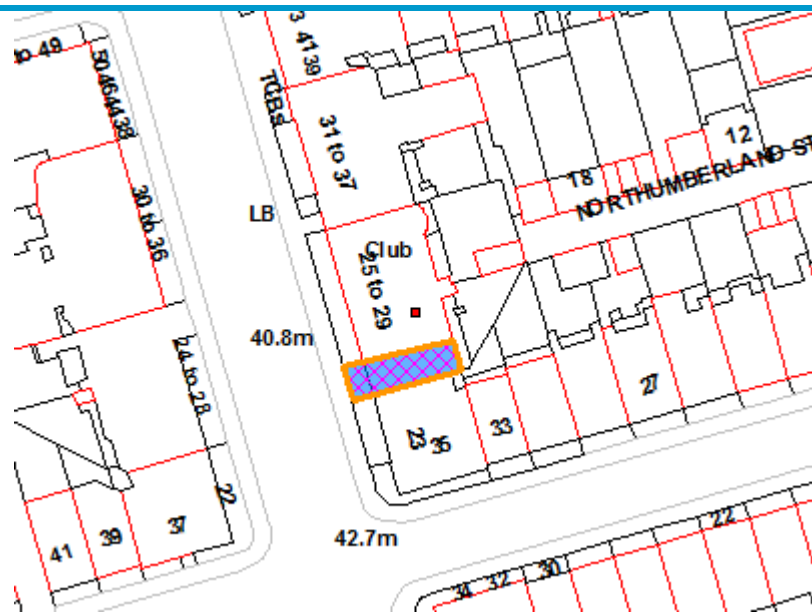
At 25A Dundas Street, Edinburgh, EH3 6QQ

Remove existing shop sign and erect new non-illuminated individual metal letters signage on stand-offs, paint stone facade, window and door and change use class from Class 1 shop to Class 1, 2 and 4 (as amended)

Consultations

No consultations undertaken.

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420
END

Development Management Sub Committee

Wednesday 6 October 2021

**Application for Planning Permission 21/03730/FUL
at Land Opposite, 21 - 24 Joppa Terrace, Edinburgh.
Subdivision of garden to form house plot and erection of
detached dwelling including landscaping, boundary
treatment, parking and formation of community garden. (as
amended)**

Item number

Report number

Wards

B17 - Portobello/Craigmillar

Summary

The proposal is contrary to the Edinburgh Local Development Plan. There are no other material considerations that outweigh this conclusion.

The proposal is of an inappropriate design and the scale, form and position will have a detrimental impact on the setting of the conservation area and spatial character of the area.

The proposal will result in loss of open space that is of amenity value and will have a harmful impact on the quality and character of the local environment. The benefits from the proposed community garden do not outweigh the loss of this open space.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES04, LDES05, LDES06, LEN06, LEN09, LEN12, LEN16, LEN18, LEN21, LHOU01, LHOU02, LHOU03, LHOU04, LTRA02, LTRA03, LTRA04, NSG, NSGD02, CRPPOR,

Report

Application for Planning Permission 21/03730/FUL at Land Opposite, 21 - 24 Joppa Terrace, Edinburgh. Subdivision of garden to form house plot and erection of detached dwelling including landscaping, boundary treatment, parking and formation of community garden. (as amended)

Recommendations

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

Background

2.1 Site description

The proposal site is a large area of land approximately 2,959 square metres in total located on the south side of Joppa Terrace. The site consists primarily of a large expanse of vegetated greenspace including a number of trees, shrubbery and grass.

To the west lies Station House, a building formerly associated with Joppa Train Station and an electricity sub-station which has an extant planning permission (ref: 14/03189/FUL) for conversion into a residential dwelling. A long, narrow, sloping vegetated strip of land separates the vehicular entrance leading to the Station House, Joppa Terrace and Brunstane Road which sits at a higher ground level than the proposal site.

The site borders the north-eastern railway line to the south, separated by close boarded metal fencing.

To the north, the site faces onto traditional Victorian terraced properties of a uniform, scale, form and design which mark the southern boundary to the Portobello Conservation Area.

The wider area is primarily residential in character with a range of property types evident. Large semi-detached villa properties set within generous grounds are located to the far north and east. Flatted dwellings circa 1920s sit in proximity to the site on Joppa Gardens and Morton Street. Higher density traditional terraced properties are located to the south on Brunstane Road and Brunstane Gardens.

Quarry Park is located near the proposal site on the southern side of the railway line. This application site is located within the Portobello Conservation Area.

2.2 Site History

The site has the following planning history:

16 March 2020 - Planning permission in principle refused for the erection of a storey and a half dwelling house for reasons that the proposal was contrary to the Edinburgh Local Development Plan as it would involve loss of open space without justification and have an adverse impact on the spatial character of the area (application reference: 20/00127/PPP).

12 November 2020 - Planning application withdrawn for the erection of a new dwelling house (application reference: 20/04071/FUL).

Main report

3.1 Description of the Proposal

The planning application is for the subdivision of an existing garden space for the erection of a residential property with associated garden ground, boundary fencing and one car parking space.

The proposed dwelling is a narrow, triangular shaped building in plan with a maximum height of 7.5 metres, maximum width of 8.8 metres and length of approximately 40 metres. The proposed materials include a stainless-steel roof, reclaimed red brick walls, larch / fir framing and timber cladding to the front porch and detailing. Large, contemporary glazed openings would face the north side of the site onto the existing landscaping and street.

The property contains an internal floor space of 143 square metres in total including three bedrooms, two bathrooms and a shower room on the ground floor. The living / dining / kitchen room faces onto Joppa Terrace separated by the existing greenspace. The upper floor includes storage space. Cycle provision is included internally, near the entrance into the proposed dwelling at the eastern end of the site.

The footprint of the whole building is 175 square metres.

The private garden areas are located to the north and east of the site where additional planting is proposed.

A vehicular access will be formed from Joppa Terrace at the east boundary of the site. This will provide access to one car parking space as revised.

New wooden fencing will border the north boundary of the site.

The plans detail a new community garden to the north-western edge of the site on vegetated greenspace which borders Joppa Terrace from Brunstane Road.

Supporting Information

- Ecology report
- Tree Survey
- Acoustic Report
- Mineral Stability Risk Assessment
- Planning Statement

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

3.2 Determining Issues

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

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 proposal is acceptable in principle;
- b) The proposal will result in loss of open space;
- c) The proposal will preserve the setting of the conservation area;
- d) The proposal is of an acceptable scale, form and design;
- e) The proposal has tree or ecological impacts;
- f) The proposal will result in acceptable impacts on amenity;
- g) The proposal will have transport impacts;
- h) Other matters have been addressed;
- i) Material issues raised in representations have been addressed.

a) Principle of the Proposal

The proposal site is located in the urban area as designated in the Local Development Plan (LDP). LDP Policy Hou 1 (Housing Development) prioritises the delivery of housing land supply and the relevant infrastructure and identifies four criteria (a-d) on where this can be achieved.

Criteria 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 located adjacent to existing residential development and is served by Lothian and East Coast bus services on Milton Road East and Joppa Road to the north and south. These services are accessible via existing public footways around the residential estate that link to these main roads. Milton Road East is connected via a public footpath from Brunstane Road or via the rail bridge onto South Morton Street west of the site. Joppa Road is accessible via footways from Joppa Terrace onto Morton Street or Brunstane Road. In addition, the site is an approximate 10 minute walk to Brunstane Railway station which provides access into the city centre.

The site is located in proximity to sustainable modes of transport and there is established residential development in the surrounding area. The site is a suitable location for new housing, subject to compliance with all other relevant policies. These are outlined below.

b) Open Space

LDP Policy Env 18 - Open Space, states that proposals involving the loss of open space will not be permitted unless certain criteria are met.

Open space is defined in the LDP as 'greenspace' and 'civic space' consisting of squares, market places and other paved or hard landscaped areas with a civic function. Greenspace is defined in the LDP as *Any vegetated land or structure, water or geological feature in the urban area including playing fields, grassed areas, trees, woodlands and paths.*

The policy aims to protect all open spaces, both public and privately owned that contribute to the amenity of their surroundings and the city, provide or are capable of providing for the recreational needs of residents and visitors or are an integral part of the city's landscape and townscape character. It sets out the following criteria for compliance:

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;
- b) the open space is a small part of a larger area or of limited amenity or leisure value and there is a significant over-provision of open space serving the immediate area;
- c) the loss would not 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.

A previous planning application 20/00127/PPP was submitted on site for a new dwelling of a consistent footprint and design to this submission. This application was refused at delegated level in part as it would result in the loss of open space without justification.

The Council's Open Space Strategy identifies all significant areas of open space; of over 500 square metres in size. This does not preclude other areas of open space, of lesser scale for example, that contribute in amenity terms to their surroundings and the city, being assessed against policy Env 18.

The planning statement submitted refers to the dwelling being constructed on brownfield land stating that the land was previously occupied by a railway platform and associated infrastructure, removed following the railway's closure in 1964. Since then, the land was in use as railway allotments and latterly subsumed private garden space serving the Station House to the west. It is therefore recognised that the use of this land has varied over the years.

Notwithstanding, the proposal site in its present condition is an area of open space that forms part of a well-established landscaped strip. It consists of greenspace: vegetated land with trees, shrubbery and grass. It is recognised the site is currently overgrown, and presently has limited potential use for people. However, it makes a positive contribution to the quality and character of the area by enhancing its landscape value. It creates a natural, green buffer between residential dwellings on Joppa Terrace and the train track to the south.

The space therefore has greenspace value in the wider context and it is applicable to assess the loss of this area against the criteria of LDP Policy Env 18 - Open Space Protection.

The proposed development will result in significant encroachment of this open space with over 175 square metres of land being developed. Reducing and enclosing this open space by the footprint of the proposed dwelling will have a detrimental impact on the open character of the local environment. The site, as a part of a clearly defined landscaped strip, forms an important part of the immediate character.

The plans propose a new community garden to the south-west of the site. Limited detail has been provided on this aspect. This area of land is a narrow, peripheral and sloped site with a number of trees present and there is some concern regarding the practicalities of its future use as a community garden. Notwithstanding, the proposed dwelling house is not for a community purpose, and its level of encroachment upon the quality and character of the local environment is not outweighed by the potential use of this land as a community garden.

The proposal therefore does not meet the requirements of any criteria of Policy Env 18.

c) Character and Appearance of the Conservation Area

LDP policy Env 6 (Conservation Area -Development) states that development within a conservation area or affecting its setting will be permitted which:

- a) preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal;
- b) preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character of the area and
- c) demonstrates high standards of design and utilises materials appropriate to the historic environment.

The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high-quality architecture, and the predominant use of traditional building materials.

The proposal site lies adjacent to the Portobello Conservation Area located on the northern side of Joppa Terrace. The immediate character of the conservation area comprises of two storey traditional terraced properties of a uniform design. These properties primarily look out onto a natural landscaped setting on the southern side of the road. This space lies outwith the conservation area but occupies a visible location from it and provides an attractive setting along the street frontage that contributes positively to the immediate character of the area.

The dwelling would result in substantive loss of this natural landscape. Whilst it is proposed that existing trees fronting the dwelling would be retained, there is concern that the overall footprint of the structure and its proximity to the street edge would detract from this open landscaped setting. As a result, the building despite being of an innovative modern design, would have an adverse impact on the setting of the conservation area by eroding its present sense of openness. The visibility of the building and its level of screening would also be more visible in the autumn/winter seasons.

The proposal introduces a dwelling that would result in encroachment on an existing open landscaped space that contributes positively to the character of the conservation area.

In light of the above, the proposal in scale, form and location would a detrimental impact on the setting of the conservation area and is therefore contrary to LDP Policy Env 6 - Character and Appearance of the Conservation Area.

d) Scale, form, design and neighbourhood character

LDP Policy Des 1 - Design Quality and Context, states development will be granted for development that contributes towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area.

Supporting paragraph 151 states the purpose of the policy is to encourage innovation in design and layout, provided the existing quality and character of immediate and wider environment are respected and enhanced.

LDP Policy Des 4 - Development Design - Impact on Setting, states permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, character of the wider townscape and landscape including, height and form, scale and proportions, position, materials and detailing.

The area is primarily characterised by 2 storey terraced residential dwelling houses, on the north side and the south side is mainly landscaped space.

The site has a number of trees and shrubs on and surrounding the site. There is a clear distinction between the two sides of the street and their respective uses. There is no development on this side apart from a single house on the corner and the existing substation to be converted to a dwelling as you approach Joppa Terrace.

This proposal would alter and disrupt the established character of the area. It is recognised the proposal is if an innovative modern design, in terms of its form and use of reclaimed materials. However, the scale, form and layout proposed fails to respect the established built form of the street in terms of density, positioning and layout. The proposed dwelling would be incongruous within the setting of the street and disrupt the established spatial character of the area.

Overall this would have a detrimental impact on the appearance and character of the area and therefore the impact on the spatial character is unacceptable in this instance. The proposal is therefore contrary to LDP Policies Des 1 and Des 4.

e) Trees and Ecology

LDP Policy Env 12 - (Trees), states 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, replacement planting of appropriate species and numbers will be required to offset the loss to amenity.

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. European Protected Species found in the Edinburgh area are bats, otters and great crested newts.

Existing trees and shrubs on the southern side of the site will be removed to accommodate the proposed development. These trees are not protected, whilst the majority of these specimens are modestly scaled as a grouping they contribute to the landscaped character of the south side of the street. The loss of these features is acceptable however, subject to adequate mitigation.

A planting scheme is proposed, including a number of native species to the eastern side of the site and the supporting statement has indicated there is scope for additional replacement planting across the wider site.

An Ecological Appraisal was undertaken and submitted as part of the application. This report states the site is in an overgrown condition with good quality structural planting on the northern edge. The study states that no evidence was found of protected species within the site. There is the potential for the site and adjacent habitat to support roosting bats. However, no evidence was found of bat activity and no additional surveys or license from Nature Scot are recommended.

There is the potential for hazards to species during construction activity. Should the proposal have been acceptable an informative would have been recommended for checks of certain species to be undertaken on site by a suitably qualified ecologist, in order to minimise ecological impacts from the proposal.

In light of the above, the submission of a fully detailed landscaping plan by condition could adequately mitigate the loss of trees proposed for removal on-site.

The proposal would have no adverse effect on European, UK or locally designated sites in accordance with LDP Policy Env 16 - Species Protection.

f) 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 81 metres squared for properties with three bedrooms. Three bedrooms or more with enhanced storage designed for growing families should have an internal floor area of 91 metres squared.

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.

Amenity of Future Occupiers

In terms of daylight, the properties will achieve satisfactory levels by virtue of the scale of glazed openings on the north elevations facing the street.

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.

The three-bedroom dwelling will have internal floor area of 143 square metres. The floor areas exceeds the space standards of the Edinburgh Design Guidance.

The private greenspace will be located to the north and east side of the building and comprise grass, shrubbery and trees. The size of this garden space will provide adequate amenity space for future occupiers in accordance with LDP policy Hou 3.

Joppa Quarry Park is also located nearby to the south of the site.

A Noise and Vibration Impact Assessment (NIA) has been undertaken to assess the potential impact from operations of the adjacent railway on the amenity of future occupiers.

The NIA identifies measures to address potential noise nuisance from the adjacent railway including glazing details and attenuator specifications and a noise barrier to comply with the relevant standards for internal and external amenity space.

Environmental Protection has been consulted on the proposal and accept these mitigation measures. In addition, that vibration levels are anticipated to be below the required standards.

These measures are accepted and considered appropriate mitigation to limit noise levels and safeguard the living conditions for future occupiers. Should the proposal have been acceptable on all other aspects, the full detail and specification of these measures would have been required by condition in order to safeguard future occupiers living environment.

Subject to the 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 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.

All proposed windows on the principal elevation would face the street side of Joppa Terrace. The distances retained from these windows to the facing residential properties front gardens of over 16m, and over 17m to front windows will prevent any adverse impact on these occupiers' privacy.

Further, the privacy of these properties front elevations is already compromised by their position facing onto the street. The distances retained would prevent any adverse impact on privacy of these occupiers as a result of overlooking.

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 north 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 Policy Des 2 and Policy Des 5.

g) 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.

The revised proposal has reduced the number of car parking spaces from 2 spaces to 1 in total which complies with the car parking standards.

As detailed above, the site is accessible by public transport with bus routes within close walking distance with pedestrian footways along these routes and Brunstane Railway Station nearby.

The site is located near Portobello Town Centre with access to a range of shopping facilities, other commercial and community services. These provisions are accessible on foot, cycle or public transport nearby.

Transport officers have raised no objection to the revised scheme following the car parking spaces reduced to one in total. No specific road or pedestrian safety issues arise from the proposal.

The car parking is positioned to the front of the building. It is modestly scaled in relation to the frontage and the existing planting will further reduce the visual impact of this space.

In regard to car parking, the proposal complies with LDP policy Tra 2 and broadly with Policy 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 cycle spaces should be provided for four habitable 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 9 cycle spaces are provided on-site. Secure, covered cycle stores to the eastern side, integrated within the proposed building. The proposed cycle provision therefore exceeds the required standards of the Edinburgh Design Guidance.

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.

h) Other Matters

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 has detailed the sustainability methods incorporated within the design in the planning statement.

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 accords with EDG standards. Sustainable modes of transport are encouraged through cycle storage provision for residents.

The development has been designed to maximise sustainable technologies including use of lightwells to increase penetration from the sun into the house, and incorporation of natural / recycled materials. In addition, the planning statement refers to use of an electric heat pump meaning the dwelling can be powered by renewable energy.

In light of the above, the proposal complies with LDP Policy Des 6 (Sustainable Buildings).

Network Rail

Network rail have been consulted on the proposals and have raised no objection subject to the full detail of planting adjacent to the railway boundary being supplied to the Local Planning Authority and agreed with Network Rail and thereafter implemented. This in on order to control impact of leaf fall on the operational railway.

Should the proposal have been acceptable on all other aspects, a condition would therefore have been recommended for the submission and implementation of a fully detailed landscaping plan with details agreed with Network Rail.

Advisory notes are also recommended in relation to access, fencing, tree removal, electrified railway, drainage, scaffolding and construction.

The Coal Authority

The Coal Authority has been consulted on the proposal and raised no objection. The application site is, or can be made, safe and stable for the proposed development. The Coal Authority would expect the proposed development to be carried out in accordance with the mitigation strategy included in the submitted Mineral Stability Risk Assessment.

Flooding

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

The Planning Committee on 30 March 2017 approved the implementation of a certificate procedure in relation to assessing potential flood impacts as a result of new development proposals during the application process.

Accordingly, a Surface Water Management plan is required to assess the impact of the proposal on surface water on the site. Should the proposal have been acceptable on all other aspects, a condition would have been recommended that before development on site can begin, the submission of a surface water management plan be provided to and approved in writing by the Local Planning Authority.

i) Public Comments

Material Representations - Objections

Open Space

- Site is not suitable for residential use - Addressed through the above report;
- Former communal use as railway allotments and now green space - Addressed in section 3.3 b);

- LDP Policy Env 18, City Council's Open Space Plan 2021 is applicable , Promotion of Green Infrastructure by Scottish Government is applicable - Addressed in section 3.3 b);
- Visual amenity value of landscaped area - Addressed in section 3.3 b);
- Community appearance changes in proposed plans, public's ability to use this space unclear - Addressed in section 3.3 b);

Conservation Area

- Proposal is out of keeping with traditional Victorian buildings in design, scale and location - Addressed in section 3.3 c);
- Adverse impact on traditional setting, character and spatial nature of the street - Addressed in section 3.3 c);

Ecology

- Limited ecological value from proposed community garden - Addressed in section 3.3 b) ;
- Adverse ecological impacts from proposed development - Addressed in section 3.3 e) ;

Roads

- Increased car usage from proposed dwelling - Addressed in section 3.3 g) ;
- Road safety and traffic issues - Addressed in section 3.3 g) ;

Other Matters

- Potential issues of subsidence, flooding - Considered through Coal Authority response and flooding sections in 3.3 h) ;

Material Representations - Support

- Open Space - Addressed in section 3.3 b) ;
- Existing land is brownfield - Addressed through section 3.3 b) ;
- Proposal provides community garden for public use - Addressed in section 3.3 b);
- Proposal will improve appearance of unkempt land - Addressed in section 3.3 b)
- Ecological value from proposed development - Addressed in section 3.3 e) ;

- Sustainable, energy efficient and eco-friendly - Addressed in section 3.3 h)
- Ecological value from replanting - Addressed in section 3.3 e) ;
- Sensitive design, form, materials and in keeping with character and appearance of area - Addressed in section 3.3 c) and d);
- Contributes to Scottish Government commitment for increased housing - The benefit the proposed dwelling would have to contributing to the housing stock is not considered to outweigh the non-compliance with LDP policies;
- No impact on neighbouring amenity Addressed in section 3.3 f);

Non-Material Representations - Objections

- Issues regarding existing consent to west of site including limited construction progress, condition of land and inaccuracies in application form - Each planning application is assessed on its own merits having regard to relevant policy and guidance ;
- Commercially disadvantaged by location, impacting on price of property due to noise and vibration - These matters cannot materially be assessed under this planning application ;
- Potential noise, disturbance and access issues during construction activity - Potential impact of construction activities cannot materially be assessed under this planning application ;

Conclusion

The proposal is contrary to the Edinburgh Local Development Plan. There are no material considerations that outweigh this conclusion.

The proposal is of an inappropriate design, the scale, form and position will have a detrimental impact on the setting of the conservation area and spatial character of the area.

The proposal will result in loss of open space that is of amenity value and will have a harmful impact on the quality and character of the local environment. The benefits from the proposed community garden do not outweigh the loss of this open space.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to Edinburgh Local Development Plan Policy Env 6 - Conservation Areas - Development, as the scale, form and location of the dwelling will result in loss of open landscape which will adversely impact on the setting of the conservation area.
2. The proposal is contrary to Edinburgh Local Development Plan Policy Des 4 - Development Design - Impact on Setting, as the form, scale, proportions and position of the dwelling is an incongruous addition in its surroundings that will have an unacceptable impact on the established character of the townscape.
3. The proposal is contrary to Edinburgh Local Development Plan Policy Env 18 - Open Space, as the development will result in the loss of open space that is of amenity value and will have a significant impact on the quality and character of the local environment.
4. The proposal is contrary to Edinburgh Local Development Plan Policy Des 1 - Design Quality and Context, as the proposed dwelling is an inappropriate design in scale, form and position that would have a damaging impact on the spatial character and appearance of the area.

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

101 representations have been received (62 objections, 38 support comments 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**

Edinburgh Local Development Plan - Urban Area

Date registered

9 July 2021

Drawing numbers/Scheme

01-04, 05A-07A, 08-11, 12A-14A, 15, 16,

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:

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

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

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

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high quality architecture, and the predominant use of traditional building materials

Appendix 1

Application for Planning Permission 21/03730/FUL At Land Opposite, 21 - 24 Joppa Terrace, Edinburgh Subdivision of garden to form house plot and erection of detached dwelling including landscaping, boundary treatment, parking and formation of community garden. (as amended)

Consultations

Archaeology:

The application site occupies the rear gardens for the late Victorian Joppa Station house. Historically coastal farmland located between the medieval village of East Duddingston to the south and Joppa and the coast to the north, the site lies within a wider landscape significant for prehistoric occupation.

Having assessed the scale and recent development history of the site, its location it is considered that it is unlikely that significant archaeological remains will be impacted upon and therefore it has been concluded that there are no, known, significant, archaeological implications.

Transport:

Further to the response dated 13 August 2021, the revised parking arrangements provide one car parking space. This meets the Council's parking standards and is considered acceptable. There are therefore no objections to the proposed application.

Environmental Protection:

The site forms part of an extended garden for the former rail station building at 2a Joppa Terrace. The majority of the site appears to be overgrown with trees and shrubbery. In recent years, at least part of the site has been used as an allotment. However, historically the site was developed with several buildings on the site and therefore shall be treated as brownfield land.

Consequently, a ground investigation condition has been recommended. The other main issue requiring consideration is noise and vibration from the rail line. A Noise Impact Assessment (NIA) was submitted in support of the application and it details glazing and attenuator specifications and a noise barrier to comply with the relevant standards for internal and external amenity space. These have been recommended as conditions.

The NIA of external amenity space was based on a 1.8m, boundary wall at the west of the site. No details of this could be found on the submitted drawings, therefore it has been included as a condition.

The assessment of vibration shows there is a low probability of complaints being received in accordance with the relevant standard. Therefore, the remedial measures outlined have been recommended as an informative.

Environmental Protection has no objections to this application subject to the attached conditions.

Network Rail:

Whilst Network Rail has no issues with the principle of the proposed development, we would have to object to the proposal unless the following condition is attached to the planning permission, if the Council is minded to grant the application:

Landscape Treatment at Boundary with Network Rail

No development shall take place on site until such time as details of tree/shrub species to be planted adjacent to the railway boundary are supplied to the Local Planning Authority and agreed with Network Rail. Where trees/shrubs are to be planted adjacent to the railway boundary these must be positioned at a minimum distance from the boundary which is greater than their predicted mature height. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Network Rail can provide details of planting recommendations for adjacent developments. All landscaping, including planting, seeding and hard landscaping shall be carried out only in full accordance with such approved details.

Advisory notes are also recommended in relation to access, fencing, tree removal, electrified railway, drainage, scaffolding and construction.

The Coal Authority:

The Coal Authority considers that the information submitted in support of this planning application is broadly sufficient for the purposes of the planning system and meets the requirements of the planning system in demonstrating that the application site is, or can be made, safe and stable for the proposed development.

The Coal Authority would expect the proposed development to be carried out in accordance with the mitigation strategy included on page 6 of the Mineral Stability Risk Assessment.

The Coal Authority therefore has no objection to this planning application on the basis of the information submitted.

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420
END

This page is intentionally left blank

Development Management Sub Committee

Wednesday 6 October 2021

**Application for Planning Permission 21/00054/FUL
at Western General Hospital, 55 Crewe Road South,
Edinburgh.**

**Construction of new Class 4 office and research facility.
Five-storey extension to the existing Systems Medicine
building (research facilities with associated support spaces,
cell offices, and meeting facilities), associated works
including landscaping, boundary treatments and cycle
provision (as amended)**

Item number

Report number

Wards

B05 - Inverleith

Summary

The proposal is acceptable in principle.

The proposal is of a high standard of design that in scale, form and materials is compatible with the existing building and character of the local environment. The proposal does not have a detrimental 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 the submission and implementation of a landscaping plan as required by condition.

The proposal does not result in an increased flood risk.

The proposal complies with the Edinburgh Local Development Plan. There are no other material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES12, LEMP01, LTRA02, LTRA03, LTRA04, LEN03, LEN06, LEN21, NSG, NSGD02, OTH, CRPINV,

Report

Application for Planning Permission 21/00054/FUL at Western General Hospital, 55 Crewe Road South, Edinburgh.

Construction of new Class 4 office and research facility. Five-storey extension to the existing Systems Medicine building (research facilities with associated support spaces, cell offices, and meeting facilities), associated works including landscaping, boundary treatments and cycle provision (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 an area of land that forms part of a class 4 office and research building on the north-east corner of the Western General Hospital site. The building is operated by the University of Edinburgh and forms part of the Institute of Genetics and Molecular Medicine.

The site is currently open, consisting of landscaping and paving. The north-east edge consists of a low-level stone boundary wall which borders an area of soft landscaping with a mix of plant species, some young trees and strips of greenspace. This frontage is continued to the south and separates the research building from the footway onto Crewe Road South.

The building is five storeys and was constructed in 2013/14. It is of a contemporary design, form and utilises modern materials including a projecting glazed façade with vertical detailing on the principal elevation.

The surrounding buildings that form part of the hospital complex are mainly four-storeys and date from the 1960/70s.

To the north, lies Porterfield Road, a one-way access road into the hospital complex. There is also a pedestrian access through the site between the buildings via Carrington Crescent.

To the east, lies Fettes College; a Category A listed building (27 October 1965, ref: LB27975). There are a number of listed buildings within the school grounds including the Category B listed West Lodge and Gates (12 December 1974, ref: LB30044) located near the proposal site to the east.

The site lies adjacent to the Inverleith Conservation Area on the east side of Crewe Road South. A dense wooded area and secondary access to the school can be viewed from the proposal site.

2.2 Site History

The site has the following relevant planning history:

16 June 2000 - planning permission granted for erection of a research laboratory (Cancer research building) (Application reference: 00/00234/FUL)

29 January 2013 - planning permission granted for new link building between three existing research buildings to provide: single entrance, central social/interaction hub, dry lab computational research space, offices, meeting rooms and lecture theatre (Application reference: 12/00329/FUL).

Main report

3.1 Description of the Proposal

The proposal is to extend the existing Systems Medicine (SMED) building to accommodate research space (laboratory and open plan 'dry' desk-based research areas), cell offices and meeting room spaces.

The building is five storeys with the floor levels and height to match the existing SMED building. The roof top accommodates roof plant open to air.

The lower levels are set back underneath a glazed element to the upper floors and the fourth floor is stepped back again forming an external terrace in line with the existing terrace on this level. The roof canopy to the existing SMED building is continued.

The design concept ties in with the existing building. The proposed materials include a large glazed curtain walling with vertical panelling and brick of varying tones on the north and east elevations.

Internally, at ground floor there will be a replacement cycle store which is currently located in the building to the north of the site, with 93 cycle spaces provided. An additional 8 new visitor cycle spaces will be provided externally at ground floor to the west of the existing building. The existing walkway on Carrington Crescent between the new and proposed buildings will be retained.

New landscaped area will be located to the front of the building with the existing stonewall rebuilt, and railings added to the northern section fronting Porterfield Road.

Supporting Information:

- Flood Risk Assessment
- Surface and Foul Water Management Plan
- Transport Statement

- Design and Access Statement
- Energy and Sustainability Statement and Report
- Softworks Maintenance Schedule

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

Previous Scheme:

- Proposed front boundary wall has been extended in length to the south and materials revised from brick to stone to match the existing front wall. Railings have been added to northern section of the wall.
- Alterations to material, massing and footprint of proposed plant room on rooftop of new building.

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.

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 preserve the character and setting of the listed building/s;
- d) the proposal will preserve or enhance the special character or appearance of the conservation area;
- e) the proposal will not result in an adverse impact on amenity;
- f) the proposal will have transport impacts;
- g) the proposal will not increase flood risk;
- h) the proposal will not result in the loss of trees worthy of retention;
- i) other material planning considerations have been addressed;
- j) all material comments raised have been addressed.

a) Principle

LDP policy Emp 1 - Office Development, supports high quality office developments in locations identified within categories (a) to (c) including the City Centre, other strategic centres, town and local centres.

Where these sites are unsuitable or unavailable, other accessible mixed-use locations may be considered in proximity to public transport nodes, compatible with the accessibility of the location by public transport and the character of the local environment.

The site does not fall within the above categories (a) to (c). However, the proposed development is for an extension to an existing office / research building. The intention of the scheme is to provide new replacement accommodation from the surrounding campus, therefore, the location of the site beside existing research facilities is the most geographically suitable and available in order to accommodate the scale that is sought.

There are a number of public transport links nearby the site, with a range of bus services located on Crewe Road South in close walking distance. The building is in character with the surrounding local environment. Its proposed use is the same as an established use in the area and the proposed modern design is in keeping with the design of the existing building and the varying form, scale and materials evident on the wider campus.

In light of the above, the proposal complies with LDP Policy Emp 1.

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 policy 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 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.

LDP policy Des 12 (Alterations and Extensions) states planning permission will be granted for alterations and extensions to an existing building which in design, form, materials and positioning are compatible with the character of the existing building and neighbourhood character.

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

The Western General Hospital Place Brief (2019) sets out principles to shape future development; a place-based approach including views and aspirations of the local community. The overarching criteria to good place-making includes distinctive places, safe and pleasant, welcoming, adaptable, resource efficient and easy to move around.

The brief includes the importance of simple high-quality design, appropriate heights, creation of strong frontages, useable greenspace and permeability through a site.

The overall design concept of the proposal is of a high-quality. The proposed materials are consistent with those used on the existing SMED building including a prominent glazed curtain walling along the frontage facing Crewe Road South, with concrete columns at ground level and multi toned brick on the north and south elevations. The height, form, floor plates and detailing will closely align with those existing. In terms of positioning, the proposal follows the existing building line. It would be located near the street edge on Porterfield Road and setback 2.5m from Crewe Road South at its closest point. There is range in the position of buildings relative to these streets and their coverage of the site that the proposal would not disrupt any defined spatial pattern. The building continues the high-quality distinctive design of the existing SMED building, as it is compatible in scale, form, materials and position.

It would be located on space that is open and contains areas of hard and soft landscaping which would require removal to facilitate construction of the building. Replacement soft planting is proposed to the front of the site which will provide continuity with the existing greenspace to the south and an attractive frontage.

As revised, the proposal would reinstate the existing low-stone boundary wall along the street edge. The boundary wall is a positive feature on the building's frontage, bordering the soft landscaping and marking the pedestrian walkway on Carrington Crescent therefore its reinstatement is supported. The addition of railings on the northern edge of the wall would be similar to the design of the existing front boundary to the north of the site. These additions are a modest proportion of the overall frontage of the building and their open-railing design would enable views of the soft landscaped frontage from the street.

The proposed layout will retain the existing walkway on Carrington Crescent which ensures permeability through the site and integration with surrounding buildings to the west.

The proposal is of a high-quality design, that is distinctive and coherent with the existing building and in keeping with the character of the townscape. An attractive frontage will be maintained through soft landscaping and reinstating positive features characteristic of the area.

Overall, the proposal complies with LDP Policies Des 1, Des 3, Des 4, Des 7, the Edinburgh Design Guidance and the principles of the Western General Place Brief.

c) Listed Building

LDP Policy Env 3 states that planning permission will be granted for development within the curtilage of a listed building or affecting the setting of a listed building if not detrimental to the architectural character, appearance or historic interest of the building, or its setting.

The proposal site lies to the west of the grounds to Fettes College, a Category A Listed Building. There are a number of listed buildings within the school grounds including the Category B listed West Lodge and Gates located near the proposal site to the east.

The distance retained from the proposal site to the listed building will not result in any adverse impact on the setting of the listed building. The scale, form and position of the proposal will not interfere with oblique views of the listed building or disrupt formal approaches.

The proposal does not conflict with LDP Policy Env 3.

d) Conservation Area

LDP Policy Env 6 (Conservation Areas - Development) states that development within a conservation area or affecting its setting will be permitted which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant character appraisal.

The Inverleith Conservation Area Character Appraisal emphasises the predominance of Georgian, Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of public and private open space. The villa streets are complemented by a profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas are in a considerable variety of architectural styles, unified by the use of local building materials.

The site lies adjacent to Inverleith Leith Conservation Area located east of Crewe Road South. The immediate character of the conservation area evident from the proposal site is of a dense, wooded landscape and high stone boundary walls fronting the road. The proposal will not impact on this character or the wider historic environment of the conservation area.

The proposal does not conflict with LDP Policy Env 6.

e) 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.

In regard to privacy and outlook, EDG states the pattern of development in an area will help to define appropriate distances between buildings and privacy distances. Further, that privacy on the streetward side is to a degree already compromised by the fact people in the street can come relatively close to windows of dwellings.

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.

The site lies more than 130 metres from the nearest residential dwellings to the north, east and west of the site. This distance would prevent any impact on these occupiers' amenity with regard to noise, daylight, sunlight, privacy or immediate outlook.

In regard to daylight, the proposal site is located in proximity to the Royal Victoria Building north of the site, a ward facility for the care of elderly residents. The existing windows of this building partly face onto the side gable of the CGEM building to the rear, and Crewe Road South to the front. The new building will project forward of this existing building facing Crewe Road South. However, a distance of 15 metres will be retained between these which will prevent any adverse impact on daylight.

In regard to sunlight, the proposed building is located south of greenspace which is part of the neighbouring development by Porterfield Road. This space is presently overshadowed by the footprint of existing buildings.

The proposal will cast shade on this space. However, this neighbouring development contains a central, landscaped garden area between buildings with seated areas for patients. This is the primary useable greenspace for these occupiers, and in this regard the additional shade cast from the proposal on this section of greenspace will not result in any unreasonable impact on neighbouring occupiers overall living environment.

In regard to privacy, outlook from the new building will mainly face onto Crewe Road South and Porterfield Road. The proposed glazing and upper floor balcony on the north elevation will afford outlook of the greenspace fronting the Royal Victoria building to the north. This space has limited privacy as existing, as it is visibility from the street and hospital windows. The new building retains a distance of over 15m to this space and views into this area will not raise any new privacy issues.

Further, the proposed use is the same as the established use of the existing SMED building, and it is not anticipated that any associated activities would give rise to any unreasonable level of noise or general disturbance. The plans include a plant and air source heat pumps to be located on the roof of the building. An informative has been included that this equipment shall be installed and designed as such to comply with NR 25 within any nearby residential properties.

Overall, the proposal will not result in an adverse impact on neighbour's living environment. The proposal complies with LDP Policy Des 5.

f) Transport

Cycle Parking

LDP Policy Tra 3 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 that Class 4-Business Uses in Zone 2 should provide a minimum of 1 cycle space per 150 m² for employees and 1 space per 1000 m² for customers.

Further, the Western General Place Brief refers to proposals incorporating the spirit of promoting accessibility by walking, cycling and use of public transport.

The proposal site (1,438 m²) provides 95 cycle spaces for employees on the ground floor with an additional 8 new visitor spaces via new Sheffield Stands near the buildings' entrance. This provision exceeds the EDG cycle requirements on-site, however, as this provision involves replacing existing cycle spaces (87 in total) in the CGEM building off-site, the submitted transport statement details how this impacts on cycle provision across the wider University campus.

The statement details that there is a current cycle provision of 149 spaces across the campus with 139 spaces for staff / students and 10 for visitors). The expanded campus (16,669 m²) has a minimum cycle parking requirement of 111 staff spaces and 17 visitor spaces. The proposal results in a net increase of 8 staff spaces from replacing the existing cycle store with a larger facility and 8 additional visitor spaces. In total, this provision is in excess of the standards of EDG requirements of 128 spaces (111 spaces for staff and 17 spaces for visitors) across the wider campus.

The provision of cycling spaces out with the site boundary cannot materially be assessed under this planning application. However, the transport strategy does detail that adequate cycle provision is accommodated across the campus for staff and visitors from this proposal and the existing buildings.

The design of the cycling spaces is appropriate for their use. Long-stay parking spaces are located at ground floor of the building in a secure, covered location. Short-stay spaces are accessible and convenient, located near the buildings' entrance via existing footways.

In light of the above, the proposal therefore complies with LDP Policies Tra 3, Tra 4, the Edinburgh Design Guidance and principles of the Western General Place Brief.

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.

Further, that lower provision will be pursued subject to consideration of factors including measures to reduce private car usage, the site's accessibility, existing availability of spaces off-site, the characteristics of the use and proximity to local amenities.

The site is identified within the Edinburgh Design Guidance Parking Standards as being within Zone 2. The standards identify that developments for Class 4 -Business Use within this area should have a maximum car parking provision of 1 space per 385 m². There is no minimum parking provision. Lower provision will be pursued subject to consideration of factors including the site's accessibility to public transport.

No additional car parking is proposed on-site.

The site is accessible by public transport. Lothian services 19, 24, 29, 37, 38, 47 and East Coast Service 113 are located on Crewe Road South within close walking distance with pedestrian footways along these routes. There are also bus services on Porterfield Road to the north and Telford Road to the west of the site.

A transport statement has been submitted which estimates traffic generated by the development and the potential impact on the surrounding road network. The statement states the development could generate 9-10 peak hour vehicle trips, however this is likely to be less as there is no planned increase in staff. Further, that it is anticipated that most people will travel by sustainable modes of transport.

The Roads Authority has raised no objections to the proposals.

No additional car parking spaces on-site is appropriate in this location as the site is well-served by sustainable modes of transport. No specific issues of road or pedestrian safety occur as a result. In tandem with the provision and design of cycle spaces detailed above, the development encourages reduced reliance on car journeys and increase in travel by a sustainable mode of transport in compliance with the overall objections of LDP Transport Policies.

g) 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 submitted Flood Risk Assessment. Surface water from the proposed development will be discharged to the Scottish Water combined sewer, and not to the existing SUDs system which in turn discharges to the watercourse to the south. Therefore, there will be no increased flood risk to the proposed developments to the south.

Flood Planning have been consulted on the proposal and raise no objections based on the revised Surface Water Management Plan; including incorporation of below ground SUDs features and Scottish Water's acceptance of the proposed discharge rate to the combined network.

In light of the above, the proposal, as revised, has been designed to mitigate potential flood risk and complies with LDP Policy Env 21.

h) Trees

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.

The Western General Place Brief refers to new buildings including useable articulated greenspace, the creation of strong frontages created through landscaping or buildings.

The existing soft landscaping to the front of the proposed building and northern section of the existing building will be removed to facilitate construction of the proposal.

These works include removal of three trees, shrub planting and greenspace. The trees are not protected and are of a low amenity value. The loss of these features and the soft landscaping is therefore acceptable subject to the provision of adequate mitigation.

A detailed planting scheme has been submitted including planting of four new trees and native wildflower species to the north and south boundary of the site. There is a requirement for full detail of this replanting scheme to be submitted and it to include the revised position of the front boundary wall.

The footprint of the building will result in reduced landscaped space. However, the submission of a fully detailed landscaped plan will create a strong, attractive frontage that provides continuity with the existing landscaped space bordering the SMED building. Adequate mitigation for the loss of the existing trees can be secured by replanting as part of a landscaping scheme.

Conditions are therefore recommended for the submission and thereafter implementation of a fully detailed landscaping plan. Subject to the approval of these details, the proposal complies with LDP Policy Env 12 and the principles of the Western General Place Brief.

i) Other Material Planning Considerations

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 site is located in an urban area with good public transport links, allowing reduced reliance upon the car. Sustainable modes of transport are encouraged through appropriate design and cycle storage provision for residents.

Further, the Western General Place Brief states energy strategies should be designed to deliver the most appropriate efficient, carbon saving, quality and cost-saving solutions for building users.

The applicant has submitted a sustainability statement in support of the application which details a number of carbon reduction technologies proposed including use of materials designed to minimise heat loss, solar control and low energy lighting.

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

h) Representations

Material Comments- Objections

- Surface Water Management should be submitted and suitably effective prior to commencement of construction - Addressed in section 3.3 g);
- Neighbouring residential properties experience existing flooding of gardens and homes. SUDS issues need to be addressed as part of the development before commencement of any construction works - Addressed in section 3.3 g);
- Additional buildings will not help flooding issues Addressed in section 3.3 g);
- Potential noise disturbance from proposal site and wider site and disturbance to residential properties - Addressed through section 3.3 e);

Non-material Comments

- House prices - This matter cannot materially be assessed as part of this planning application;

Conclusion

The proposal complies with the Edinburgh Local Development Plan. The proposal is acceptable in principle. The proposal is of a high standard of design that in scale, form and materials is compatible with the existing building and character of the local environment. The proposal does 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 the submission and implementation of a landscaping plan as required by condition. The proposal does not result in an increased flood risk.

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

3.4 Conditions/reasons/informatives

Conditions :-

1. Prior to first use of the development, 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.
2. The landscaping scheme approved under condition 1, shall thereafter be fully implemented prior to first use of the development.

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 ensure that the approved landscaping works are properly established on site.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

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

Eight representations have been received.

Background reading/external references

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

**Statutory Development
Plan Provision**

Edinburgh Local Development Plan - Urban Area

Date registered

4 February 2021

Drawing numbers/Scheme

01-03, 04A, 05-18, 19A, 20, 21A, 23, 24A, 26A-29A, 30,
31,

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:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

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

LDP Policy Emp 1 (Office Development) identifies locations and circumstances in which office development will be permitted.

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

Other Relevant policy guidance

The Inverleith Conservation Area Character Appraisal emphasises the predominance of Georgian, Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of public and private open space. The villa streets are complemented by a profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas are in a considerable variety of architectural styles, unified by the use of local building materials.

Appendix 1

**Application for Planning Permission 21/00054/FUL
At Western General Hospital, 55 Crewe Road South,
Edinburgh
Construction of new Class 4 office and research facility.
Five-storey extension to the existing Systems Medicine
building (research facilities with associated support spaces,
cell offices, and meeting facilities), associated works
including landscaping, boundary treatments and cycle
provision (as amended)**

Consultations

Scottish Environmental Protection Agency:

We have reviewed the flood risk assessment (FRA) which supports this planning application and the comments from CEC's own flooding team.

We have no objection to the proposed development on the grounds of increased flood risk.

Surface water from the proposed development will be discharged to the Scottish Water combined sewer, and not to the existing SUDs system which in turn discharges to the watercourse to the south. Therefore, there will be no increased flood risk to the proposed developments to the south.

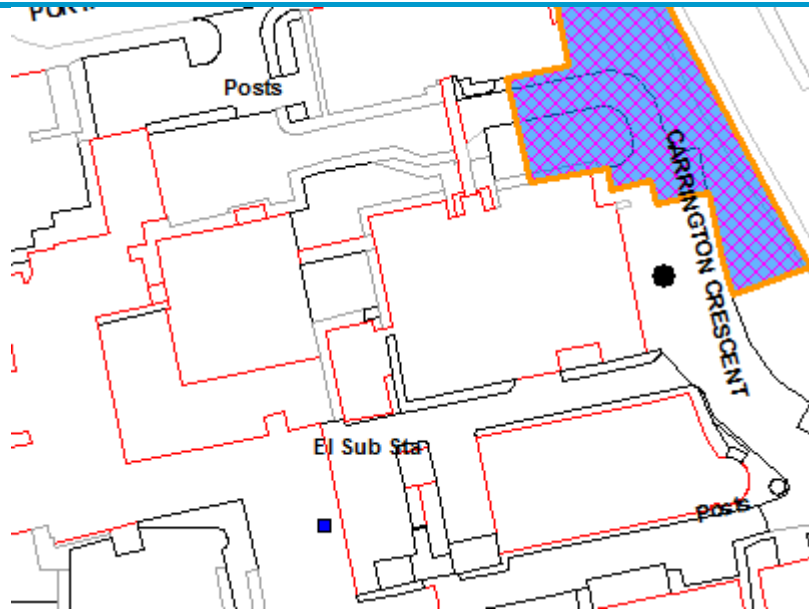
Flooding:

Based on the clarifications, updated Surface Water Management Plan checklist and Scottish Water confirming they accept the proposed discharge to the combined network - our previous consultation comments have been addressed. This application can proceed to determination, with no further comments from CEC Flood Prevention.

Transportation Planning:

No objections.

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420
END

Development Management Sub Committee

Wednesday 6 October 2021

**Application for Planning Permission 21/03481/FUL
at 34 Fettes Row, Edinburgh, EH3 6RH.
Residential development with ground floor commercial uses
and associated landscaping and infrastructure.**

Item number

Report number

Wards

B05 - Inverleith

Summary

Compliance with the Listed Buildings & Conservation Areas Requirements

The historical assets within the area have been assessed against the relevant legislation, guidance and LDP Policies.

The changes to the blocks on Plot 1 will not interfere with the setting of Royal Crescent, which was a concern of Historic Environment Scotland (HES) in regards to the previous proposals. In terms of the buildings on Brandon Street/Eyre Terrace, the proposed sheer masonry facades will continue to step down Dundas Street following the established form of the Georgian tenements. Although there will be changes to the set-back of the upper levels, the scale of the buildings will be regularised and the removal of the hotel rooftop bar is supported.

The changes will not have a detrimental impact on the setting of any surrounding listed buildings. Therefore, with reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals preserve the character and setting of the listed buildings.

Overall, the development does not remove or detract from key characteristic components of the conservation area that gives the area its special interest. It will contribute to the architectural quality of the area with contemporary high quality buildings, designed to respond to its historic and modern urban environment. The different responses to the various edges of the site, including along Dundas Street and Eyre Terrace are acceptable.

Therefore, with reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals preserve and enhance the character and appearance of the conservation area, in compliance with LDP Policy Env 6 (Conservation Areas - Development).

Compliance with the Development Plan

The proposed use of the plot for residential development is supported by Policy Hou 1 (Housing Development). The ancillary uses within the development aid in providing an element of sustainability and are acceptable within the context of a wider regeneration scheme, which is in an accessible location.

The development of this plot will not have an adverse impact on the Inventory Garden and Designed Landscape and complies with Policy Env 7 (Historic Gardens and Designed Landscapes). Likewise, the proposals will not have a detrimental impact on the setting or outstanding universal values of the World Heritage Site.

Overall, the design makes a positive contribution to the area and will add to its sense of place. The design, scale and layout are acceptable.

Potential impacts on the amenity of future residential in terms of noise can be addressed through conditions. There are some infringements in relation to daylighting. However, daylighting to adjacent properties is generally acceptable and the impacts on the proposed development are improved over the previous scheme. Open Space has been provided primarily on the rooftop areas.

The proposal is acceptable in transport grounds with suitable access to the site and the proposed car and cycle parking meets the Council's standards as set out in the Edinburgh Design Guidance.

In all other respects the proposed development is acceptable, subject to conditions and a legal agreement. The proposal therefore complies with the development plan. There are no other material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES11, LEN01, LEN03, LEN06, LEN07, LEN09, LEN16, LEN21, LEN22, LEMP09, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU10, LRET06, LRET11, LTRA02, LTRA03, LTRA04, LTRA09, LRS01, LRS06, HES, HESCAC, HESSET, NSG, SGDC, NSGD02, NSESBB, NSHAFF, CRPNEW,

Report

Application for Planning Permission 21/03481/FUL at 34 Fettes Row, Edinburgh, EH3 6RH. Residential development with ground floor commercial uses and associated landscaping and infrastructure.

Recommendations

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

Background

2.1 Site description

The site extends to 5,187 square metres in area and forms the north-west section of the wider New Town North development site.

The site is bounded by Dundas Street to the west and Eyre Terrace to the east. There is an existing adjacent residential development immediately adjacent to the northern boundary of the site, which fronts onto Eyre Place and is arranged around a courtyard positioned to the rear of the building (referred to as the Applecross development). This building is up to five storeys in height with a basement.

The southern boundary of the site terminates at the northern elevation of the office building, which was granted as part of application 20/03034/FUL and occupies the south west corner of the New Town North site.

The existing buildings on the site comprise two vacant, linked modern office buildings. One is the main modern office, formerly occupied by RBS, and the other (only partially within the site) is the former data centre.

Pedestrian access through the site is currently restricted by the presence of vacant office buildings which front onto Dundas Street at the western boundary of the site, and onto Eyre Terrace at the eastern boundary.

The trees on Dundas Street have now been removed.

Vehicular access to the site is provided via Eyre Terrace, which connects into the wider road network at its junction with Eyre Place.

The site is located within the New Town Gardens Inventory Garden and Designed Landscape (GDL).

There are no listed buildings within the site boundary. However, there are a number of listed buildings within proximity of the site, including Category B listed buildings on Fettes Row and Eyre Place, and Category C listed buildings on Eyre Crescent.

The site is located to the north of the northern boundary of the Old and New Towns of Edinburgh World Heritage Site (WHS).

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

2.2 Site History

Relevant recent history:

1 March 2015 - application for conservation areas consent granted for the demolition of 7 Eyre Terrace and existing warehouse known as the Scotsman Building (application number 14/01126/CON).

3 August 2018 - application for planning permission in principle for demolition and residential-led mixed-use redevelopment comprising residential; retail (Class 1); financial, professional and other services (Class 2); food & drink (Class 3); business (Class 4); hotel/Class 7; care home (Class 8); car parking, access and other associated works; detailed approval of the siting and maximum height of building blocks; landscaping strategy; location of principal pedestrian/cycle routes and points of pedestrian and vehicular access/egress withdrawn (application number 16/05454/PPP).

3 August 2018 - application for conservation area consent for complete demolition in a conservation area withdrawn (application number 16/05455/CON).

2 April 2020 - Conservation area consent granted for complete demolition of derelict cottage in a conservation area (application number 20/00705/CON)

7 January 2021 - planning permission in principle granted for a mixed use development including retail (class 1), financial, professional and other services (class 2), food and drink (class 3), business (class 4), hotels (class 7), residential (class 8, 9 and sui generis), car parking and other works on land at the northwest of the site. The approval was for the siting and maximum height of principal building block, points of vehicular/ pedestrian access and egress at 7, 11, 13 Eyre Terrace (application number 14/01177/PPP).

17 February 2021 - associated application for conservation area consent granted for the demolition of the existing buildings within the site (application number 20/03661/CON).

17 February 2021 - associated planning application granted for the formation of path linking through to King George V Park and associated landscaping (application number 20/03655/FUL).

1 September 2021 - permission granted for the demolition of existing buildings and erection of mixed-use development comprising residential, hotel, office and other commercial uses, with associated landscaping / public realm, car parking and access arrangements was presented to the Development Management Sub-Committee and was granted subject to a legal agreement. The Committee did not approve the part of the site which is the subject of the application (application number 20/03034/FUL).

Main report

3.1 Description of the Proposal

Background

Condition 23 of the Decision Notice for 20/03034/FUL states:

"Notwithstanding what is shown on the drawings, the block of housing and hotel which is located between Dundas Street and Eyre Terrace shall not be constructed above the level of the car park the reason is in order to adequately preserve residential amenity for existing residents and ensure adequate amenity is provided for the new housing."

This condition was applied following a decision by the Development Management Sub-Committee in February 2021 regarding the impact of the proposals on the residential amenity of existing residents, primarily those living in the existing residential development adjacent to the site to the north (the Applecross Development), and the amenity of future occupiers of the proposed development.

The imposition of this condition means that under permission 20/03034/FUL the mid-market rent (MMR) accommodation and the hotel, subject of that permission, can be constructed no higher than car park level. In effect, the MMR and hotel buildings do not benefit from planning permission above car park level. The condition does not prevent the construction of the 'podium deck'. All car parking within the site is located below the podium deck and therefore concealed from view at street level.

Therefore, this proposal seeks permission for an amended residential development with ground floor commercial uses and associated landscaping and infrastructure, on the site which was previously occupied by the hotel (Plot 1) and adjoining residential development. For clarity, a hotel is no longer proposed.

The proposed residential development is split into Build to Rent (BTR) and Mid-Market Rent (MMR).

Build to Rent

The Build to Rent accommodation is positioned between Dundas Street to the west and Eyre Terrace to the east. It is five storeys in height at Dundas Street, and seven storeys (with a recessed eighth storey) at Eyre Terrace.

The new public pedestrian route through the site, which links Dundas Street with King George V Park, approved under application 20/03034/FUL, is situated to the south, beyond which is the approved office accommodation.

A shared private courtyard is created to the north between the proposed BTR and MMR buildings.

There are 66 units proposed within the build to rent (BTR) building. These are a mix of studio apartments and one, two and three-bed accommodation.

In total, there are ten studio apartments, 31 units with one bedroom, 15 units with two bedrooms and ten units with three bedrooms.

The majority of the units are arranged around a central corridor resulting in 52 single aspect units.

Residents of the BTR building will have access to communal external amenity space at roof level, which extends to 870 square metres, accessed directly via communal lift and stair cores, in addition to a shared private courtyard providing a further 535 square metres of external amenity space. This courtyard is accessed directly from an entrance point on Dundas Street, as well as directly from three main door entry units situated on the perimeter of the courtyard. These three units have access to their own private garden/terrace.

The main entrance to the building is located at its south west corner providing frontage onto both Dundas Street and the new public pedestrian route. At this entrance point is a managed foyer providing access to the building's primary core and all upper levels of accommodation, as well as the roof terrace.

A pend route from Dundas Street provides access to the shared private courtyard and main door entry apartments on the north facing elevation of the BTR building.

The Mid Market Rent Building

The mid-market rent (MMR) accommodation is situated between Dundas Street and Eyre Terrace and sits between the existing adjacent residential development at the northern boundary of the site and the proposed new BTR accommodation to the south.

The accommodation is arranged over five storeys (with a recessed sixth storey) at Dundas Street, and similarly at five storeys with a recessed sixth storey on Eyre Terrace.

A total of 108 units are provided within the MMR building, comprising a range of one, two and three-bed units. There are 57 units with one bedroom, 29 units with two bedrooms and 22 units with three bedrooms.

These 108 units will be delivered as unsubsidised, discounted rent, with rent levels set at the published Broad Rental Market Area (BRMA) 30th percentile. The MMR dwellings proposed comprise the affordable requirement for the wider New Town North development.

As above, a shared private courtyard, extending to 535 square metres, is created to the south between the MMR and BTR buildings.

In addition, external amenity space is provided at roof level across two terraces, accessed directly via communal lift and stair cores. These terraces extend to 745 square metres and 225 square metres.

Private external amenity space is provided for the ground floor units within the courtyard formed with the existing adjacent Applecross development. A boundary treatment will separate this private external amenity space with that associated with the Applecross development to the north.

Several of the MMR units have access to their own private garden/terrace on the perimeter of the communal courtyard shared with the BTR building. Ground floor units with frontage onto Dundas Street and Eyre Terrace also have access to their own private garden/terrace.

Commercial Units

The proposed development includes commercial uses extending to approximately 580 square metres across four units at the ground floor of the BTR building, at the corner of Dundas Street and the new internal street. The applicant has confirmed that these are to be either Class 1 Shops or Class 3 Food and Drink uses.

Car and Cycle Parking

With regards to car parking, the parking strategy for Plot 1 is linked to that for the wider New Town Quarter site. All car parking within the site is located below the podium deck and therefore concealed from view at street level.

A total of 164 car parking spaces are provided across the entire New Town Quarter site, including 15 accessible spaces. Of the overall 164 parking spaces, 28 will be equipped with a 7Kw type 2 electric vehicle charging socket. The remainder of the spaces will be provided within a 3Kw charging socket which has the ability to be upgraded to 7Kw.

A total of 44 car parking spaces are assigned to the BTR/MMR uses (including the BTR1 building approved as part of the wider New Town Quarter development).

A total of 370 cycle parking spaces (part of 950 cycle parking spaces across the entire New Town Quarter site) are provided within several storage spaces. These spaces are provided throughout the car park level in defined secure areas, allocated to each specific building.

External Materials

The external finishing materials are proposed to be a mix of natural stone, pre-cast stone, metal cladding, brick and render.

SUDS and Drainage

The development will achieve treatment of the surface water runoff via filtration processes. The surface water will be collected and treated at source via a system of green roofs and porous hardstanding across the extent of the development. Each roof within the development, including hardstanding at podium level, has been designed to allow passage of water through its surface into a cellular blue roof system below.

As the majority of exposed surfaces within the development comprise roofs and hardstanding at podium level, runoff at ground level is limited however all flows will be captured and treated at ground level where required, prior to discharge to underground storage tanks.

The following documents were submitted in support of the application:

- Design and Access Statement (DAS);
- Environmental Impact Assessment (EIA) Report Addendum;
- Pre-Application Consultation Report;
- Affordable Housing Statement;
- Heritage and Townscape Statement Addendum;
- Sustainability Statement;
- S1 Sustainability Statement Form;
- Transport Assessment, and;
- Daylight and Sunlight Report.

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

3.2 Determining Issues

Due to the Site being located within the New Town Conservation Area and its proximity to listed buildings, the proposed development first requires to be assessed against Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 means that there is a strong presumption against granting planning permission for development which would harm a listed building or its setting. If engaged, the presumption can only be rebutted if the advantages of the scheme are sufficient to outweigh that strong presumption.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 means that there is a strong presumption against granting planning permission for development which would conflict with the objective of preserving or enhancing the character or appearance of the conservation area. If engaged, the presumption can only be rebutted if the advantages of the scheme are sufficient to outweigh that strong presumption.

The determining issues to consider in terms of assessing the development against Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 are:

- Would the development harm a listed building or its setting? If it would, are there any advantages of the proposal that are sufficient to outweigh the strong presumption against granting planning permission?
- Would the development conflict with the objective of preserving or enhancing the character or appearance of the conservation area? If it would, are there any advantages to the proposal that are sufficient to outweigh the strong presumption against granting planning permission?

If the Development complies with Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, it then requires to be considered in terms of Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997. Section 25 requires that the determination shall be made in accordance with the development plan unless material considerations indicate otherwise.

The determining issues to consider in assessing this are:

- 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 will result in no significant harm to the character and setting of any listed buildings;
- b) The proposal will result in no significant harm to the character and appearance of the New Town Conservation Area;
- c) The principle of development is acceptable;
- d) The proposal will have a detrimental impact on the character of the New Town Gardens Designed Landscape Inventory Site;
- e) The proposal will preserve the outstanding universal value of the Old and New Towns of Edinburgh World Heritage Site;
- f) The design, scale and layout is appropriate;
- g) The proposal will have a detrimental impact on amenity;
- h) The proposal raises any issues in respect of transport and road safety;
- i) There are other material considerations;
- j) The Environmental Impact Assessment Report is acceptable;
- k) Equalities issues are acceptable and
- l) Public representations have been addressed.

a) The Impact on Listed Buildings

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."*

In this case, there are a number of listed buildings which are affected by the development. The listed buildings are all out with the application site, and therefore the primary consideration in the assessment of these proposals is the impact on the character and setting of these listed buildings.

This assessment has to be made within the parameters of having special regard to the desirability of preserving the character of these buildings or their settings, or any features of special architectural or historic interest which they possess. Similarly, LDP Policy Env 3 (Listed Buildings - Setting) states that development affecting the setting of a listed building will be permitted only if not detrimental to the appearance or character of the building, or to its setting.

Historic Environment Scotland's document 'Managing change in the Historic Environment - Setting' states that 'setting' is the way the surroundings of an historic asset or place contribute to how it is understood, appreciated and experienced. The document states that where development is proposed it is important to:

- Identify the historic assets that might be affected;
- Define the setting of each historic asset and
- Assess the impact of any new development on this.

In order to address the Act, Historic Environment Policy and LDP Policy Env 3, the assessment is divided into the individual (or relevant groups) of listed buildings:

For the purposes of this assessment, the listed buildings along Fettes Row and Royal Crescent are assessed together, as they are a contiguous row of properties.

Fettes Row and Royal Crescent

Category A Listed Buildings:

- 1 - 13A (Inclusive Nos) Royal Crescent, 24 and 24A Dundonald Street and 26-28 (Even Nos) Scotland Street, Including Railings and Lamps (reference LB29679, listed 22/09/1965); and
- 15 - 23A (Inclusive Nos) Royal Crescent, and 15 Dundonald Street, Including Railings and Lamps (reference LB29680, listed 22/09/1965).

Category B Listed Buildings:

- 1-12 (Inclusive Nos) Fettes Row, and 99-103 (Odd Nos) Dundas Street, including railings and lamps with 13 North East Cumberland Street Lane Including Wall (reference LB28754, listed 15/07/1965).

Brandon Street and Eyre Place

Category B Listed Buildings:

- Brandon Street 1-16 And 1-7a Eyre Place (reference LB28341, listed 25/11/1965).

Category C Listed Buildings:

- 1-29 Eyre Crescent and 21-23 Eyre Place (reference LB28739, listed 19/12/1979);
- Eyre Place 25-31 (reference LB28741, listed 19/12/1979).

These proposals relate to an area of the site within the wider New Town North development site; specifically, to Plot 1 between Dundas Street and Eyre Terrace, where it is proposed to replace the proposed hotel element in favour of residential units.

The changes to the blocks on Plot 1 will not interfere with the setting of Royal Terrace, which was a concern of Historic Environment Scotland (HES) in regards to the previous proposals. In terms of the buildings on Brandon Street/Eyre Terrace, the proposed sheer masonry facades will continue to step down Dundas Street following the established form of the Georgian tenements. Although there will be changes to the set-back of the upper levels, the scale of the buildings will be regularised and the removal of the hotel rooftop bar is supported.

Listed Buildings - Conclusion

HES does not consider the resultant proposed changes would result in any significant concerns, and the changes will not have a detrimental impact on the setting of any surrounding listed buildings.

Therefore, with reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals preserve the character and setting of the listed buildings.

b) The Impact on the 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."*

The site is located within the New Town Conservation Area. The essential characteristics of the New Town Conservation Area Character appraisal include:

- the formal plan layouts, spacious stone-built terraces, broad streets and an overall classical elegance;
- views and vistas, including- terminated vistas that have been planned within the grid layouts, using churches, monuments and civic buildings, resulting in an abundance of landmark buildings. These terminated vistas and the long-distance views across and out of the Conservation Area are important features;
- the generally uniform height of the New Town ensures that the skyline is distinct and punctuated only by church spires, steeples and monuments;
- grand formal streets lined by fine terraced buildings, expressing neo-classical order, regularity, symmetry, rigid geometry, and a hierarchical arrangement of buildings and spaces;

- within the grid layouts, there are individual set pieces and important buildings that do not disturb the skyline;
- the New Town can also be viewed from above at locations such as the Castle and Calton Hill, which makes the roofscape and skyline sensitive to any modern additions;
- the setting and edges of the New Town and Old Town;
- boundaries are important in maintaining the character and quality of the spaces in the New Town. They provide enclosure, define many pedestrian links and restrict views out of the spaces. Stone is the predominant material;
- new development should be of good contemporary design that is sympathetic to the spatial pattern, scale and massing, proportions, building line and design of traditional buildings in the area;
- any development within or adjacent to the Conservation Area should restrict itself in scale and mass to the traditionally four/five storey form.

The supporting Heritage and Townscape Statement has assessed the effects on the Conservation Area as a whole, and this assessment has had regard to the essential characteristics of the Second (Northern) New Town. In this regard, the key aspects that are assessed below are the impacts of the development on formal planned alignment of the New Town, height and skyline, setting and edges, material palette, design quality and land use. A detailed visual impact assessment in the EIA Report has informed an understanding of the distant and local views that contribute to the character and appearance of the Conservation Area.

Formal planned alignment of the New Town, Setting and Edges

The established spatial hierarchy of the New Town is a key characteristic of the conservation area. The historic plan forms, coupled with the dramatic topography, results in important, terminated and long vistas with landmark features.

In this case, it is the views along Dundas Street that contribute to the clarity of the urban structure of the planned Second New Town. Alignment of key buildings, and the most visually prominent parts of this proposal in terms of key views, are the elevations down Dundas Street and along Eyre Terrace.

With this in mind, it is the proposed façade design of the buildings, including the selection of materials, that helps to assimilate the new buildings into the surrounding townscape and mitigate the apparent changes when viewed within this context. Furthermore, whilst the development along Eyre Terrace rises above the adjacent existing properties, the topography of the land at this location, plus the rationalisation of the roofscape helps to alleviate the perception of scale and align it closer to the levels of the larger surrounding development.

Height, Skyline and Views

The Conservation Area Character Appraisal identifies the importance of a cohesive, historic skyline and its contribution to the character of the conservation area. It also highlights the need to avoid incremental skyline erosion through increased building heights.

Likewise, LDP Policy Des 4 supports development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form, scale and proportions, including the spaces between buildings and position of buildings and other features on the site and materials and detailing. This is assessed within the context of the conservation area. The proposed development allows for key views to be retained, albeit in an altered sense. Within the context of the wider conservation area, there is a minimal impact on the skyline and views.

Material Palette

The prevailing materials within this part of the conservation area are natural stone and slate roofs.

Materials are particularly important in order to achieve a cohesive development with the conservation area, and to provide a high-quality urban environment. This proposal shows a mix of external materials, but on the main street-facing elevations, the predominant material is stone. Views across rooftops, will be green terraces or sedum roofs, and this helps to integrate the development into the adjacent park.

The proposed materials are appropriate within the context, however a condition is recommended, in order to ensure appropriate quality of materials.

Design Quality

The New Town Conservation Area Character Appraisal states that new buildings should be a stimulus to imaginative, high quality design and seen as an opportunity to enhance the area. Direct imitation of earlier styles is not encouraged, but rather new buildings should be designed with respect for their context. In this regard, contemporary designs that are sympathetic and complementary to the spatial pattern, scale and massing, proportions, building line and design of traditional buildings in the area are supported. This issue is assessed further below, however at this stage, the design quality of the buildings is reflective of the proportions of the existing traditional tenements, while providing a contemporary design. Within the conservation area, the proposed design quality is appropriate.

Land Use

The mix of uses within the site is reflective of the surrounding area. The existing retail and commercial uses are complemented within the development with the introduction of similar uses. Residential use is also welcomed, and is reflective of the character of the surrounding area.

Conclusion

The proposal does not impact adversely or significantly on city-wide views and townscape character. The mass and scale of the new buildings will complement the spatial characteristics of the planned New Town at this location. The proposal seeks to form a new planned alignment along the key streets, and the result is an acceptable urban form in this location.

Overall, the development does not remove or detract from key characteristic components of the conservation area that gives the area its special interest. It will contribute to the architectural quality of the area with contemporary high quality buildings, designed to respond to its historic and modern urban environment. The different responses to the various edges of the site, including along Dundas Street and Eyre Terrace are acceptable.

Therefore, with reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals preserve and enhance the character and appearance of the conservation area, in compliance with LDP Policy Env 6.

c) The Principle of the Development

The principle of the development has been accepted through the application for the redevelopment of the wider New Town North site (20/03034/FUL).

Housing:

LDP Policy Hou 1 (Housing Development) states that priority will be given to the delivery of housing land supply and relevant infrastructure. Criteria (d) relates to other suitable sites in the urban area, provided the proposals are compatible with other policies in the plan.

In general, the mix of housing proposed - build to rent and affordable - is acceptable at this location.

Employment Space:

LDP Policy Emp 9 (Employment Sites and Premises) seeks to ensure that proposals for redevelopment of sites over one hectare which are or were last in employment use contribute to the city's stock of flexible small business premises.

Although the application site for Plot 1 is under one hectare, it should be considered alongside the wider development site. Considering a co-ordinated approach to the wider site, an office block with a gross area of 9,820 sqm with accommodation over five floors has been granted as part of application 20/03034/FUL. This satisfies the requirements of Policy Emp 9.

Other uses:

Commercial/retail units covering approximately 580 sqm is proposed on the ground floor of the BTR block.

LDP Policy Ret 6 (Out of Centre Development) sets out the approach to retail uses in out of centre locations, including considering deficiencies in the retail offering, consideration of alternative sites within or on the edge of identified centres, impact on existing centres and the sites accessibility.

The location of the site is not within a retail centre, though there is an identified local centre on the opposite side of Dundas Street. The wider area also contains a mix of uses and is in an accessible location. A mix of uses is encouraged on this site and forms part of a comprehensive and co-ordinated redevelopment. A minor departure from the retail policy in terms of the location of retail development in out-of-centre development is acceptable in this instance as it is an ancillary use and will add to the vibrancy of the area.

LDP Policy Ret 11 (Food and Drink Establishments) relates to class 3 uses. Although the policy describes changes of use of existing shop units the considerations in relation to amenity and concentration of uses are relevant. The site is not within an identified area of restriction, whilst amenity issues are considered in section 3.3g), but in general terms a mix of units and uses are acceptable as part of a larger regeneration scheme.

Overall, the site is in an accessible location and the units have been designed as an integral part of the scheme providing activity to the new route created through the site. Having a mix of uses in a development can help both its sustainability and the sustainability of an area as a whole. The proposed ancillary uses are welcomed to provide local services and employment opportunities and create active frontages.

In summary, the principle of redeveloping this site for the range of uses proposed is supported.

d) The Impact on the New Town Gardens Designed Landscape Inventory Site

LDP Policy Env 7 (Historic Gardens and Designed Landscapes) sets out that development will only be permitted where there is no detrimental impact on the character of a site recorded in the Inventory of Gardens and Designed Landscapes, adverse effects on its setting or upon component features which contribute to its value.

The site is located within the New Town Gardens designated Garden and Designed Landscape (GDL).

The inventory notes that the internationally recognised New Town Gardens comprise a series of 18th and 19th century town gardens, squares and walks. Although broadly contemporary with other developments in city planning, Edinburgh New Town has the most extensive system of public and private open space, designed to take full advantage of the topography and Edinburgh townscape.

It continues that it is a series of 18th and 19th century town gardens, squares and walks, which, together with the surrounding buildings are collectively termed the 'New Town', and the result of neo-classical town planning.

The previously granted BTR block to the west of the park focuses on creating strong active frontages to the existing King George V park, creating a new street which significantly improves levels of passive surveillance.

Planning permission in principle has also previously been granted for development next to the western boundary of the park. Trees will be retained along this boundary.

Buildings of the 20/03034/FUL permission will sit between King George V Park and the application site. As such, there will be no impact from the application proposals on the park. The proposal does not have an adverse impact on the Inventory Garden and Designed Landscape and complies with Policy Env 7 (Historic Gardens and Designed Landscapes).

e) The Impact on the Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site

LDP Policy Env 1 (World Heritage Sites) states that development will not be permitted which would have a harmful impact on the qualities which justified the inscription of the Old and New Towns of Edinburgh World Heritage Site, or would have a detrimental impact on the setting of the World Heritage Site.

Setting includes sites located in the immediate vicinity of the World Heritage Site (WHS), such as this application site, which lies to the immediate north of the WHS boundary.

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

The WHS Management Plan accepts that inevitably change will occur within the WHS. An EIA Report has been submitted with the application to assess the effects of this change.

The applicable attributes to the OUV that may be affected by the proposed development on the edge of the WHS are:

Architectural Quality:

- The New Town plans establish major axes which are addressed by formal set piece architecture, often designed by the leading architects of the day. The North Bridge vista is closed by Robert Adam's Register House. Looking east along George Street, the view is closed by William Chambers' Dundas House. Melville Street aligns with George Gilbert Scott's St Mary's Episcopal Cathedral.
- The overwhelming majority of New Town buildings date from the period 1770-1870. Their form was rigidly controlled by a series of feudal conditions. Main doors approached across stone entrance platts bridging the basement area and often marked by entrance lamps are characteristic, as is the regularity of scale.
- More recent buildings throughout the Site reflect a variety of different approaches to development in historic areas, while respecting their context and wider setting.

Topography, Planned Alignments and Skyline:

- The Old and New Towns both exploit the topography of their site and the value of views both within and out from it to maximum effect. The historic plan forms allied to the dramatic topography results in important terminated and long vistas and landmark features
- The distinctive and cohesive historic skyline is dominated by The Castle, the spires of the Old Town and Arthur's Seat.
- The New Town is characterised by its disciplined facades with palace fronts in local sandstone. They create a regular pattern of stately streets, squares and crescents, interspersed by formal gardens, and containing a series of major classical buildings by architects of the stature of Robert Adam

In a similar manner The Edinburgh World Heritage Trust (EWHT) indicates that they have broken down the qualities of the OUV into 5 overarching themes and the two most likely to be affected are:

- 'A Model City': The Old and New Towns embody the changes in European urban planning from inward looking, defensive walled medieval cities, through 18th and 19th centuries formal Enlightenment planning, to the 19th century revival of the Old Town with its adaptation of a Baronial style of architecture in an urban setting.
- 'Iconic Skyline': The dramatic hills and green spaces of the landscape, plus key buildings of the Old and New Towns give Edinburgh its iconic skyline that has inspired generations of artists, writers, visitors and residents.

The proposed building would contribute to the setting of the World Heritage Site by reinforcing the street front and building line of Dundas Street.

Architectural quality

The design quality of the development is considered in section 3.3(f) below.

The design is contemporary and the use of simple geometry, repetition and modulation to bring rhythm and depth to building facades is supported. The buildings' edges respond positively to the existing streets.

The design of the buildings utilises high quality materials, with natural stone being the unifying material around the principal external elevations which is appropriate for the location of the site. Where appropriate, existing walls and railings are retained.

Topography, Planned Alignments and Skyline

The main considerations in relation to topography, planned alignments and skyline are the views along Dundas Street, and towards Eyre Terrace.

The elevation along Dundas Street has an architectural rhythm that is complementary to the existing older properties. Although it is noted that there is no direct access from the street into main doors along the new development, which is a characteristic of the Second New Town.

However, the architectural quality is acceptable in its relationship with the wider area. The proposed blocks along Dundas Street step down the street, with the visualisations and views provided showing the development aligning with the existing development to the south and the north. The key view (C12) has been picked up by viewpoints 1 a,b,c,d at various points looking down Dundas Street.

Similarly, the topography of the site allows for some additional height along Eyre Terrace, although this will be prominent in some views.

As noted in the WHS Management Plan it is accepted that change will occur in the WHS.

In this regard, the Edinburgh World Heritage Trust note that the proposals would not cause notable harm to the OUV of the World Heritage Site as a whole, but encourage every opportunity to be taken to ensure that that his significant development reflects the high quality and locally characteristic architecture of Edinburgh's New Towns.

Overall, the proposal complies with Policy Env 1 (World Heritage Sites).

f) Design, Scale and Layout

Layout:

Policy Des 7 (Layout Design) seeks an integrated approach to the layout of buildings and routes around them with good connectivity to local centres and public transport. It states that layouts should encourage walking and cycling and ensure overlooking of routes and promote safe and convenient access for people with limited mobility or special needs. It also seeks the connection of public open spaces with the wider pedestrian and cycle network.

The general layout of Plot 1 is dictated by the surrounding streets of Dundas Street and Eyre Terrace, whilst permission has already been granted for the link through the site from Dundas Street to the park. With this respect the proposed building is co-ordinated with the wider site and complies with Policy Des 2 (Co-ordinated Development).

The proposed buildings front onto existing streets. The arrangement of buildings reinforces the existing pattern of perimeter blocks within the area. The building line along Dundas Street follows that established by the previously granted office block. The new route connecting Dundas Street with King George V Park creates a positive new connection to the park. It will be overlooked by the proposed development.

The development therefore complies with Policy Des 7 (Layout Design).

Height and Form, Scale, Position of Buildings, and Materials and Detailing

Policy Des 4 (Development Design - Impact on Setting) seeks development that will have a positive impact on its setting having regard to height and form, scale and proportions, position of buildings, and materials and detailing.

Heights onto Dundas Street successfully step down from the granted Office Block on Dundas Street to the adjacent residential development. They are a similar height to the nearby tenements. The upper storeys of are set back into the site limiting their visibility. The Eyre Terrace block is similar to the previous proposal and the heights of the adjacent BTR block. The massing of the upper level has been altered with setbacks at the upper levels and the height responds to Eyre Terrace as the road dips into the site. The submitted view point looking south along Eyre Terrace shows the height and impact is similar to that of the existing office building.

The position of the buildings ensures that spaces are overlooked and the arrangement generally follows the perimeter block pattern of surrounding streets. The position of buildings is appropriate.

The elevational design of the buildings helps give them a scale that is similar to the nearby Georgian buildings. The windows have a vertical emphasis that echoes the proportions of the neighbouring historic buildings. The use of ribbed stone work at the lower levels to differentiate the base of the building from the floors above.

The BTR elevation to the south introduces wave or bay style windows, similar to those granted elsewhere in the site. This adds interest to the new route created through the site.

The proposed materials tie in with those proposed elsewhere in the wider site and respond to the various contexts within and around the site.

Along the Dundas Street elevation natural stone is the predominant material, this continues into the site along the southern elevation of the BTR block. This is appropriate for the outward looking elevations on Dundas Street where the buildings opposite have sandstone elevations. For the southern BTR elevation the materials transition to a precast concrete frame with large windows and metal infill panels. These are similar materials shown on the adjacent granted BTR scheme. Along the Eyre Terrace elevation brick is utilised. Subject to a condition which requires details to be submitted and agreed, materials are acceptable.

The materials complement neighbouring buildings within the conservation area and set a modern contrast that highlights the individual architectural character of the development. The material palette proposed ensures that highly visible areas utilise natural materials that help to create a quality public realm that reflects materials within the wider conservation area, while in private areas, modern materials such as render can be used.

Through its layout, arrangement and mix of uses, building heights, scale and materials, the development will contribute positively to the sense of place within this area. It meets the requirements of Policy Des 1 (Design Quality and Context).

Density:

LDP Policy Hou 4 (Housing Density) states that the Council will seek an appropriate density on sites giving regard to the characteristics of the surrounding area, the need to create an attractive residential environment, accessibility and need to encouraging local services.

Taking Plot 1 by itself, the proposed 174 units on a site area of approximately 0.5ha provides a density of 348 dwellings per hectare (dph). When considered across the wider site the total number of units at 435 against a site area of 2.2 ha, discounting the office use within the site, provides a density of 198 dph.

The Edinburgh Design Guidance sets out that high density development is encouraged where there is good access to a full range of neighbourhood facilities, including immediate access to the public transport network. The site is in an accessible location with good walking accessibility to a range of services and the city centre (20 minutes).

Housing Mix and Sizes:

LDP Policy Hou 2 (Housing Mix) seeks the provision of a mix of house types and sizes where practical. The Edinburgh Design Guidance indicates that 20% of the total units should contain three or more bedroom units.

Within the MMR element there are 22 three bedroom units which out of the 108 units equals 20%. For the BTR block there are 10 three bedroom units which is 15% of the 66 BTR units. This equates to 18% for Plot 1.

Across the wider site there are a range of studios, one, two and three bedroom units. As a whole, three bedroom units equate to 23% of total residential apartment numbers.

The Edinburgh Design Guidance includes recommended internal floor areas for flat sizes.

The proposals generally accord with these standards. The majority of the one bedroom units in the BTR block are either 50.2 or 50.4 sqm. The EDG does allow for BTR one bedroom units to have lower floor areas of 48 sqm when taking into account the removal of lobbies and the provision of more open plan layouts.

Generally, the proposals meet the minimum standards. There are some minor infringements in the MMR block, for instance one two bedroom unit measures 64.9 sqm rather than 66 sqm and one three bedroom unit is 80.1 sqm rather than 81 sqm. However, these are not significant infringements when considered across the 174 units in the plot.

The Edinburgh Design Guidance states that single aspect dwellings should not make up more than 50% of the overall dwelling numbers. Though there are allowances for BTR units.

The MMR block contains 36 dual aspect flats and 72 single aspect flats.

The BTR block contains 14 dual aspect and 52 single aspect flats. The applicant has put forward that 24 of the single aspect flats contain an oversized dual bay window. These do provide a better amenity than normal single aspect flats by allowing a degree of side views.

Set within the context of the wider New Town Quarter development, 37% of the total of units are traditional dual aspect in the scheme as a whole and in addition there are a further 13% that are designed with oversized bay windows. This is acceptable given the density of the site and the design guidance does allow for some flexibility when considering BTR units.

Overall the design makes a positive contribution to the area and will add to its sense of place. The design, scale and layout are acceptable. The infringements of guidance in relation to the single aspect units is acceptable in this instance when considering the wider proposals.

g) Impact on Amenity

LDP Policy Des 5 (Development Design - Amenity) seeks to ensure that the amenity of neighbouring residents is not adversely affected by development and that future occupiers of residential properties have acceptable levels of amenity.

Noise and Odour:

An updated Noise Impact Assessment (NIA) has been provided looking at potential noise impacts from transport sources on the proposed development, noise from non-residential proposed uses on existing and proposed residential units and commercial plant noise. Environmental Protection note that the NIA has demonstrated that its possible for the proposed uses to be established with little impact on residential amenity.

A full assessment of the potential effects of the proposed building services/plant has not been undertaken. As most of the plant will be located in basement area below the Plot 1 residential uses Environmental Protection are satisfied that amenity can be protected and has recommended conditions and informatives.

Some of the specific operations of the proposed commercial / retail aspects of the development are not known and therefore cannot be robustly assessed in terms of their potential noise impacts. The removal of the hotel and associated skybar from the previous scheme is an improvement in terms of potential noise sources.

It is acceptable that this can be considered later and a suspensive condition is proposed to ensure that adequate mitigation is achieved. Environmental Protection are confident that engineering solutions can be introduced to ensure residential amenity is protected and therefore conditions are recommended.

A condition is also recommended to deal with any potential commercial cooking operations that may take place in relation to extract and ventilation systems. Odours from domestic operations will be as expected in a residential development.

Environmental Protection do not object to the proposals.

Privacy

The consideration of privacy distances has been considered when setting out the position and orientation of the proposed buildings within the site.

The Mid Market Rent (MMR) block:

Dundas Street is a relatively wide street and there is a separation distance of approximately 26 metres. The separation distance between the existing buildings along Eyre Terrace and the proposed MMR block is approximately 16 and 17 metres, and this generally matches the existing width of a typical urban street.

The northern elevation of the MMR block will face into the existing courtyard of the existing block to the north at Eyre Place (referred to as the Applecross development).

The new internal plan of the MMR block places the main circulation route along the northern perimeter of the block by reconfiguring all habitable windows to face the inner MMR and BTR courtyard. Therefore, the windows facing north into the existing courtyard are non-habitable from the proposed corridor. The window-to-window distance is 18.5 metres. The ground floor level of the proposed block sits at a lower level than the adjacent courtyard and therefore do not cause overlooking.

The proposal does contain bedroom and living room windows on the eastern and western elevations of the courtyard. These windows replicate the existing courtyard design. The east/west distance matches the existing width of the courtyard at approximately 22 metres.

These are acceptable privacy distances in an urban environment.

On Dundas Street within the existing development to the north there are existing windows in the recessed area of the building. However, windows within the gables of buildings are not generally protected. Notwithstanding this, external louvers fitted to the windows on the north/west elevation shall ensure limited overlooking occurs as a result of the proposals.

Internally, the shared courtyard between the MMR and BTR blocks has been widened resulting in the separation distance of 21 metres between the east and west sides of the courtyard, and 22 metres between the north and south sides as measured from the eastern corners of the courtyard, and 28.5 metres between the north and south sides as measured from the western corners of the courtyard.

BTR block:

To the south, the separation distance between the BTR block and the New Town Quarter approved office building is between 12 metres at the nearest point to the south/west of the block and 19 metres at the farthest point to the north/east.

The distances within the site are appropriate for the proposed layout and shall have an acceptable impact on residential privacy and immediate outlook.

Daylighting and Overshadowing:

A detailed Daylight and Overshadowing Study has been provided.

Daylight to existing neighbouring buildings:

The daylight to existing buildings initially uses the Vertical Skyline Component (VSC) Method. Any that do not pass that test then Average Daylight Factor (ADF) analysis is used.

Along Eyre Place the set back of the northern elevation from the current situation improves the daylight penetration into the existing Eyre Place courtyard area. The Daylight study shows that the majority of the existing windows pass the VSC requirement. The two windows that did not meet the VSC test did meet the additional ADF analysis taken on the relevant room. The Daylight Study also highlights that there are 12 windows at 2-8 Eyre Place where the VSC will be increased by more than 20% through the proposals.

Along Eyre Terrace the majority pass the VSC requirement, but there are five rooms to Eyre Terrace that do not meet the test.

As per the EDG guidance the Average Daylight Factor assessment has been carried out on these. This shows that there are five rooms failing the ADF test on Eyre Terrace:

- One bedroom to 1 Eyre Terrace;
- One kitchen to 3 Eyre Terrace;
- Two living/kitchen/dining room to 5 Eyre Terrace and
- One living/kitchen/dining room to 9 Eyre Terrace.

These are all to the rear of the building and five rooms is a relatively minor impact in such an urban environment. Furthermore, it should be noted that the affected windows at 2-4 Eyre Place are served by other unaffected windows, and the impact to the windows along Eyre Terrace will be caused by the wider New Town Quarter development, rather than the MMR and BTR Plot 1 site.

Daylighting to proposed new buildings:

Daylight received by the residential buildings in the proposed development was assessed using No Skyline/Daylight Distribution analysis (NSL/DD).

MMR block:

The study indicates that within the MMR block there are 41 rooms (14%) out of a total of 292 analysed that do not meet the target. These are 20 bedrooms and 21 living/dining rooms located in a similar relative location, facing the courtyard on the lower ground, ground and first floor levels. Just under half of the rooms that do not meet the target are bedrooms. Bedrooms have half of the requirement for daylight of living rooms.

Therefore 86% of the rooms meet the target, this is above the 77% figure provided for the previous MMR proposals that committee refused permission for.

BTR block:

In the BTR block there are 22 rooms (14%) out of a total of 157 analysed that do not meet the target. These are 12 bedrooms and 10 living/dining rooms to the south and facing the courtyard on the ground, upper ground and first floor levels.

Overall, across the whole Plot 1 development 86% of the rooms analysed meet the Edinburgh Design Guidance standards for daylighting. Achieving reasonable amenity needs to be balanced against achieving good townscape. A large percentage of the rooms meet the daylighting standards, and it is accepted that in such an urban area there will be infringements against the guidance. The information provided indicates that when considering the wider development site 92% of the rooms assessed comply with the guidance.

Overshadowing

The Edinburgh Design Guidance sets out that new amenity areas should receive two hours of sunlight to at least 50% of their area at the Spring Equinox (March 21).

Out of the three amenity spaces to be created, two are not compliant.

MMR block:

The part courtyard associated with the existing residential block to the north does not meet the requirement. However, the roof terrace exceeds the minimum requirement.

The roof terrace exceeds the minimum requirement.

BTR block:

The courtyard shared with the MMR block does not meet the guidance. These spaces do not meet the target due to the development itself causing an obstruction to sunlight.

Existing amenity

In terms of the proposed impact on existing external spaces there are no additional impacts on overshadowing except to one of the spaces to the rear of the existing Lorimer building on Eyre Terrace which will not receive at least two hours sunlight to 50% of its area on 21 March. This is due to the wider New Town Quarter development rather than from the Plot 1 site directly.

The majority of the open spaces do not meet the requirements for overshadowing. Of those that do not, two are central courtyard areas associated with the MMR block and given the desire to achieve a frontage along Dundas Street with appropriate building heights it would be difficult to get adequate sunlight into these spaces. The roof terrace exceeds requirements and will receive at least two hours sunlight to 50% of its area on 21 March. Overall, the new proposals represent an improvement on the previous designs that will reduce the negative impact on existing and future residents and will provide a suitable provision of amenity for all occupants. The level of daylight and sunlight will be sufficient for existing and future occupants and the level of overshadowing will be marginal in comparison to the rest of the development.

Open space and landscaping:

LDP Policy Hou 3 (Private Green Space) sets out that for flatted developments there should be 10 sqm of open space provision per flat except where private space is provided. A minimum of 20% of the site should be greenspace. Private and communal gardens should be designed for use by residents for a range of functions, including space for play, seating, food growing, tree planting and drying laundry.

MMR Block:

The MMR block contains 108 units. 16 of the units have access to a private garden area at the ground level areas, though these will be in shady areas. Therefore, for 92 units 920 sqm of communal open space is required.

The MMR roof terrace provides approximately 970 sqm of private open space for future residents. Taking into account previous concerns relating to the usability of the roof top space the landscape architects have sought to provide a wider range of functions.

These include a west facing deck overlooking Dundas Streets providing views towards the New Town, with the loungers and planters. A sheltered and enclosed area proposed to be for games (such as table tennis). An outdoor gym/exercise area on the western side and on the northern side's areas for planting.

BTR Block:

The BTR block contains 66 units. Three units have access to a private garden, leaving a requirement for 630 sqm of communal open space.

The roof terrace area associated with the BTR block covers an area of 870 sqm. It has been designed to provide a range of functions including a large terrace with grass areas and pergola shelters, an outdoor office area with benches, a more secluded and sheltered garden area and also an orchard area with trees in planters on the southwest corner, to help filter the prevailing wind.

In this urban location, where the development responds to existing streets with a perimeter block layout, it is difficult to achieve sunny open space at ground level. The Edinburgh Design Guidance states that where it is difficult to achieve the areas normally required for private open space - for example, because of a need to adhere to a spatial pattern in an area, the inclusion of balconies or roof terraces may be seen as a mitigating measure.

The internal courtyard area at the ground floor level, covering 535 sqm, is proposed to serve both the MMR and BTR blocks. It has been designed with play area alongside areas of planting and seating areas. This will be a well overlooked space suitable for play.

A minimum of 20% of total site area should be useable greenspace. The total site area of the wider site (considered under permission 20/03034/FUL) is 2.44 hectares, 20% of this is 4,880 sqm.

The communal amenity greenspace 4495 sqm and the private garden / terrace space provided is 2756 sqm which totals to 7251 sqm. Though areas of hardstanding and small terrace areas are not technically greenspace. This is above the 20% requirement at approximately 31% of the total development site area.

Objections have been received in relation to the adjacent park and the potential impact on it. Permission has been granted under application reference 20/03034/FUL for the blocks adjacent to the park alongside the proposal to link through to the park from the site. There will potentially be additional users to the park alongside users from the wider neighbourhood. The legal agreement for the wider application included provision for improvements to the park.

Policy Des 8 (Public Realm and Landscape Design) seeks high quality, well designed public spaces. The site for Plot 1 contains part of the public link through the site. As before, the materials include natural stone within the core areas, which is appropriate for the conservation area. As the development is effectively creating a new 'street' this should be in natural materials because it is important to create a quality public realm along a main route which is intended to be extensively used. In private areas materials such as reconstituted stone can be used. However, the hardworks plan uses the word notionally so it is recommended that the hardworks are conditioned to secure appropriate materials for the location.

In summary, condition 23 on the previous application refused, via condition, the previously proposed development on this plot due to concerns over residential amenity, both for existing neighbouring residents and future occupiers of the proposed development.

In relation to the adjacent block at Eyre Place (Applecross) a number of changes have been made. The internal layout of the adjoining MMR block has been altered so the windows facing north into the existing courtyard are non-habitable from the proposed corridor and still retain an 18.5 metre window to window distance. The habitable corner rooms have a window-to-window distance of 22 metres.

Daylighting and overshadowing to the block have improved by removing the existing wall and setting the northern elevation further back than the existing situation with the office building.

On the Dundas Street elevation, the recessed cut out remains but louvers have been added to mitigate overlooking concerns.

In relation to the new residential units, the privacy distances proposed to the surrounding buildings are acceptable for an urban environment. There are some narrower distances of 12m, but this is required to frame the new route though the site and to the proposed office development opposite.

In terms of daylighting, across the whole of Plot 1 86% of the rooms analysed meet the EDG standards. In comparison, the previous MMR block figure was 77%. Achieving reasonable amenity needs to be balanced against achieving good townscape and the location of the proposed blocks is set by the existing streets and routes.

The internal courtyard area will be overshadowed due to the layout and surrounding proposed buildings. However, the courtyard size has been increased in size from the early refused scheme of 300 sqm to 535 sqm. It also contains more main door access to the ground floor flats and has been made more useable through planting, seating and a play area.

The size and usability of the roof terraces has also been improved over the previous proposals. Overall, although there are still some infringements against the guidance, the amenity of the residential development (both existing and proposed) has been increase over from the earlier scheme and the applicant has gone some way to address earlier concerns.

Overall it is concluded that the development will provide an acceptable level of residential amenity in accordance with LDP Policy Des 5 (Development Design - Amenity) with some limited infringements on overshadowing. The proposal also meets the requirements of Hou 3 (Private Green Space).

h) Transport and Road Safety

A Transport Assessment (TA) has been submitted in support of the application. This provides an assessment of the transport considerations associated with the proposal.

The vehicular access to the site remains as currently in place, which is one vehicular access point taken from Eyre Terrace.

The TA has been assessed by the Roads Authority and it concludes that it is an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network.

The site is in an accessible location with good walking accessibility to a range of services and the city centre (20 minutes).

The application site for Plot 1 contains the western section of the route that will provide a link through the site from Dundas Street through to the eastern part of part of the King George V Park. This increases permeability through the area. The Dundas Street entrance into the site includes a ramp and steps. The ramp is a minimum of 2.2m at the narrowest points but extends to 2.5m for the majority of its length with a grade of 1:21.

There are a number of bus stops are located on surrounding streets with the TA setting out that at present, bus stops are found on Eyre Place, Henderson Row, Brandon Street, Dundas Street, the B901, and Howe Street. Currently nine bus services, mostly operated by Lothian Buses, serve these bus stops offering residents with approximately 32 services per hour during weekdays, 23 services per hour on a Saturday, and 15 services per hour on a Sunday.

The site is in an accessible location with good linkages and the proposed development will not have a detrimental impact on the road network.

Parking:

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

The parking standards contain no minimum amounts for car parking. Planning permission for the below podium deck parking area has previously been granted. As the basement level of Plot 1 is linked to the wider site the parking numbers are considered within this context.

The standards allow for a maximum of 435 parking spaces for the total number of residential units and three spaces for the office space granted on the plot to the south.

The proposed development provides a total of 164 car parking spaces. This includes 16 accessible spaces and 28 electric vehicle spaces. This complies with the parking standards.

The use of the podium deck allows the car parking to remain out of sight and the proposed parking numbers are considerably less than what the standards allow for.

Twenty-two motorcycle parking spaces proposed complies with the minimum CEC motorcycle parking requirement of 22 spaces.

The proposed level of car parking meets the requirements of Policy Tra 2 (Private Parking).

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

A total of 950 cycle parking spaces are provided throughout the site for the residential elements. This meets the requirement for the 435 units. Of this total number, 370 are allocated for the Plot 1 site, split into 238 for the MMR block and 132 for the BTR block. The majority of the cycle parking is provided throughout the basement level within defined secure spaces.

The Roads Authority recommends the applicant develops a Travel Plan and contains a travel plan framework. This would have the aim of influencing travel behaviour promote sustainable travel. An informative is proposed to encourage the applicant to undertake the measures set out in the TA.

In summary, the site is within an accessible location with good access to public transport. The access to the site is acceptable and the level of parking proposed is within the standards.

i) Other Material Considerations

Developer Contributions and Affordable Housing:

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) requires that development proposals contribute towards infrastructure provision where relevant and necessary to mitigate any negative additional impact of development. The finalised Developer Contributions and Infrastructure Delivery Supplementary Guidance August 2018 sets out the Council's approach for contributions.

Affordable Housing:

LDP Policy Hou 6 (Affordable Housing) states that planning permission for residential development consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units proposed.

As an integral part of the wider site, the units within this plot are considered alongside those residential units granted under permission 20/03034/FUL:

- Plot 2 - 144 BTR units.
- Plot 4 - 117 private residential units.

This application is for 174 units, split between 66 BTR units and 108 Mid-market rent.

Consequently, across the total number of 435 residential units there is a requirement for 108 affordable units. This is being delivered as part of this application and they are located within the northern part of Plot 1, which is close to public transport and local amenities. The affordable homes will comprise a range of sizes from one to three bedrooms and the mix is generally representative of the wider development.

Affordable Housing (Enabling and Partnerships) are supportive of the application subject to the affordable housing being secured through a legal agreement.

Education:

This site falls within subarea D-1 of the Drummond Education Contribution Zone.

Communities and Families has identified that the proposed development is required to make a contribution towards the delivery of the actions based on the established 'per flat' rate.

Based on £856 per flat for 76 flats (98 one bedroom/studio flats excluded), the contribution required is £65,056 towards infrastructure (quarter 4 2017 valuation subject to indexation).

Healthcare:

The application site is not located within a Health Care Contribution Zone and there are no identified health care actions in this area. No contribution towards health care is required.

Transport:

The same matters covered by the legal agreement for the previous application (reference 20/03034/FUL) are recommended:

- The design and build of a toucan crossing on Dundas Street close to the proposed ramped access to the satisfaction and at no cost the Council (location to be agreed with CEC).
- Upgrading the surface course of the carriageway and both footways on Eyre Terrace from the development car park to its junction with Eyre Place and subsequently provides continuous footways on the eastern footway and access junction of Eyre Terrace to ensure pedestrian priority to the satisfaction of, and at no cost to, the Council.
- The east west route from the courtyard leading to Dundas Street is required to be secured by planning agreement to ensure public rights of access and will require CEC structural approval for the podium access.

Optional:

- In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £23,500 (£1,500 per order plus £5,500 per car) towards the provision of 4 car club vehicles in the area.

Flooding and Drainage:

The applicant has provided the relevant flood risk assessment and surface water management information for the site as part of the self-certification (with third party verification) process.

The proposal includes permeable paving on the podium level and green and blue roofs alongside underground storage tanks (including one within Plot 1) on what is a tight urban site. The applicant is proposing to discharge surface water to the surface culvert on Eyre Place and discussions are ongoing with Scottish Water.

Scottish Water has no general objection to the application but has advice for the applicant to take into account.

Flood Prevention has confirmed that the information is generally acceptable.

Sustainability:

LDP Policy Des 6 (Sustainable Buildings) requires that developments can demonstrate that the current carbon dioxide emission reduction targets are met (including at least half of the target being met through the use of low and zero carbon generating technologies) and that other sustainable features are included in the proposals. This can include measures to promote water conservation, SUDS, and sustainable transport measures.

The applicant has submitted the sustainability form in support of the application. Part A of the standards is met through the provision low and zero carbon equipment in the form of a community heating system which includes gas CHP and heat pump for the BTR block and MMR block includes roof mounted photovoltaic array.

The proposal is a major development and has been assessed against Part B of the standards. The proposal meets the essential criteria with additional desirable measures including not using tropical hardwood, communal recycling and electric vehicle charging points.

The proposal meets the current standards set out in the sustainability form.

Ecology:

LDP Policy Env 16 (Species Protection) relates to protected species. As a previously developed site this plot has low ecological value. There is more interest in the wider site and its woodland strips around the periphery.

SNH note that this is a city centre development and as such does not raise significant natural heritage issues.

The proposed development would not result in significant harm to ecology or biodiversity. No evidence been presented to the Planning Authority that the proposal would harm European protected species

Archaeology:

LDP Policy Env 8 (Protection of Important Remains) seeks to protect archaeological remains from being adversely impacted from development.

The Archaeology Officer has considered the proposals. In terms of buried remains, the consultation response notes that in this area there are unlikely to be significant deposits that have survived. In relation to existing buildings, a historic building survey has been undertaken of the adjacent RBS Data Centre.

It is concluded that there are no, known, significant archaeological concerns regarding this application and the proposals comply with policy Env 8.

Waste:

As with the proposals for the wider site and waste collection is to be factored and brought to a single collection point at Eyre Place. Swept Path Analysis has been provided to demonstrate that an appropriately sized vehicle can enter the site. There is also the requirement for trade waste producers to comply with other legislation, in particular the Waste (Scotland) Regulations.

Waste Services has confirmed that based on the information provided that a waste strategy can be agreed.

Ground Contamination:

Site investigation information has been provided. Due to the previously developed nature of the site, a condition is required to ensure the appropriate investigation and mitigation is undertaken.

Air Quality:

The development site is near the city centre Air Quality Management Area, which has been declared for exceedances in NO2.

SEPA does not object to the application but does note that advice from CEC Environmental Protection on air quality should be sought.

Environmental Protection does not object to the application. It also notes, as with the previous application, the car parking numbers to a low level, this is welcomed and will reduce the impacts it will have. There will be a net reduction in car parking numbers across the site when compared to the existing use.

Electric charging points are proposed in line with the Council's parking standards, which if taken as a whole at 164 spaces equates to a total of 28 car parking spaces. A condition is recommended to secure the electric charging points. The submitted information also states that remainder of the spaces will be provided with a 3Kw charging socket which has the ability to be upgraded to 7KW (32amp) Type 2 electric vehicle charging points.

Environmental Protection has also recommended a condition requiring rapid charging points for the commercial parking areas. This condition is on the granted permission and in consideration of the Plot 1 residential development is not appropriate for this application.

A Construction Environmental Management Plan (CEMP) is recommended as an informative.

i) The Environmental Impact Assessment Report

An EIA Report has been provided alongside the application. This is an addendum to the EIA Report (and subsequent addendum) submitted in relation to application number 20/03034/FUL that included Plot 1 as part of a wider site.

It provides an updated assessment of the impact of the development in environmental terms to take into account the potential proposed changes arising from this proposal. It covers Socioeconomics, Transportation and Access, Air Quality, Noise and Vibration, Townscape and Visual Impacts, Cultural Heritage, Daylight, Sunlight and Overshadowing and Cumulative Effects.

The scope of the EIA Report is acceptable, the content comprehensive and the general methodologies used for the various assessments are considered appropriate. As this application relates to the development between Dundas Street and Eyre Place, the potential impact is limited.

In the previous application and the EIA there were some viewpoint assessments provided by the applicant that were not agreed with in terms of the effect. These mainly related to the loss of trees in the previous application and the concluded effect on the view. The relevant viewpoints in relation to this application are Viewpoint 1 Dundas Street and Viewpoint 7 Brandon Terrace. These are still noted as beneficial in the submitted EIA Report. These are more likely to be of neutral effects, however, the building line (from the granted office block) and loss of trees establishes some parameters for this application.

Sufficient information has been submitted in the EIA Report, alongside responses to the application, to allow a balanced judgement to be made regarding resulting impacts. Therefore, this Committee report not only provides an assessment of the proposal in planning terms, it has also considered the conclusions of the EIA Report.

k) Equalities Issues

The application has been considered in terms of equalities and human rights. Access to some of the areas are via stepped access, which may have some implications for access for all. However, alternative access is available around the development and the site provides more permeability than the existing buildings/layout. The proposal contains level access elsewhere and utilises lifts.

l) Public Representations

Material Representations: Objections

Eyre Place Block Related Comments:

- The latest proposed plans have an extra level making the new building higher than the old RBS Building. As a result, there will be a loss of sunlight/daylight for the residents of Eyre Place - assessed in section 3.3g)
- The new building will still be facing the living rooms of the four flats on the Dundas Street side and the main bedroom of one of them. The distance is less than 7 metres, which will cause a loss of privacy - assessed in section 3.3g) and louvres proposed.
- Flats in the new building have a living room/kitchen facing the courtyard, so noise from these flats, especially single aspect flats, will disturb residents of EP, especially at night, because their main bedrooms are on the courtyard side, which will be shared by the EP residents. The cooking smell from those new flats which have a kitchen facing the courtyard will also disturb the residents in the EP building - assessed in section 3.3g), living spaces are only found on the east side of the courtyard (representing 6no. flats), with kitchens located to the rear of the habitable space, away from the facade.
- The connection between the proposed new building and the development built in 2004/5 by Applecross on Eyre Place: The latest proposed plans have an extra level making the new building higher. The new building will still be facing the flats 2/3, 2/6, 2/9 and 2/12 living rooms on the Dundas Street side.

It will also face directly into the main bedroom of 2/12. The distance is less than 7 metres - assessed in section 3.3g

- will be a reduction of light into the afore mentioned properties room as well as a loss aspect and privacy - assessed in section 3.3g
- The building line goes against the building line precedent taking the new building up to the pavement causing a narrowing of the buildings either side of Dundas Street that will cause increased road noise -general noise considered in section 3.3g) and design considered in section 3.3f)
- Whilst an improvement on the original, these latest MMR Plans indicate that the Applecross building, and courtyard will still be overlooked by roof terraces and windows from units on East and West wings. Gas flues from these units will still be facing into our courtyard - will be some potential for overlooking the roof terraces designed to minimise this and to focus attention and circulation away from the Eyre Place block edge.
- This development is too close to the road (Dundas Street). It is too close to the windows of 2 Eyre Place which face it - assessed in section 3.3g)

Other comments

Principle

- loss of hotel is a poor decision. If short term lets are minimised by the Council, there will be greater demand for hotels. It loses diversity of previous application - assessed in section 3.3c) residential development supported and office block on wider site previously granted.

Density

- overdevelopment of the site and residential density too high. Not in conformity with national and CEC planning policies which require new housing to be at a density and in a form appropriate to the characteristics, environmental quality and residential amenity of the surrounding area - assessed in section 3.3f)
- excessive number of units/density for the area and higher than surrounding area (including when considered with consented scheme)- assessed in section 3.3f)

Design and Historic Environment

- Dundas Street is on the northern edge of the New Town. The style and materials of the proposed new building will not make a positive contribution to the architecture of the area - assessed in section 3.3b and 3.3f)
- The new building will take construction up to the pavement of Dundas Street and breaks the existing building precedent which has been in place for over 100 years - assessed in section 3.3b)

- Realignment on Dundas Street, whilst enabling the cramming of more units, will cause a deprivation of light, privacy and amenity to residents into Applecross building - assessed in section 3.3f) and 3.3g)
- The design is banal and by granting permission for ever more of these characterless constructions the Council are in danger of ripping the soul from our city. The green oasis, which was the north end of Dundas Street will become no more than a street canyon -assessed in section 3.3f)
- encroaches on natural light to surrounding properties - assessed in section 3.3g)
- for such an important location in our beautiful and historic city it is a design of poor quality - assessed in section 3.3f)
- The Edinburgh Design Guide, page 43 states 'The key aims are for new development to: Have a positive impact on the immediate surroundings; wider environment; landscape and views...positioning of the buildings on site...to create or help to reinforce a sense of place, urban vitality...' This proposal does not. It is banal and uninspiring - assessed in section 3.3f)
- This proposal does not enhance or preserve the character of the area - assessed in section 3.3b) and 3.3f)
- Impact on special character of the area - World heritage site - assessed in section 3.3e)
- unimaginative design and impact on WHS - assessed in section 3.3e)
- The Edinburgh Design Guidance for building in a Conservation Area strongly supports stone as the material of choice, not cast stone and metal - assessed in section 3.3b) and 3.3e)
- adverse effect on the character of the Conservation Area and the adjacent World Heritage Site - assessed in section 3.3b) and 3.3e)
- Roof-top Terraces. Much effort has been placed by the applicant on the value and diversity of the roof-top spaces. Query if these spaces will be utilised and as not visible they will not contribute to the amenity for most residents - assessed in section 3.3g)

Amenity

- Sunlight & Daylight - Many of the apartments in the Plot 1 fail to meet sunlight and daylight levels specified by EDG. Much of this is due to the over-development of the site. It is important that all the apartments meet EDG, and not just a percentage - assessed in section 3.3g)
- 75% of amenity space is provided through roof top terraces. This is not appropriate as shared amenity provision due to usability - weather, supervising children - assessed in section 3.3g)

Impact on King George V Park

- King George V Park is the only public green space in this locale and is already inadequate according to the standards adopted by City of Edinburgh Council. The Park will be woefully short of the green space needed for the additional residents of the proposed new housing - wider development proposals already granted adjacent to the park.
- Unacceptable pressure will be imposed on a small and popular park, which is already, in the light of the CEC's own Open Space Strategy, too small. The developers' claims to nearly double the amount of open space in the development site are ludicrous as they include hard surfaced paths, roof spaces and balconies. Councillors should reject this application and instead indicate support for an alternative application which proposed a new and truly green plot on the land in question. This would add genuine value to this neighbourhood - wider development proposals already granted adjacent to the park.
- This park is already under-managed by the City of Edinburgh Council and is already overcrowded, particularly the facilities for children - management issues not controlled by Planning.
- The proposals will put a massive extra pressure on King George V Park which, with a public area of about 1.6 hectares is well below the area of 2 hectares required in the Council's Open Space Strategy.
- The situation is exacerbated by the lack of public open green space in the development as a whole and the absence of new public open green space to compensate for the proposal to build on the area of ground on Eyre Place which is shown on the development plan as being reserved for public open space - area referred to as open space adjacent to the park has an early PPP permission in place for mixed use development and previous application also grants a BTR block at this location.
- This will change the ambience from a quiet, calm space where people can relax to a busy working thoroughfare - permission and link through to the park previously granted.
- Already friction between users and the prospect of a large influx of new park users into the immediate vicinity of the park over the next few years is unwelcome - high density development supported at this location.

Transport

- SPP, Designing Streets and the National Transport Strategy set policy context for hierarchy for transport modes placing walking, cycling, public transport ahead of private cars. Location lends itself to easy walking for services and public transport, proposal should actively provide for pedestrians, parking excessive for a city centre location. Prime location for car free development - assessed in section 3.3h) car parking within standards and general layout previously granted.
- lack of car parking proposed in the development - assessed in section 3.3h)

- dedicated car club spaces should be provided - assessed in section 3.3h) car parking within standards and general layout previously granted.
- increased traffic impact and impact on parking in the area - assessed in section 3.3h)
- traffic safety concerns from development - assessed in section 3.3h)

Infrastructure

- negative impact on local infrastructure and services - education, medical etc. Additional Section 75 contributions should be sought from this application for these purposes - assessed in section 3.3i) legal agreement required in line with Council's guidance.

Sustainability

- proposals configured for gas central heating, no use of green heating systems such as ground and air source heat pumps - assessed in section 3.3i) proposals meet current guidance. BTR uses air sour heat pumps
- Solar PV & Thermal could be integrated into the design. A development of this size should set an example for others to follow. As this is a substantial development, it could have a significant impact on Edinburgh's aim of Net Zero - assessed in section 3.3i) proposals meet current guidance.
- Open air clothes drying should be encouraged - rooftop terraces proposed, but such a use cannot be controlled.

Material Representations: Support

- High quality mixed use site, positive addition to the previous scheme;
- Provides much needed accommodation that will bring more people back to the city centre;
- Proposals will bring activity and people back into the area that has suffered from a lack of investment;
- Car parking levels are supported, fewer would be better. Note EV charging infrastructure being provided for all spaces.

These comments are noted.

Non-material Representations

- Developer's project management.
- Matters relating to indemnity insurance:
- The applicants should resubmit the entire proposal.
- References to CityPlan 2030.

Community Council Comments

The New Town and Broughton Community Council did not comment on the application.

Overall Conclusion

Compliance with the Listed Buildings & Conservation Areas Requirements

The historical assets within the area have been assessed against the relevant legislation, guidance and LDP Policies.

The changes to the blocks on Plot 1 will not interfere with the setting of Royal Terrace, which was a concern of Historic Environment Scotland (HES) in regard to the previous proposals. In terms of the buildings on Brandon Street/Eyre Terrace, the proposed sheer masonry facades will continue to step down Dundas Street following the established form of the Georgian tenements. Although there will be changes to the set-back of the upper levels, the scale of the buildings will be regularised, and the removal of the hotel rooftop bar is supported.

The changes will not have a detrimental impact on the setting of any surrounding listed buildings. Therefore, with reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals preserve the character and setting of the listed buildings.

Overall, the development does not remove or detract from key characteristic components of the conservation area that gives the area its special interest. It will contribute to the architectural quality of the area with contemporary high quality buildings, designed to respond to its historic and modern urban environment. The different responses to the various edges of the site, including along Dundas Street and Eyre Terrace are acceptable.

Therefore, with reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals preserve and enhance the character and appearance of the conservation area, in compliance with LDP Policy Env 6 (Conservation Areas - Development).

Compliance with the Development Plan

The proposed use of the plot for residential development is supported by Policy Hou 1 (Housing Development). The ancillary uses within the development aid in providing an element of sustainability and are acceptable within the context of a wider regeneration scheme, which is in an accessible location.

The development of this plot will not have an adverse impact on the Inventory Garden and Designed Landscape and complies with Policy Env 7 (Historic Gardens and Designed Landscapes). Likewise, the proposals will not have a detrimental impact on the setting or outstanding universal values of the World Heritage Site.

Overall the design makes a positive contribution to the area and will add to its sense of place. The design, scale and layout are acceptable.

Potential impacts on the amenity of future residential in terms of noise can be addressed through conditions. There are some infringements in relation to daylighting. However, daylighting to adjacent properties is generally acceptable and the impacts on the proposed development are improved over the previous scheme. Open Space has been provided primarily on the rooftop areas.

The proposal is acceptable in transport grounds with suitable access to the site and the proposed car and cycle parking meets the Council's standards as set out in the Edinburgh Design Guidance.

In all other respects the proposed development is acceptable, subject to conditions and a legal agreement. The proposal therefore complies with the development plan. There are no other material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Notwithstanding the information on the submitted drawings a detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing for each development block by the Planning Authority before work is commenced that block.
2. Prior to the commencement of the construction of the superstructure or above ground works for each development block, sample panels, to be no less than 1.5m x1.5m, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship for that block and submitted for written approval by the Planning Authority.

Note: the sandstone used for facades within the scheme should be chosen to harmonise with the colouring and weathering characteristics of sandstone on nearby buildings.

3. 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.

4. The development shall be carried out in accordance with the landscaping scheme approved under condition 3. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the Planning Authority.
5. Prior to occupation of the first residential unit, details shall be submitted showing the final design and location of the artwork within the public realm. The artwork will then be installed and maintained, unless otherwise agreed in writing with the Planning Authority.
6. Prior to commencement of development details of a cycle wheel ramp will be required on at least one of the two stepped accesses besides the ramped access leading to Dundas Street from the main public realm route to aid movement of cyclist.
7. A minimum of 28 car parking spaces (out of the total 164 proposed) shall be served by 7Kw (32amp) type 2 electric vehicle charging sockets and shall be installed and operational prior to the development being occupied. These shall be installed and operational in full prior to the development being occupied.

Note: all remaining parking spaces should be served by a minimum 3 Kw (16-amp three pin plug) with an optional upgrade to 7Kw (32amp) Type 2 electric vehicle charging sockets.

8. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
 - ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
9. No development shall take place until a scheme for protecting the residential development hereby approved and existing from noise from the proposed plant has been submitted to and approved in writing by the Planning Authority ; all works which form part of the approved scheme shall be completed to the satisfaction of the Planning Authority before any part of the development is occupied.

10. No development shall take place until a scheme for protecting the residential development hereby approved and existing from noise from the office and other commercial uses has been submitted to and approved in writing by the Planning Authority; all works which form part of the approved scheme shall be completed to the satisfaction of the Planning Authority before any part of the development is occupied.
11. Prior to commencement of development details of the kitchen ventilation system associated with any commercial kitchen shall be submitted to and approved in writing by the Planning Authority. These will need to be terminated at roof level and be capable of achieving 30 air changes per hour in the kitchen area and have a minimum 15m per second efflux velocity at the termination point.
12. Any gas boilers in excess of 1MW (accumulative assessment) will require secondary abatement technology incorporated into any plant to the satisfaction of the Planning Authority.
13. Prior to commencement of development a comprehensive maintenance plan of all the SUDs/water attenuation, landscape and trees shall be submitted to and approved in writing by the Planning Authority.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. In order to ensure that the approved landscaping works are properly established on site.
5. In order to enable the planning authority to consider this/these matter/s in detail.
6. In order to ensure the adequacy of facilities for cyclists.
7. To encourage sustainable forms of transport
8. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
9. In order to safeguard the amenity of neighbouring residents and other occupiers.
10. In order to safeguard the amenity of neighbouring residents and other occupiers.
11. In order to safeguard the amenity of neighbouring residents and other occupiers.
12. To reduce emissions
13. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

1. A suitable legal agreement will be required to cover the following matters:

Affordable Housing:

The plot is to deliver the 25% affordable housing contribution for this application and the prior application 20/03034/FUL. This equates to 108 affordable homes (from a total of 435 proposed units) that are intended to be delivered as intermediate rent for a minimum of 25 years. The Affordable Housing response notes that in accordance with that existing S75, these will now continue to apply to this application until affordable housing is provided. Restrictions on construction will be applied to Plot 4 (residential development) until land for the affordable housing is transferred to the Council or a RSL nominated by the Council, or; the completion of construction of the affordable housing.

Education:

A sum of £65,056 for education infrastructure (£856 per flat) (to be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment) in line with the Drummond Education Contribution Zone.

Note that this requirement is in addition to the sum secured under planning permission 20/03034/FUL.

Transport:

Previous issues covered by the legal agreement for 20/03034/FUL

- The design and build of a toucan crossing on Dundas Street close to the proposed
- ramped access to the satisfaction and at no cost the Council (location to be agreed with CEC).
- Upgrading the surface course of the carriageway and both footways on Eyre Terrace from the development car park to its junction with Eyre Place and subsequently provides continuous footways on the eastern footway and access junction of Eyre Terrace to ensure pedestrian priority to the satisfaction and at no cost to the Council.
- The east west route from the courtyard leading to Dundas Street is required to be
- secured by planning agreement to ensure public rights of access and will require CEC structural approval for the podium access;

Green Infrastructure:

The previous green infrastructure contribution and park path improvement works should be carried through into the legal agreement.

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. For the duration of development, between the commencement of development on the site until its completion, a notice shall be: displayed in a prominent place at or in the vicinity of the site of the development; readily visible to the public; and printed on durable material.
6. The EIA Report has been taken into consideration in the making of this decision, as required under the Environmental Impact Assessment (Scotland) regulations 2017.
7. Swiftbricks should be included within the development.
8. The Roads Authority response notes a number of issues that the applicant should be made aware of:
 - In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of 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;
 - The applicant should be advised that: as the development is located in Zones 1 to 8, they will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See https://democracy.edinburgh.gov.uk/Data/Transport%20and%20Environment%20Committee/20130604/Agenda/item_77_-_controlled_parking_zone_amendments_to_residents_permits_eligibility.pdf (Category A - New Build);
 - The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;
 - The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.
 - All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement.

- All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.
9. The Environmental Protection consultation response contains a number of points that the applicant should be aware of during the construction phase of the development.
 10. A detailed Construction Environment Management Plan (CEMP) shall be submitted to the satisfaction of The Planning Authority and adhered to during the construction phase. Environmental Protection note its main concerns are the dust, piling stage and hours of noisy operation.
 11. When available the applicant shall provide details of all the boilers to Environmental Protection to ensure compliance with the Clean Air Act 1993.
 12. The applicant shall engage with the Spatial Policy Team with regards the LEZ proposals spatial.policy@edinburgh.gov.uk
 13. The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment.
 14. Details on how the heat and energy will provided, with specific details on renewable energy and storage submitted to the satisfaction of the Planning Authority.
 15. It should be noted that when designing the exhaust ducting, Heating, ventilation and Air Conditioning (HVAC) good duct practice should be implemented to ensure that secondary noise is not generated by turbulence in the duct system. It is recommended that the HVAC Engineer employed to undertake the work, undertakes the installation with due cognisance of the Chartered Institute of Building Services Engineers (CIBSE) and American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Guidance.

Financial impact

4.1 The financial impact has been assessed as follows:

The application is subject to a legal agreement for developer contributions.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 9 July 2021. A total of 25 representations were received, comprising 22 letters of objections and three letters in support of the proposals.

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

Background reading/external references

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

**Statutory Development
Plan Provision**

The site is within the urban area in the Local Development Plan Proposals Map.

The site is located within the New Town Gardens Inventory Garden and Design Landscape. It is also within the New Town Conservation Area.

The Word Heritage Site is to the south of the site.

Date registered

28 June 2021

Drawing numbers/Scheme

01-05,06A-15A,16-31,

Scheme 1

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Kenneth Bowes, Senior Planning officer

E-mail:kenneth.bowes@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

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

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

LDP Policy Des 11 (Tall Buildings - Skyline and Key Views) sets out criteria for assessing proposals for tall buildings.

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

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

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

LDP Policy Env 7 (Historic Gardens and Designed Landscapes) protects sites included in the national Inventory of Gardens and Designed Landscapes and other historic landscape features.

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

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

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

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

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

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

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

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

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

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

LDP Policy Hou 10 (Community Facilities) requires housing developments to provide the necessary provision of health and other community facilities and protects against valuable health or community facilities.

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.

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

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

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

LDP Policy Tra 9 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

LDP Policy RS 1 (Sustainable Energy) sets criteria for assessing proposals for environmentally sustainable forms of energy systems.

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

Relevant Government Guidance on Historic Environment.

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

Managing Change in the Historic Environment: Setting sets out Government guidance on the principles that apply to developments affecting the setting of historic assets or places.

Relevant Non-Statutory Guidelines

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

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

NSESBB Non-statutory guidelines Part B of 'The Edinburgh Standards for Sustainable Building' sets principles to assess the sustainability of major planning applications in Edinburgh

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

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

Appendix 1

Application for Planning Permission 21/03481/FUL At 34 Fettes Row, Edinburgh, EH3 6RH Residential development with ground floor commercial uses and associated landscaping and infrastructure.

Consultations

Communities and Families response - dated 16 July 2021

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:

76 Flats (98 one bedroom / studio flats excluded)

This site falls within Sub-Area D-1 of the 'Drummond Education Contribution Zone'.

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

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

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

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

Total infrastructure contribution required:

£65,056

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.

Economic Development response - dated 5 July 2021

The following are comments from the City of Edinburgh Council's Commercial Development & Investment service relating to planning application 21/03481/FUL for a mixed-use development at 34 Fettes Row, Edinburgh.

Commentary on existing uses

The application relates to a 0.52-hectare brownfield site currently occupied by office buildings lying east of Dundas Street. It forms part of the wider "Fettes Campus": a complex of office buildings most recently occupied by RBS (NatWest). The site covers all the footprint of the existing 113 Dundas Street office building (6,740 sqm), along with the "Link Block" office building immediately to the south and a section of the 34 Fettes Row office building further to the south. 113 Dundas Street was most recently used as offices for RBS (NatWest).

The surrounding area is a mix of office and residential. While reasonably close to the city centre, the complex lies outwith Edinburgh's core office market and would generally be considered a peripheral location by occupiers. The area has historically been a financial services cluster with RBS, Standard Life and Royal London all having substantial operations in the area. In recent years, the area has emerged as a technology hub centred on the 17,730 sqm Tanfield office building. Other major office buildings in the vicinity include Dundas House (11,119 sqm) and Centrum House (2,064 sqm).

The economic impact of the existing building at 113 Dundas Street can be estimated. If fully-let as office space, the building could, based on a median employment density for offices occupied by finance and insurance companies (based on the most recent usage of the building and the tenants of the surrounding offices) of one employee per 10 sqm (net), be expected to directly support approximately 1,112 full-time equivalent (FTE) jobs ($11,119 \div 10$). Based on a median GVA per worker for employees in the financial and insurance activities sector in Edinburgh of £154,973 (2018 prices) per annum, this could be expected to directly add approximately £172.3 million of GVA (2018 prices) to the economy of Edinburgh per annum ($1,112 \times £154,973$) if fully occupied for this purpose.

Commentary on proposed uses

- Commercial space

The development as proposed would deliver 616 sqm of commercial space. The use class is not specified. Indicatively, office space would support 62 FTE jobs ($616 \div 10$) while retail space would support 35 FTE jobs ($616 \div 17.5$).

- Sui generis (flats)

The development as proposed would deliver 174 new flats. These would not be expected to directly support any economic activity. However, the flats could be expected to support economic activity via the expenditure of their residents. Based on average levels of household expenditure in Scotland, the residents of the 174 flats could be expected to collectively spend approximately £4.60 million per annum. Of this £4.60 million, it is estimated that approximately £2.35 million could reasonably be expected to primarily be made within Edinburgh. This £2.35 million could be expected to directly support approximately 22 FTE jobs and £0.78 million of GVA per annum (2018 prices).

SUMMARY RESPONSE TO CONSULTATION

It is estimated that the development could support 22 FTE jobs and £0.78 million of GVA per annum (2018 prices) via the expenditure of residents, along with a small number of additional jobs in the commercial space. This compares to an estimated 1,112 FTE and £172.3 million of GVA (2018 prices) that could be supported by the existing office building if fully occupied.

This response is made on behalf of Commercial Development & Investment

Scottish Water response - dated 5 July 2021

Audit of Proposal

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 PFI 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.*

Please Note

- 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. To find out more about connecting your property to the water and waste water supply visit: www.scottishwater.co.uk/business/connections
SW Public General*

- 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.

Archaeology Officer response - date 12 July 2021

Further to your consultation request, I would like to make the following comments and recommendations in respect to this application for residential development with ground floor commercial uses and associated landscaping and infrastructure. |

The site lies across the northern limits of the Edinburgh's New Town, directly on the northern boundary of the World Heritage Site. The site is dominated by the 1971 RBS Data Centre designed by Richard Latimer. Historic maps indicate that until the mid 19th century the site remained relatively free from development with the exception of mill lades running across the northern limits of the site, which feed the medieval mills at Canonmills. The 1876 plan shows the eastern half of the site occupied by open air Royal Gymnasium in particular the large circular rowing machine known as 'The Great Sea Serpent'. By c.1905 the western half of the site had been developed with a mix of domestic and small industrial units, a process already started on the western half of the site during the mid-19th century, whilst the eastern half underly the grounds for St Bernard's Football Club.

Based on the historical and archaeological evidence the site has been identified as occurring within an area of local archaeological/historic importance principally in terms of Edinburgh's Victorian/Early 20th century social & industrial heritage, 20th century banking and earlier pre-industrial milling.

Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), PAN 02/2011, HES's Historic Environment Policy for Scotland (HEPS) 2019 and CEC's Edinburgh Local Development Plan (2016) Policies DES3, ENV5, ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Buried Remains

Given the archaeological potential an archaeological evaluation was undertaken by CFA Archaeology in 2019. Their evaluation report CFA DSR 3916 indicated that remains of associated with the Victorian Royal Gymnasium site and potentially of the earlier medieval Canonmills Loch survived insitu beneath up to 3m of made ground which they associate with the formation of the c.1900 football ground for St Bernard's FC. These remains have been identified in this and earlier preapplication discussions

as main foci for archaeological investigation and research during any future development. Although the evaluation did not in dedicate uniform preservation across the site, the remains of the important large rotary rowing machine known as the 'The Great Sea Serpent' appears to have survived and will require further excavation.

However due to truncation caused by the construction of the RBS Data Centre which this application site concerns, I agree with CFA's conclusions that in this area it is unlikely that significant deposits will have survived due to the expected truncation caused by its construction.

Historic Building RBS Data Centre

The proposals will see the demolition of the 1971 Royal Bank of Scotland Data Centre designed by James Richard Latimer. Although undesignated this building we regard this building as having some historic/archaeological significance in terms of the 20th century banking heritage of Edinburgh. As such it is important that a historic building survey was undertaken to provide a permanent record of it. This was undertaken by CFA between 2019 and August 2020 (CFA DSR 3898).

Based upon the above given that this building has now been recorded and it occurs out with the area expected to contain significant archaeological insitu remains/deposits, it has been concluded that there are no, known, significant archaeological concerns regarding this application.

Environmental Protection - 25 August 2021

The Proposals by the applicant for the redevelopment of the site of the former RBS offices and data centre on Dundas Street, for residential, office, hotel and other commercial uses (ref. 20/03034/FUL), were approved subject to conditions in February 2021. The applicant now wants to alter part of that approval that will see the previously consented Hotel and with a 'sky bar' changed into residential use instead.

Environmental Protection have provided comments on various mixed-use proposal for this site in the past. The site has the former Royal Bank of Scotland data management centre and offices, with large surface car park and warehouse buildings to the rear occupying the area.

The plot lies adjacent to the consented affordable housing units. The Plot would front onto Eyre Terrace to the east, onto the new public realm link route to the south and onto Dundas Street to the west.

The proposed and consented plots vary on how they interact at the ground floor level, with podiums and basements proposed. The levels below the podium's upper deck level would accommodate several uses, including private residential units and office uses as well as car parking, a public gym facility and plant rooms. A further level below, i.e. the 'basement' level, would accommodate the lower gym level and plant rooms.

This latest application for Plot 1 highlights that they would want commercial uses located on the ground floor. If the applicant wants to have any commercial uses other than Class 1,2 and 4 then additional supporting materials will be required to ensure these uses will not impact neighbouring amenity mainly in the form of noise and odours.

The applicant has advised that shared parking provision across the site will remain unchanged which is welcomed.

The applicant has submitted various supporting documents such as a noise impact assessment, site investigation reports, and an air quality impact assessment.

The updated noise impact assessment has looked at noise impacts from transport sources on the proposed development, noise from non-residential proposed uses on existing and proposed residential units, commercial plant noise and construction noise. The applicants noise impact assessment has demonstrated that its possible for the proposed uses to be established with little impact on residential amenity. Most plant will be in the basement areas so mitigation form plant will be achievable. The removal of the rooftop 'Skybar' is welcomed as this was previously a cause for concern.

Similarly, a full assessment of the potential effects of the proposed building services plant has not been undertaken the applicant has advised that there are likely to be changes to plant selections, locations, etc. during the course of the development design. As such, limiting criteria have been specified here to provide designers with target criteria to reference in the selection of equipment, and the overall design of the building services systems. Environmental Protection shall recommend a condition and informative is attached to ensure plant noise is adequately controlled. As most of the plant will be located in basement area below the Plot 1 residential uses we are satisfied that amenity can be protected. We will recommend that noise from plant should not exceed NR25 when measured inside the nearest residential units.

The applicant will be increasing the number of residents into an area near to the city centre air quality management area. The development site is near the city centre Air Quality Management Area, which has been declare for exceedances in NO2. The sources of NO2 from his development will be mainly from transport sources and special heating as the applicant is proposing to use gas. Environmental Protection would highlight that there are cost effective alternatives that will significantly reduce the impacts.

The development site offers great access to public transport, as well as walking and cycling infrastructure with fantastic amenity and employment already existing in the area. The applicant has demonstrated how the development will link into the existing travel networks. They recognise that the main network especially during peak hours is congested. This is something that is likely to get worse when other committed developments are built out. The applicant has kept the Car parking numbers to a low level, this is welcomed and will reduce the impacts it will have. It is recognised that there will be a net reduction in car parking numbers across the site when compared to the existing use.

The councils City Plan 2030 is going to be aiming to promote a city were people don't not to rely on a car to move around therefore if there is scope to reduce parking numbers further then this should be seriously considered.

There have been major improvements in sustainable transport and with the way people want/don't want to commute. One of the main aims of the Choices for the City Plan 2030 is to create a city where you don't need to own a car to move around. It states

that one of the aims of City Plan 2030 will be to realise the lifelong health benefits of walking and cycling by creating streets and public spaces for people over cars and improving and expanding sustainable public transport.

To do this, City Plan 2030 will plan for a city in which you don't need to own a car to move around. City Plan 2030 will provide for new homes, jobs and amenities and services in accessible neighbourhood locations with good access to walking and cycling routes and to public transport. We also want to reduce carbon emissions and we are committed to the reduction of traffic borne air pollution.

The choices we make for City Plan 2030 will align with those of the City Mobility Plan to help balance quality of life with access to jobs and services for all residents and workers in the city.

Low Emission Zones' (LEZ) in Edinburgh are being progressed in close alignment with several strategies aiming to enhance placemaking and connectivity in Edinburgh, including City Centre Transformation and City Mobility Plan.

Alongside the development of the national regime, the next steps for Edinburgh's LEZ will involve continued technical assessment work to inform LEZ decisions. The applicant will need to engage with Planning with regards the development of LEZ's and its potential in this area.

The applicant has committed to installing EV charging points it should be noted that they will need to be provided in all the car parks to the agreed standards with the necessary infrastructure for this to be increased over time. The applicant is in accordance with the Edinburgh Design Standards in providing the minimum number of EV charging points. These would need to be to a minimum standard of 7kw (32amp) type two plugin sockets. As the proposed parking areas are in basements it will be easy and cheap to install wall mounted chargers at the development phase. Environmental Protection would recommend that every parking space has access to a 3kw (16 amp) three pin plug to enable slow charging of electric vehicles. We would recommend that users of the spaces are given an option to upgrade the charging outlets to the 7kw standards, so the developer would need to ensure there is capacity in the electrical mains to increase the amps. Details of this will need to be clearly demonstrated in detailed drawing.

Any non-residential parking spaces will need to have at least 3 rapid three-phase 50Kw electric vehicle charging points installed and operational prior to occupation. This should also be highlighted on any detailed plans.

The UK and Scottish Government have committed to banning the sale of combustion engine cars. As this is a large development which will take many years to complete it is feasible that this development will not be completed before the ban is introduced. The developer should therefore ensure the development is futureproofed with charging provided for all spaces as described above.

The applicant should be advised to ensure emissions are kept to a minimum. The applicant must fully consider extending the provision of PV/solar panels which is a good mitigation measure to reduce energy demand and emissions. The applicant should also investigate the installation of photovoltaic panels and use ground and air sourced heat pumps linked to energy storage. The applicant should be aware of the Climate Emergency and Edinburgh's Zero Carbon targets. Therefore, no fossil fuels should be

considered. It is understood that they propose using Combined Heat and Power (CHP) gas boilers. We would urge the developer to reconsider this option and look to meet all heat and energy demand using onsite renewables.

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

Planning restrictions are recommended to ensure amenity is protected. We would strongly recommend that you engage with Environmental Health throughout the development but especially during the early stages. This will ensure that the risk of complaint is further reduced. This is due to the location, level of demolition/earth works and length of time the development phase and the fact that people are now spending far longer periods in their homes due to the changes introduced through COVID and are more sensitive to construction disturbance. Environmental Protection shall be recommending planning conditions are attached to mitigate the local air quality and noise and vibration impacts this proposal will have.

In line with industry best practice a Construction Environmental Management Plan (CEMP) must be prepared for the development and secured by planning condition like the St James Centre development. The CEMP would be implemented and adhered to throughout the works with limited scope to amend it throughout.

The details of the CEMP would be agreed with the Planning Authority prior to the commencement of the works and would comprise, in effect, an operational manual detailing the management, monitoring, auditing and training procedures to be followed during the works to ensure compliance with relevant legislation, planning policy, regulations and best practice. It would also set out the specific roles and responsibilities of on-site personnel.

To minimise potential dust, noise and vibration, general best practice measures would be implemented and adhered to by contractors. Such measures have been highlighted in an informative, but the CEMP should provide more detail however the main concern for Environmental Protection is the dust, piling stage and hours of noisy operation. The applicant has highlighted its intentions regarding these, and Environmental Protection would support this if conditioned.

A mixture of ground improvement and limited piling will be undertaken on-site. Rotary bored piles are being proposed, in order to minimise the noise and vibration. This will need to be detailed in the CEMP.

The applicant has advised that it is anticipated that typical working hours for the demolition and construction phases would be:

- o 08.00 - 18.00 hours Monday to Friday;
- o 08.00 - 12.00 hours on Saturdays; and
- o No noisy working on Sundays or Bank Holidays.

Environmental Protection would support these hours of noisy working but will need to be controlled through conditioning of the CEMP. This is the most effective form of controlling the impacts. It is conceivable that certain works, for example delivery of abnormal loads, assembly of tower cranes may have to be undertaken outside these periods. No crushing shall be permitted on the development site to reduce dust impacts and we will recommend a specific condition for this. Such works will need to be subject to prior agreement and reasonable notice with CEC in the same way that St James Development operate. The applicant will need to have onsite monitoring throughout the development phase in the form of noise monitoring equipment with Vibration monitoring carried out at key stages of demolition and piling. Dust monitoring will need to be conducted during the demolition and earthworks stage.

Ventilation extracts are required to adequately deal with kitchen effluvia from the commercial kitchens these will need to be terminated at roof level and be capable of achieving 30 air changes per hour in the kitchen area and have a minimum 15m per second efflux velocity at the termination point. The roof plans do not show the position of the extract point therefore this information must be submitted later. A condition will be recommended to ensure this information is provided otherwise no cooking shall be permitted in the commercial kitchens.

The applicant had submitted site investigation information which is currently being assessed. A standards condition shall be required to ensure the site is fully remediated.

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

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

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

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

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

2. *No development shall take place until a scheme for protecting the residential development hereby approved and existing from noise and odours from the office and other commercial uses has been submitted to and approved in writing by the Planning*

Authority ; all works which form part of the approved scheme shall be completed to the satisfaction of the Planning Authority before any part of the development is occupied.

3. Prior to the any commercial cooking uses being taken, then details of extract flue and ventilation system, capable of 30 air changes per hour and terminating above roof level will be required and implemented.

4. No development shall take place until a scheme for protecting the residential development hereby approved and existing from noise from the proposed plant has been submitted to and approved in writing by the Planning Authority ; all works which form part of the approved scheme shall be completed to the satisfaction of the Planning Authority before any part of the development is occupied.

5. A minimum of 29 car parking spaces shall be served by 7Kw (32amp) type 2 electric vehicle charging sockets and shall be installed and operational in full prior to the development being occupied. All remaining parking spaces shall be served by a minimum 3 Kw (16-amp three pin plug) with an optional upgrade to 7Kw (32amp) Type 2 electric vehicle charging sockets. These shall be installed and operational in full prior to the development being occupied.

6. Three Rapid 50 Kw (125amp) triple headed (Combined Charging Standard/CHAdeMO/Type 2) chargers shall be installed at the commercial parking areas.

7. A detailed Construction Environment Management Plan (CEMP) shall be submitted to the satisfaction of The Planning Authority and adhered to during the construction phase.

8. During the demolition and construction phase no crushing is permitted on the development site.

9. During the demolition and construction phase hours of noisy construction shall be restricted to the satisfaction of the Planning Authority and specified in the CEMP.

10. Details on how the heat and energy will provided, with specific details on renewable energy and storage submitted to the satisfaction of the Planning Authority.

11. Any gas boilers in excess of 1MW (accumulative assessment) will require secondary abatement technology incorporated into any plant to the satisfaction of the Planning Authority.

Informative

1. When available the applicant shall provide details of all the boilers to Environmental Protection to ensure compliance with the Clean Air Act 1993.

2. The applicant shall engage with the Spatial Policy Team with regards the LEZ proposals spatial.policy@edinburgh.gov.uk

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

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

Construction Phase

1. *Careful selection of methods and plant to minimise noise at source as far as reasonably practicable;*

2. *Use of modern, quiet and well-maintained machinery such as electric powered plant, where possible and hoists should use the Variable Frequency Converter drive system;*

3. *All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC.*

4. *Vehicles and mechanical plant used for the Works would be fitted with exhaust silencers, which would be maintained in good and efficient working order and operated in such a manner as to minimise noise emissions in accordance with the relevant EU/UK noise limits applicable to that equipment or no noisier than would be expected based the noise levels quoted in BS 5228. Plant should be properly maintained and operated in accordance with manufacturers' recommendations. Electrically powered plant would be preferred, where practicable, to mechanically powered alternatives;*

5. *Establish noise and vibration target levels (a Section 61 agreement under the Control of Pollution Act 19745 (COPA)) to reduce noise and vibration to a minimum in accordance with best practicable means, as defined in Section 72 of COPA;*

6. *Adherence to relevant British Standards to establish noise and vibration 'Threshold' and 'Action' levels. Noise criteria would be discussed and agreed with CEC prior to the commencement of works*

7. *Identification and use of low noise techniques and non-vibratory or percussive piling techniques, where possible, to minimise noise and vibration. For example, equipment that breaks concrete by munching or similar, rather than by percussion. Where construction plant is known to generate significant levels of noise then it is to be used sparingly and the construction activity closely monitored to minimise noise levels;*

8. *Where possible, adopt low vibration working methods or alternative working methods, use of cut off trenches, reduction of energy input per blow and reducing resistance to penetration e.g. pre-boring for driven piles;*

9. *Where high levels of noise and vibration are predicted, monitoring of noise and vibration levels;*

10. *Positioning plant as far away from residential property as physically possible and switching off when not in use;*

11. *Switching off plant and vehicle engines when not in use;*

12. *Regular maintenance and servicing of vehicles, equipment and plant;*

13. *Adherence to the agreed operational hours;*

14. *Use of hoarding to the required height and density appropriate to the noise sensitivity of the area. Use of enclosures and screens (hoardings and heavy Monaflex*

sheeting), where necessary and practicable, around noisy fixed plant, especially near to surrounding residences;

15. Liaison with the occupants of adjacent properties most likely to be affected by noise or vibration from activities on the Site should also take place. The occupants should be informed of the nature of the works, proposed hours of work and anticipated duration prior to the commencement of activities; and

16. Review of demolition and construction techniques, especially in response to exceedances of the Action Level and / or complaints

17. Implementing measures to reduce dust emissions during transport (for example, sheeting the sides of vehicles carrying fine material);

18. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicles exhaust;

19. Using dust screens and covers and the appropriate location of dusty materials storage;

20. Fires to be prohibited on the Site;

21. Restricting drop heights onto lorries;

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

23. Spraying of internal unsurfaced temporary roadways with water at regular intervals as conditions require. The frequency of road spraying would be recorded as part of documented site management procedures;

24. Keeping surfaced roads and the public road during all ground works clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping would be recorded as part of documented site management procedures;

25. Adherence to the speed limits. All vehicles operating within the Site on unsurfaced roads would not exceed 15mph to minimise the re-suspension of dust;

26. Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) should be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason would be recorded. Review of the dust management plan on a monthly basis during the construction project and the outcome of the review to be recorded as part of the documented site management procedures.

27. No bonfires shall be permitted on the Site.

SEPA response - dated 6 July 2021

Thank you for asking us if this an application on which we'd like to provide comments.

The substitution of an affordable housing and build to rent block for an affordable housing and hotel block would not alter our previous advice, especially in the footprint of the two blocks is the same. There is no change in vulnerability to any flood risk (and I think it is surface water only at this site) between domestic and hotel development. The advice from CEC's own Environmental Health Officers would be useful in terms of greater numbers of residents being exposed to any poor air quality. (Hotel guests would be temporary residents whereas residents of the rental properties would be

longer-term if not permanently resident.) With more people resident, however, there may be more people generating car journeys and that should be factored into any possible impacts on the Low Emissions Zone and City Centre Transformation.

NatureScot response - dated 7 July 2021

Thank you for consulting us with the above application and EIA.

We have no comments to make to this application. This is a city centre development and as such does not raise significant natural heritage issues. We are currently focusing our EIA advice to those cases that raise nationally significant issues or meet our placemaking priorities.

Historic Environment Scotland response - dated 14 July 2021

Thank you for your consultation which we received on 02 July 2021. We have assessed it for our historic environment interests and consider that the proposals have the potential to affect the following:

*GDL00367 - THE NEW TOWN GARDENS - Garden and Designed Landscape
The Old and New Towns of Edinburgh World Heritage site
LB29680 - 15-23a Royal Terrace - Listed Building
LB29679 - 1-13a Royal Terrace - Listed Building*

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

Our Advice

We note the proposed changes to the recently approved (2020) scheme, specifically to Plot 1 between Dundas Street and Eyre Terrace, where it is proposed to replace the proposed hotel element in favour of residential units.

The changes to the blocks concerned on Plot 1 will not interfere with the setting of Royal Terrace, our main concern with the previous proposals. In terms of the wider World Heritage site the proposed sheer masonry facades will continue to step down Dundas Street following the established form of the Georgian tenements, although there will be changes to set-back upper levels where the scale of the buildings will be regularised - with the removal of the hotel rooftop bar (building 7) and set-back additions to building 6.

We do not consider the resultant proposed changes would result in any significant concerns from HES.

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

Further Information

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

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

Please contact us if you have any questions about this response. The officer managing this case is Steven Robb who can be contacted by phone on 0131 668 8089 or by email on Steven.Robb@hes.scot.

Edinburgh World Heritage response - dated 23 July 2021

Thank you for consulting Edinburgh World Heritage regarding the above application. We offer the following comments to the formal submission. These are based on our remit with respect to impact on the Outstanding Universal Value (OUV) of the World Heritage Site, and consideration should be given to wider heritage assets outside the scope of our remit.

This letter should be read in conjunction with our previous response to related applications 20/02024/FUL and 20/03034/FUL.

Impact on Outstanding Universal Value

I refer to our previous responses which detail more fully the contribution made to OUV by the site and area relevant to this application. In relation to our previous assessment that the proposals would not have a significant impact on the overall OUV of the World Heritage Site, the proposals for Plot A have been developed. We offer comment on the following changes most relevant to our remit.

The immediate setting of the World Heritage Site should be protected by ensuring that new development is contextual, high quality design and respectful of its historic context.

Whilst the overall principle remains as before, the changes to elevation design to Dundas Street appears to have lost some of the attention to locally characteristic depths, proportion and detailing seen in the elevations for 20/02024/FUL. We advise that careful consideration is given to ensure that the design rhythm, materials, proportion and detailing reflect their high quality and characteristic New Town context. There also appears to be the addition of further massing of rooftop additions to the northernmost block along Dundas Street. As Edinburgh's lively and characteristic roofscape is such an important part of its OUV, we advise the appropriateness of this is given careful consideration, with the aim being to conserve Edinburgh distinctive roofscape character.

Relevant Policy & Legislation

In addition to the duties, legislation and policies relating to individual heritage assets, the following are those most pertinent to the World Heritage Site in this case (not exhaustive):

- Duty to protect, conserve and present OUV for future generations (UNESCO)*
- Where a development proposal has the potential to affect a World Heritage Site, or its setting, the planning authority must protect and preserve its Outstanding Universal Value (Scottish Planning Policy, 147)*
 - The siting and design of development should take account of all aspects of the historic environment (Scottish Planning Policy, 140)*
 - Development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh and/or the Forth Bridge as World Heritage Sites or would have a detrimental impact on a Site's setting will not be permitted. This policy requires development to respect and protect the outstanding universal values of the World Heritage Sites and their settings. Setting may include sites in the immediate vicinity, viewpoints identified in the key views study and prominent landscape features throughout the city (Edinburgh Local Development Plan, Policy Env 1 World Heritage Sites)*
- Ensure that the Outstanding Universal Value of the WHS is taken into account in planning decision (WHS Management Plan 2017-22)*

Resultant Position

We advise that careful consideration is given to the heritage impacts of the proposal in line with the policy and legislation outlined above, and hope that our comments above are helpful to you in considering this application. We consider that the proposals would not cause notable harm to the OUV of the World Heritage Site as a whole, but encourage every opportunity to be taken to ensure that that this significant development reflects the high quality and locally characteristic architecture of Edinburgh's New Towns.

As always, we advise you engage the heritage expertise within your planning department to inform the wider heritage considerations and detail (including materials specification) of this application.

Affordable Housing (Housing Management and Development) response - dated 26 August 2021

1. Introduction

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

Housing Management and Development are the consultee for Affordable Housing. The proposed affordable 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's guidance on 'Affordable Housing' sets out the requirements of the AHP, it can be downloaded here:*

2. Affordable Housing Provision

This application is for a development consisting of up to 174 homes and as such the AHP will apply. Furthermore this application has been identified by the applicant as being the affordable housing contribution for the prior application 20/03034/FUL. There will be an AHP requirement for a minimum of 25% homes of approved affordable tenures.

This application comprises 66 units for Build To Rent (BTR) and 108 homes which will be Intermediate Rent, a total of 174 homes. However, this application is proposed as the affordable housing contribution for the prior application 20/03034/FUL, which was considered by Development Management Sub Committee on 17 February 2021. The decision was "minded to grant" with a requirement for a further consent for the Hotel and Affordable Block (Plot A). The components of the two applications are:

- 1. Plot 1 (this application - 21/03481/FUL) - 66 BTR homes and 108 Intermediate Rent*
- 2. Plot 2 (20/03034/FUL) - 144 BTR homes*
- 3. Plot 3 (20/03034/FUL) - Office*
- 4. Plot 4 (20/03034/FUL) - 117 homes Private Residential*

These are a total of 435 residential units, with a combined affordable housing contribution of 108.75 units. When provided onsite the affordable housing contribution is rounded down to the nearest whole unit, giving an onsite affordable housing contribution of 108 homes.

The applicant entered into dialogue with the Council on the design, mix and location of the affordable housing. The 108 affordable homes will be flatted apartments within a contained block close to public transport links and local amenities. The applicant advised that affordable housing occupants will have access to all the communal facilities offered by the wider development.

However, measures are required to safeguard the affordable housing contribution. These measures had been accepted by the applicant and form part of the Section 75 Legal Agreement for the prior application. In accordance with that existing S75, these will now continue to apply to this application until affordable housing is provided. Restrictions on construction will be applied to Plot 4 (residential development) until:

- o Land for the affordable housing is transferred to the Council or a RSL nominated by the Council, or;*
- o The completion of construction of the affordable housing.*

If committee are minded to grant the application this should be included in the legal agreement requirements.

The affordable homes will comprise a range of sizes from one to three bedrooms. The proposed mix of unit sizes is generally representative of the wider development. 22 (20%) of the affordable units will have three-bedrooms in comparison to 69 (21%)

three- and four-bedroom homes across the wider site. It is welcome that the applicant has not included any studio flats in the affordable allocation.

The affordable homes will be well-integrated into the development and will front onto Dundas Street. As part of the prior application, the applicant had submitted an Affordable Housing Statement which confirmed that they considered the delivery of affordable homes for social rent and engaged with a local Registered Social Landlord (RSL) to try to achieve this, however this was not found to be a viable option due to significant financial constraints.

The affordable housing within this development will therefore be delivered on-site as 'intermediate rent' (unsubsidised mid-market rent), an accepted affordable tenure. The affordable homes will be financed by institutional investment and delivered for a minimum of 25 years. There will be no requirement for grant subsidy, therefore the grant that is freed up can be channelled into delivery of social rented homes elsewhere.

The proposed approach to affordable housing delivery is in line with the principles set out in the report "Support for Build To Rent" which the Planning Committee noted in January 2020, following approval by the Housing, Homelessness and Fair Work Committee. The proposal shares the characteristics of a typical BTR development in that it will be financed by institutional investment and will deliver placemaking and housing at a scale and pace which is rarely matched by traditional housing for sale providers.

The developer is currently in discussions with a housing association about them owning and operating the affordable units for 'intermediate rent'. Rents would be restricted to Scottish Government's published Broad Rental Market Area (BRMA) 30th Percentile. BRMA 30th Percentile is significantly less than average market rents in Edinburgh; between £1,400 and £3,300 less per annum, depending on house size. The Council's Affordable Housing Policy sets out a "Definition of Priority Clients"; those people who are in housing need and who cannot afford to access accommodation through the regular functioning of the housing market and earn below average household income. Rents at the 30th Percentile are affordable to people within the defined client group, and significantly less than average market rents.

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

3. Summary

The applicant has made a commitment to provide 25% on site affordable housing which will assist in the delivery of a mixed sustainable community. The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.

Housing Management and Development is supportive of this application as:

- The applicant will deliver 108 on-site affordable homes as 'intermediate rent' for a minimum of 25 years;*
- This would be the 25% affordable housing contribution for this application and the prior application 20/03034/FUL;*

- The affordable housing is well-integrated and includes a variety of sizes to reflect the provision of homes across the wider site;
- There is no grant funding required for the affordable homes. The grant funding freed up will be targeted to the delivery of social rented homes elsewhere within the city.
- Restrictions on the construction of Plot 4 should continue until affordable housing is provided, and this should be included in the legal agreement requirements.

I would be happy to assist with any queries on the affordable housing requirements for this application.

Roads Authority response - dated 14 July 2021

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

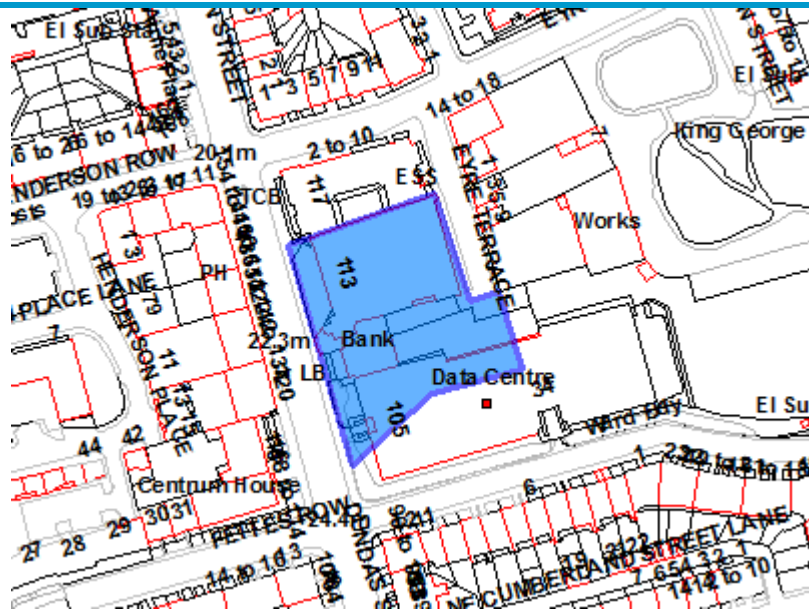
1. *Cycle parking requirement as follows;*
 - o *948 secure cycle parking spaces required for the 435 residential unit*
 - o *76 secure cycle parking spaces required for the office*
2. *No tram contribution required (see note b below);*
3. *In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of 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 applicant should be advised that: as the development is located in Zones 1 to 8, they will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See https://democracy.edinburgh.gov.uk/Data/Transport%20and%20Environment%20Committee/20130604/Agenda/item_77_-__controlled_parking_zone_amendments_to_residents_permits_eligibility.pdf (Category A - New Build);*
5. *All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;*

Note:

- a) *A transport statement has been submitted in support of the application. This has been assessed by transport officer 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.*
 - o *The proposed additional 86 residential units to the consented development will generate a total two-way vehicular trips of 29 for each of the AM and PM peak hours*
 - o *Tram contribution in Zone 3;*
 - o *Existing office use 36,957m² GEA =£1,278,712*
 - o *Existing warehouse use 1,955m² GEA = £10,642*

- o Total tram contribution of existing use = £1,289,354
- o Consented Office use 9,820sqm =£340,250
- o Consented 349 Residential unit = £253,000
- o Additional 86 residential units = £79,353
- o Consented Gym 940sqm =£00
- o Total tram contribution for proposed and consented =£672,603
- o Net tram contribution = £672,603(proposed) - £1,289,354(existing use) =£-616,751
- b) Vehicular access to be maintained from existing Eyre Terrace providing a link to the proposed undercroft parking areas, 3.7m wide emergency access designed as shared surface around the perimeter of BTR with collapsible bollards to prevent unauthorised parking;
- c) Ramped pedestrian access proposed from both Dundas Street and Royal Crescent to connect to the active travel network of King George V Park;
- d) Dundas Street ramp - the ramp is a minimum of 2.2m at the narrowest points but extends to 2.5m for the majority of its length. The ramp gradient meets the requirements of the DDA with a grade of 1:21 which ensures that access is available for all ranges of mobility
- e) The site is accessible by public transport (Lothian service - 23, 27, 8, 24, 36, 42, 61), tram and rail
- f) The proposed 164 car parking spaces including 16 disabled bays and 29 EV charging spaces complies with the Council's parking standards which could allow a maximum of 435 parking spaces for the proposed residential unit. 3 car parking spaces for the office. Residential car parking space allocation as follows;
 - o 66 BTR/108 MMR - 68 parking spaces (including 7 disabled bays and 12 EV charging)
 - o Private residential 93 (including 8 disabled bays and 16 EV charging)
 - o Office 3 (including 1 disabled bay and 1 EV charging);
- g) 22 motorcycle parking spaces proposed complies with the minimum CEC motorcycle parking requirement of 22 spaces;
- h) Cycle parking -
 - o 948 secure cycle parking spaces required for the 435 residential unit
 - o Proposed 76 cycle parking spaces for the office complies with the minimum requirement of 75 spaces.

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420
END