

Development Management Sub Committee

Wednesday 3 June 2020

**Application for Planning Permission 20/00496/FUL
at 11 - 23 Montrose Terrace, Edinburgh.
Proposed purpose-built student accommodation
development with community space, associated
infrastructure and amenity space, bicycle parking,
landscaping and upgrade of pedestrian path and steps.**

Item number

Report number

Wards

B14 - Craigentinny/Duddingston

Summary

Purpose-built student accommodation is acceptable in principle in this location. The application site is well served by public transport and the development will not result in an excessive concentration of student accommodation to the detriment of maintaining a balanced community. The proposal is of a suitable design, scale, form, massing and density and an appropriate balance has been achieved between retaining reasonable levels of amenity for neighbouring properties and ensuring the development is compatible with the character and appearance of the townscape. Future occupiers will benefit from an acceptable level of amenity and landscaping and public realm works suitably reflect their historic surroundings.

The proposal will not be detrimental to the character and historic interest of nearby listed buildings or their setting and alterations are justified. The proposal shall enhance the character and appearance of the conservation area and have a positive impact on the setting of the World Heritage Site. Significant archaeological deposits are unlikely to be disturbed and the proposal will have no material impact on the city's key views and skyline.

Car and cycle parking provision is acceptable and the development raises no concerns with respect to road safety. The proposal shall not have an adverse effect on the city's natural heritage assets and the identified remediation measures will suitably mitigate the adverse environmental impacts from the application sites previous petrol filling station use.

The proposal is considered to comply with the following Local Development Plan polices and there are no other material considerations that should outweigh this conclusion: Des 1; Des 4; Des 5; Des 6; Des 7; Des 8; Des 11; Env 1; Env 3; Env 4; Env 6; Env 9; Env 12; Env 16; Env 21; Env 22; Hou 8; Tra 2; Tra 3; Tra 4; and RS6.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES04, LDES05, LDES06, LDES07, LDES08, LDES11, LEN01, LEN03, LEN04, LEN06, LEN09, LEN12, LEN16, LEN21, LEN22, LHOU08, LTRA02, LTRA03, LTRA04, LRS06, NSG, NSGSTU, NSGD02, CRPNEW, CRPWHS,

Report

Application for Planning Permission 20/00496/FUL at 11 - 23 Montrose Terrace, Edinburgh. Proposed purpose-built student accommodation development with community space, associated infrastructure and amenity space, bicycle parking, landscaping and upgrade of pedestrian path and steps.

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 former petrol filling station (PFS) which had its access to Montrose Terrace. It extends to 0.16ha and is bounded by West Norton Place to the west, a private way and tenement curtilages to the north and 25-27 Montrose Terrace to the east. Land is largely vacant except for the forecourt and below ground infrastructure from the PFS. Trees occupy sloping ground to West Norton Place.

Development to the north, east and south is comprised of three or four-storey tenements. They are residential in character but typically occupied by ground floor commercial premises. The two-storey Abbeymount Techbase and the three-storey Century General Store and Café sit to the west. Easter Road marks the extent of the Edinburgh World Heritage Site.

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

2.2 Site History

26 July 2012 - planning permission granted for the erection of boundary fence and demolition of existing building (application reference 12/01925/FUL)

27 July 2012 - conservation area consent granted for the demolition of canopy and retail shop, and removal of underground tanks and impacted soils. Before backfilling with clean and inert fill material (application reference 12/02149/CON)

22 May 2013 - planning permission granted for the regrading of part of site ground levels due to wall instability (retrospective) and surfacing of said area with tarmac (see accompanying cover letter for details) (application reference 13/01018/FUL)

Pending Consideration - Complete Demolition of a wall in a Conservation Area (application reference 20/00498/CON)

Pending Consideration - Proposed removal of rubble wall, steps, railing and gate and rebuilding of stone steps as part of redevelopment of site and re-provision of pedestrian route (application reference 20/00497/LBC)

Main report

3.1 Description of the Proposal

The application proposes the erection of purpose-built student accommodation (PSA) with ancillary community space. The single block proposal has a footprint of 1,030 sqm and will be four-storey in appearance to Montrose Terrace, five-storey to West Norton Place and six-storey to a private courtyard. The ground floor community space occupies 95 sqm of the buildings footprint and will be accessed from Montrose Terrace.

141 student bedrooms within 53 units are proposed across six floors and are comprised of 20 studios, eight accessible studios, one three-bedroom cluster flat, ten four-bedroom cluster flats and 14 five-bedroom cluster flats. Communal spaces will be provided in the form of a gym, media room and laundry on the lower ground floor and lounge / dining areas on the lower ground, ground and third floors.

The proposal will be finished in natural stone panelling except for zinc cladding and glazed curtain walling to the top floor and a contemporary double height entrance feature to the western corner. Courtyard elevations shall be rendered in white. 141 cycle spaces will be provided and no car parking is proposed. A pend secured by a metal railing gate will link the private courtyard and cycle spaces to West Norton Place.

The proposal will connect to the Category B listed 25-27 Montrose Terrace (LB29367). It shall sit within the setting of the Category B listed Century General Store and Café (LB49059) and Abbeymount Techbase (LB49054). A boundary wall and flight of stone steps which form part of the Century General Store and Café listing will be removed and altered respectively.

The following supporting documentation accompanied the application:

- Arboricultural Impact Assessment and Tree Constraints Plan
- Access and Amenity Statement
- Design and Access Statement
- Extended Phase 1 Habitat Survey and Preliminary Roost Assessment
- Flood Risk Assessment
- Heritage Statement
- Noise Impact Assessment
- Phase 1 and Phase 2 Geo-environmental Assessments
- Planning Statement
- Remediation Strategy
- Surface Water Management Plan
- Sustainability Statement
- Tree Survey
- Transport Statement

These are available to view on the City of Edinburgh Council (CEC) Planning and Building Standards Online Portal.

3.2 Determining Issues

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

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 proposal is acceptable in principle;
- b) it raises any issues with respect to archaeology and the character and appearance of listed buildings and their setting;
- c) it is of an appropriate design and relates positively to the character and appearance of the townscape and conservation area;
- d) it will adversely affect the amenity of neighbouring developments and provide future occupiers with acceptable levels of amenity;
- e) it raises any issues with respect to road safety and transport;
- f) it protects or enhances the city's natural heritage;
- g) it protects or enhances the city's natural resources and
- h) the report has addressed all material considerations raised by Community Councils and letters of representation.

a) Principle of the Proposal

Local Development Plan (LDP) Policy Hou 8, supports purpose-built student accommodation in principle when the proposal:

- is appropriate in terms of access to university and college facilities by walking, cycling and public transport; and
- will not result in an excessive concentration of student accommodation to an extent that would be detrimental to the maintenance of balanced communities or to the established character and residential amenity of the locality.

The Student Housing Guidance (SHG) provides detailed locational and design guidance. Purpose-built student accommodation will be supported in principle on sites:

- within or sharing a boundary with a main university or college campus;
- with less than 0.25ha developable area; or
- with more than 0.25ha developable area and those identified within the LDP Housing Land Study as having a high probability of delivering housing if a proportion of housing will be provided as part of the development.

Sites with a developable area of less than 0.25ha must not have formed part of a larger area, within a single control or ownership, on the 25 February 2016. Purpose-built student accommodation should be comprised of a mix of accommodation types to meet the varying needs of students and include alternative ground floor uses where this is a characteristic of the street.

Accessibility to University and College Facilities

The application site extends to 0.16ha and is not located within or adjacent to a main university or college campus. It did not form part of a larger area on the 25 February 2016. The Edinburgh Design Guidance (EDG) identifies the application site as having a high / very high public transport accessibility level. Lothian Bus 35 serves Easter Road and Abbeyhill and provides direct access to the University of Edinburgh's central campuses, Heriot-Watt University and the Sighthill campuses of Napier University and Edinburgh College. London Road provides further public transport connections and the University of Edinburgh's central campuses sit within a reasonable walking distance.

Concentration of Student Accommodation

The SHG uses 2011 census output zones and private rented sector data from the University of Edinburgh to assess the concentration of student accommodation. The application site is not located within or adjacent to an area where the percentage of full-time students exceeds 20% of the population. The number of students in private rented accommodation is not regarded as excessive, particularly when compared to locations in closer proximity to central campuses.

The Planning Statement assesses the impact of the proposal on the concentration of student accommodation by defining a locality to the application site using 2011 census output zones. Accommodation developments proposed, consented or built after 2011 within the locality were also considered. The Meadowbank Shopping Park and predominantly green space output zones were omitted.

Fourteen percent of the locality's population are full-time students, rising to 34% on inclusion of bed spaces from the proposal and accommodation developments proposed, consented or built after 2011. The locality suitably considers the character of the application sites surroundings and this assessment is deemed to be an acceptable method for determining the proposals impact on the concentration of student accommodation.

The mix of accommodation types proposed is suitable and the community space is appropriately located, of a similar footprint to commercial premises nearby and compatible with the character of the street.

Summary

The proposal is appropriate in terms of its accessibility to university and college facilities and will not result in an excessive concentration of student accommodation to the detriment of maintaining a balanced community. The range of accommodation is acceptable, and the community space is compatible with the character of the street.

The proposal complies with LDP Policy Hou 8.

b) Listed Buildings and Archaeology

LDP Policy Env 3 safeguards the setting of listed buildings. LDP Policy Env 4 permits justified, in keeping alterations to listed buildings provided they do not cause unnecessary damage. LDP Policy Env 9 protects archaeological remains.

Setting of Listed Buildings

The proposal respects the setting of 25-27 Montrose Terrace by mirroring its building line and reflecting its fenestration and door position. The continuation of the stepped increase in tenement height ensures that the proposal will not dominate its historic neighbour. The setting of the Century General Store and Café has been preserved by retaining the footpath to its rear and reducing the height of the proposal where it meets with this listed building. Its fish-scale-slatted tower will remain a notable aspect of the streetscape and the framing provided by the contemporary entrance feature will accentuate its architectural detailing. Muted colours will contrast with the lighter finish of the Century General Store and Café and act to emphasise its historic significance.

The slightly elevated position of the Abbeymount Techbase largely mitigates against any detrimental impacts on its setting and it will remain a dominant building within the streetscape. It is not considered that the proposal will have any material impact on the setting of the Category C listed 7-19 East Norton Place (LB29461, 19 April 1966) given the separation distance which will exist from the rear elevation of these tenements. This is also regarded to apply to the Category C listed 1 to 4 Abbey Mount and 2 Montrose Terrace (LB49048, 19 December 2002).

Alterations to Listed Buildings

The alterations required to the western elevation of 25-27 Montrose Terrace are minor. It is evident that the terrace once continued in some form and the proposal will not result in the loss of any significant historic fabric. The rubble wall and stone steps forming part of the Century General Store and Café listing are not of any particular historic or architectural interest. Removal and alteration would not detract from the character of the listed building as a whole as they are small scale, functional features of little architectural merit. The alterations proposed are minor in scope and regarded to be justified in the context of reusing a vacant urban site with wide ranging visual amenity benefits. Historic Environment Scotland did not provide comment.

Archaeology

There is a low probability of significant archaeological deposits given the level of ground disturbance associated with the application sites most recent petrol filling station use. The CEC Archaeology Service raised no objection.

Summary

The proposal will not be detrimental to the architectural character, appearance or historic interest of nearby listed buildings or their setting. Alterations are justified and will not result in unnecessary damage to historic structures or diminution of interest. The proposal is unlikely to disturb significant archaeological deposits given the developmental history of the application site.

The proposal complies with LDP Policy Env 3, LDP Policy Env 4 and LDP Policy Env 9.

c) Design and Relationship to the Character and Appearance of the Townscape and Conservation Area

LDP Policy Des 1 requires developments to create or contribute towards a sense of place. LDP Policy Des 4 and LDP Policy Env 6 ensure that development has a positive impact on the character of the townscape and preserves or enhances the character and appearance of conservation areas. LDP Policy Des 7 and LDP Policy Des 8 seek integrated developments which enhance community safety and introduce high quality landscaping. LDP Policy Des 6 requires development to moderate their impact on the environment. LDP Policy Des 11 safeguards the city's historic skyline and key views and LDP Policy Env 1 looks to preserve the setting of World Heritage Sites.

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.

Appearance, Scale, Form and Massing and Impact on Surroundings

The proposal effectively seeks to complete an established block of development defined by tenements to Montrose Terrace and East and West Norton Place. Montrose Terrace and West Norton Place rise to the south and the proposal shall sympathetically reflect the rhythm of the streetscape by continuing the stepped change in tenement height. The proposal follows the orientation and building line of these tenements which ensures that the development harmonises with the established pattern of development.

Natural stone panelling to public realm facing elevations and replication of fenestration and door position promotes the proposals integration into a historic streetscape. The use of zinc clad dormers where the development meets with 25-27 Montrose Terrace softens the contrast between the slate roofs of tenements and the proposals glazed top floor. Reflecting the streetscapes historic character for much of the proposal ensures that the more contemporary elements respond positively to their surroundings. The slightly set back position for the contemporary entrance feature to the western corner, and the use of muted finishes and glass, creates a striking but appropriate contrast which does not dominate nor detract from the character and appearance of the conservation area. The materials and finishes proposed are regarded to be suitable for this location and the design as a whole.

Landscaping works are largely confined to the courtyard and out of sight of the public realm. The constrained nature of the application site and competing developmental pressures limits the provision of more extensive landscaping and the level and materials proposed is deemed acceptable for this historic urban location. The proposal will activate the frontage of a section of West Norton Place with poor natural surveillance and the reinstatement of the route to the rear of the Century General Store and Café enhances pedestrian permeability.

The proposal introduces an appropriate density of development into a vacant urban site reducing demand for the release of greenfield land. Sustainable travel has been promoted by providing one cycle space per bedroom and the application site is well served by public transport. There is no car parking and resource reduction measures including passive low energy lighting, high insulation levels and rainwater harvesting shall be implemented.

The proposal shall not significantly exceed the prevailing height of development in the surrounding area. It will have a positive impact on the setting of the Edinburgh World Heritage Site by removing a vacant site fronting a historic thoroughfare into and out of the city centre.

Summary

The proposal is of an appropriate design, scale, form, massing and density and it will have a positive impact on the character and appearance of the townscape. The development constitutes the sympathetic reuse of a vacant urban site and it will enhance the character and appearance of the conservation area and the setting of the World Heritage Site. The proposal shall have no material impact on the city's skyline and key views and landscaping and public realm works are appropriate for a constrained urban site within a historic area.

In order to confirm that the development will effectively integrate with the character and appearance of its surroundings, it is recommended that a detailed specification of materials and finishes and a landscape plan are provided prior to the commencement of development by conditions.

The proposal, on condition of a detailed specification of materials and finishes and provision of a landscape plan, complies with LDP Policy Des 1, LDP Policy Des 4, LDP Policy Des 6, LDP Policy Des 7, LDP Policy Des 8, LDP Policy Des 11, LDP Policy Env 1 and LDP Policy Env 6.

d) Amenity

LDP Policy Des 5 seeks to safeguard the amenity of neighbouring developments and ensure that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

Neighbour Amenity

The Average Daylight Factor (ADF) methodology was used to determine the proposals impact on an east facing ground floor flat fronting West Norton Place. The ADF will exceed the applicable Building Research Establishment (BRE) threshold and the proposal shall not result in an unreasonable loss of natural light for this flat or others within these tenements. There are no concerns regarding privacy and outlook given the separation distance and difference in aspect between these developments.

The most significant loss of daylight and sunlight will be to 25-27 Montrose Terrace and the curtilages of tenements. These identified areas experience a degree of shading currently given the scale of surrounding development and their aspect. A number of trees within their curtilages also have a seasonal impediment effect. Reducing the height of the proposal to achieve improved natural light levels would have a detrimental impact on its compatibility with the character of the townscape. The loss of natural light will not be unreasonable for these identified areas when measured against the predevelopment baseline and is acceptable.

The proposal will face the rear elevation of the Century General Store and Café and the east elevation of the Abbeymount Techbase. Neither building is in a residential use. Whilst the south is the principal elevation of the Abbeymount Techbase, its east is of secondary importance in both character and appearance and makes use of obscured glazing in part. The proposal will not result in an unreasonable loss of natural light to principal elevations or occupiable internal spaces. Impediment of natural light for the secondary elevations of these buildings, as well as any impact on privacy and outlook, will be minor and considered acceptable in the context of reusing a vacant urban site.

The proposal will not result in an unreasonable loss of daylight and sunlight for the East Norton Place tenements when measured against the predevelopment baseline. The separation distance which will exist suitably mitigates against any material impact on privacy or outlook.

The orientation and configuration of the building on site results in there being no adverse impact in terms of window to window distances.

Purpose built student accommodation is not expected to generate significant levels of noise to the possible detriment of neighbour amenity. The community space is small which prevents congregation by large groups and restricts its suitability for events associated with noise generation.

Future Occupier Amenity

The Edinburgh Design Guidance (EDG) does not define minimum internal floor areas for purpose-built student accommodation. Whilst the 53 units would fail to meet those for housing, a reasonable level of living space respective to the use will be provided and each contain an en-suite bathroom and kitchen facilities. Further communal facilities will also be provided in the form of a gym, media room, lounges and storage spaces. The EDG requires consideration of adaptability should demand for purpose-built student accommodation decline. It is evident that internal configuration to reduce the number of units would allow a conversion to housing whilst still retaining suitable levels of amenity.

The ADF methodology is used to determine the levels of daylight for eight units facing the courtyard. Seven are located on basement floor and one is on the ground. The ADF exceeds the applicable BRE threshold for each of these test units and all 53 will benefit from reasonable levels of daylight and sunlight.

External amenity space will be provided by the courtyard with grassed vegetable garden area. The EDG suggests that external amenity space should be capable of receiving sunlight for more than two hours during the spring equinox. It is considered that ensuring the proposals compatibility with the character of the townscape is a significant barrier to providing external amenity space which accords with these EDG requirements. Given the range of public greenspaces nearby, and the competing developmental pressures of reusing an urban site, the level and quality of the amenity space is regarded as acceptable. Overlooking by neighbouring tenements is an expected outcome of reusing a vacant urban site bounded by tenements and raises no concerns given that this is an established trait of neighbouring curtilages.

Road traffic will be the principal source of noise to the possible detriment of occupier amenity. Whilst significant, it is in line with what would be expected of an urban site fronting a principal thoroughfare. Environmental Protection raised no objection subject to the installation of acoustic glazing and ventilation measures. Communal refuse storage is located internally and bins shall be moved to West Norton Place on nominated collection days. Waste Management Services raised no objection subject to the formation of a designated collection point and timeous presentation and removal of refuse bins.

Summary

The proposal achieves a suitable balance between retaining reasonable levels of amenity for neighbouring properties and ensuring the development is compatible with the character and appearance of the townscape. Occupiers will have acceptable levels of amenity and the means of refuse storage and collection is appropriate.

The proposal, with the attachment of the informatives recommended by Waste Management and on condition of installing specialist acoustic glazing and ventilation measures, complies with LDP Policy Des 5.

e) Transport and Road Safety

LDP Policy Tra 2 and LDP Policy Tra 3 grant planning permission when the car and cycle parking provision comply with and does not exceed the levels set out in the EDG. LDP Tra 4 seeks appropriately sited parking of a high-quality design.

Car Parking

The EDG allows a maximum of 24 car parking spaces; none are proposed. The proposal is anticipated to generate 337 weekday trips by all modes of transport. The application site is well served by public transport, and campuses, the city centre and local services sit within a reasonable walking distance. West Norton Place marks the extent of the Controlled Parking Zone (CPZ). The application site is within the phased extension to the CPZ and residents shall not be eligible for car parking permits.

The provision of no car parking is acceptable and shall promote more sustainable travel. Vehicular traffic generation is likely to be minimal, particularly when compared to the number of trips which would be generated by the former use of the application site. Although an increase in vehicular trips is expected at the start and end of term times, West Norton Place is a non-through road and can suitably accommodate this short term, temporary increase in traffic. Transport raised no objection with respect to car parking subject to informatives relating to potential contributions towards the city car club and public road maintenance including waiting restrictions to West Norton Place and the stopping-up of accesses.

Cycle Parking

The EDG requires a minimum of 141 cycle parking spaces; 141 are proposed, 122 internally and 19 externally. The internal provision is located on the ground floor and comprised of 104 two-tier spaces and 18 vertical racks. The external provision is comprised of 7 vertical racks and 12 Sheffield stands and are sited in the courtyard. All have a step-free access to West Norton Place via the pend and secure gate.

Transport recommended continuation as vertical racks are not always suitable for less able-bodied persons. Reallocation of spaces to a store fronting Montrose Terrace was also suggested. The internal / external distribution raised no concerns.

Twenty-five of the 141 cycle parking spaces are vertical rack. There is sufficient alternative provision for less able-bodied persons and the use of space saving vertical racks is considered acceptable for a constrained urban site with competing developmental pressures. Cyclists who wish to carry on their step-free journey to the south will be required to use Easter Road via West Norton Place, a non-through road with low vehicular usage. They would then join and leave Easter Road by an existing junction and dedicated right turn lane. A store to Montrose Terrace would require cyclists to join and leave a principle thoroughfare in proximity to a busy intersection to the detriment of their safety. Any increase in journey time would be minor and acceptable.

Summary

The proposed car and cycle parking provision accords with the levels set out in the EDG and their siting and design is considered suitable for a constrained urban site with competing developmental pressures.

The proposal, with the attachment of the informatives recommended by Transport complies with LDP Policy Tra 2, LDP Policy Tra 3 and LDP Policy Tra 4.

f) Natural Environment

LDP Policy Env 12 looks to retain trees and woodland. LDP Policy Env 16 prevents adverse impacts on species protected under European or UK law.

Trees and Woodland

Twenty-two trees, six graded B2 and 16 at C2, will be removed. Nine, three at B2 and six at C2, have the potential to be impacted. Most trees to be removed are located on sloping ground to West Norton Place and form part of a single generational cohort. Although currently in a satisfactory condition, the majority are considered to have a short life expectancy due to congestion and unstable siting.

Retaining trees of limited long term arboricultural value would severely reduce the developable area of the application site and detrimentally impact the proposals compatibility with the character and appearance of the townscape. Removal without significant compensation is considered acceptable as part of a proposal with wide ranging visual amenity and sustainability benefits. It is suggested that the trees to the north which will bound the grassed area can be retained by implementing a construction exclusion zone.

Biodiversity and Habitats

The application site and its surroundings contain a limited range of habitats and none have significant ecological value. No buildings, structures or trees were recorded as having features to support roosting bats and conditions are poor for foraging and commuting. No evidence was found of other protected species within the application site or its surroundings. The CEC Natural Heritage Service did not provide comment.

Summary

The proposal will not have a damaging impact on protected trees or any woodland worthy of retention. There is no evidence of significant habitats within the application site or its surroundings and the proposal will not have an adverse effect on protected species.

The proposal, on condition of a construction exclusion zone for tree retention, complies with LDP Policy Env 12 and LDP Policy Env 16.

g) Natural Resources

LDP Policy Env 21 seeks to ensure no increased flood risk for the application site or its surroundings. LDP Policy Env 22 supports development that does not generate significant adverse effects for health and the environment. LDP Policy RS6 ensures that there is sufficient water and wastewater capacity for the development.

Flood Risk and Surface Water

The application site is not located within or adjacent to an area at risk of flooding from any source. The Sustainable Drainage Systems are proposed to operate without flooding up to a 200-year storm event plus a 40% climate change allowance. Overland flow routes have been designed to drain water away from the development and bounding properties in more extreme storm events. The CEC Flood Prevention Service raised no objection and SEPA did not provide comment.

Pollution and Air, Water and Soil Quality

Whilst the underground storage tanks and the majority of the above ground infrastructure from the petrol filling station have been removed, the application site requires further remediation to mitigate the negative environmental impacts resulting from the previous use. The necessary measures have been identified. Environmental Protection raised no objection subject to a site survey and submission of a detailed remedial schedule where necessary.

Water and Waste Water Provision

Scottish Water has confirmed that there is adequate capacity to serve the development and no current network issues which may impact provision.

Summary

The proposal will not increase flood risk for the application site or its surroundings and the identified remediation measures shall suitably mitigate the adverse environmental impacts from the previous use. Water and wastewater demands can be met Scottish Water.

The proposal, on condition of a site survey and detailed remedial schedule where necessary, complies with LDP Policy Env 21, LDP Policy Env 22 and LDP Policy RS6.

h) Letters of Representation

A total of 29 timeous letters of representation were received; seven objecting, 21 in support and one maintaining a neutral position. No comment was received from the Leith Central Community Council, the New Town and Broughton Community Council and the Old Town Community Council.

Letters of Representations in Objection

Material planning considerations raised and location of assessment:

- Purpose-built student accommodation over market and / or social housing - paragraph a);
- Overprovision of student accommodation - paragraph a);
- Loss of residential amenity - paragraph d);
- Adequacy of parking and vehicular access - paragraph e);
- Adequacy of drainage - paragraph g).

Non-material planning considerations raised:

- Impact of construction on residential amenity and rental income;
- Noise from residents on completion of the development;
- Control and design of access to the internal cycle storage.

Letters of Representations in Support

Material planning considerations raised and location of assessment:

- Suitability of location for student accommodation - paragraph a);
- Provision of community space - paragraph a);
- Use of a brownfield site - paragraph b);
- Quality of design - paragraph b);
- Increase in activity to West Norton Place - paragraph b)
- Promotion of sustainable transport - paragraph e);

Non-material planning considerations raised:

- None.

Letters of Representation Maintaining a Neutral Position

Material planning considerations raised and location of assessment:

- Use of a brownfield site - paragraph b);
- Quality of design - paragraph b).

Non-material planning considerations and location of assessment:

- None.

3.3.1 Conclusion

Purpose-built student accommodation is acceptable in principle in this location. The application site is well served by public transport and the development will not result in an excessive concentration of student accommodation to the detriment of maintaining a balanced community.

The proposal is of a suitable design, scale, form, massing and density and an appropriate balance has been achieved between retaining reasonable levels of amenity for neighbouring properties and ensuring the development is compatible with the character and appearance of the townscape. Future occupiers will benefit from an acceptable level of amenity and landscaping and public realm works suitably reflect their historic surroundings.

The proposal will not be detrimental to the character and historic interest of nearby listed buildings or their setting and alterations are justified. The proposal shall enhance the character and appearance of the conservation area and have a positive impact on the setting of the Edinburgh World Heritage Site. Significant archaeological deposits are unlikely to be disturbed and the proposal will have no material impact on the city's key views and skyline.

Car and cycle parking provision is acceptable and the development raises no concerns with respect to road safety. The proposal shall not have an adverse effect on the city's natural heritage assets and the identified remediation measures will suitably mitigate the adverse environmental impacts from the application sites previous petrol filling station use.

The proposal complies with the following Local Development Plan policies and there are no other material considerations that outweigh this conclusion: Des 1; Des 4; Des 5; Des 6; Des 7; Des 8; Des 11; Env 1; Env 3; Env 4; Env 6; Env 9; Env 12; Env 16; Env 21; Env 22; Hou 8; Tra 2; Tra 3; Tra 4; and RS6.

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

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, will be submitted to and approved in writing by the Planning Authority prior to the commencement of development. This approved landscaping shall be fully implemented within six months of the competition of the development.

3. Details of the construction exclusion zone to safeguard the trees specified for retention in the Arboricultural Impact Assessment and Tree Constraints Plan by ITP Energised (dated 29 January 2020 / Project Number EDI_1840-002) will be submitted to and approved in writing by the Planning Authority prior to the commencement of development.
4. Prior to the commencement of development,
 - 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. 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.
5. Prior to the occupation of the development, the following mitigation measures specified in the Noise Impact Assessment by RMP (dated 28 January 2020 / Technical Report Number R-8575-NS1-RGM) shall be implemented:
 - a) The living rooms and bedrooms overlooking Montrose Terrace will require a 6mm float glass - 12mm air cavity - 10mm flat glass or an acoustically equivalent glazing unit which provides a minimum Rtra of 34dB;
 - b) The facades overlooking Montrose Terrace should be fitted with attenuated trickle ventilation with a minimum acoustic rating Dn,e,w 38dB in the open position;
 - c) The living rooms and bedrooms overlooking West Norton Place will require a 4mm float glass - 12mm air cavity - 10mm float glass or an acoustically equivalent glazing unit which provides a minimum Rtra of 32dB; and
 - d) The facades overlooking Montrose Terrace should be fitted with attenuated trickle ventilation with a minimum acoustic rating Dn,e,w 36dB in the open position.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site, and timeously provided.
3. In order to ensure that no damage is caused to retained trees before and during construction.

4. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
5. In order to protect the amenity of the occupiers of the development.

Informatives

It should be noted that:

1. This consent is for Planning Permission only and work must not begin until other necessary consents, eg Listed Building Consent, have been obtained.
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. A sum of £2,000 will be required to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development. This shall form part of a Road Construction Consent.
6. A sum of £2,000 will be required to progress a suitable order to introduce waiting and loading restrictions as necessary for the development. This shall form part of a Road Construction Consent.
7. In support of the Council's LTS Cars 1 Policy, the contribution of a sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area should be considered.
8. In accordance with the Council's LTS Travplan 3 Policy, the development of a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport should be considered.
9. Future residents will not be eligible for parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013.
10. The waste collection arrangements agreed with the City of Edinburgh Council Waste Management Service will be implemented prior to the occupation of the development.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been 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

Neighbour notification was carried out on the 10 February 2020. The application appeared on the weekly list of the 10 February 2020 and was advertised on the 14 February 2020. The statutory notification and consultation period expired on the 6 March 2020 prior to the implementation of COVID-19 public event restrictions.

29 timeous letters of representation were received; seven objecting, 21 in support and one maintaining a neutral position.

Leith Central Community Council timeously requested to be statutory consultees. An extension to the period for making comments was agreed and this elapsed on the 20 March 2020. No response has been received. New Town and Broughton Community Council and the Old Town Community Council were consulted but did not provide comment.

A summary of considerations raised is provided in paragraph h) of Section 3.3.

Background reading/external references

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

Statutory Development

Plan Provision

The application site is located in the Urban Area as identified by the Edinburgh Local Development Plan and the New Town Conservation Area.

Date registered

7 February 2020

Drawing numbers/Scheme

01-23,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Graham Fraser, Assistant Planning Officer

E-mail: graham.fraser@edinburgh.gov.uk Tel: 0131 469 3811

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

Non-statutory guidelines Student Housing Guidance interprets local plan policy, supporting student housing proposals in accessible locations provided that they will not result in an excessive concentration.

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

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.

World Heritage Site

The historic centre of Edinburgh, including the medieval Old Town and the Georgian New Town, was inscribed on the United Nations Education, Scientific and Cultural Organisation's (UNESCO's) List of World Heritage Sites in December, 1995. This represents international recognition that the Site is of outstanding universal value.

The organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town together with the outstanding historic buildings are fundamental characteristics of the World Heritage Site. All proposals affecting the plan form or historic buildings, including their setting, will be considered for their impact on their design integrity.

Appendix 1

Application for Planning Permission 20/00496/FUL At 11 - 23 Montrose Terrace, Edinburgh, Proposed purpose-built student accommodation development with community space, associated infrastructure and amenity space, bicycle parking, landscaping and upgrade of pedestrian path and steps.

Consultations

Scottish Environment Protection Agency (10 February 2020) - No comment

Scottish Water (12 February 2020) - No objection

Developments of 10 or more domestic dwellings (or non-domestic equivalent) require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. There is currently sufficient capacity in the Glencorse Water Treatment Works. Capacity in the Edinburgh Water Treatment Works will be confirmed once a PDE is submitted directly to Scottish Water.

The proposal may affect existing Scottish Water assets and any potential conflicts should be identified with their Asset Impact Team.

City of Edinburgh Council Archaeological Service (12 February 2020) - No objection

The historically occurred within the area associated with the farm and hamlet of Quarry Holes, part of the medieval Lochend Estate. Developed in the early 19th century, the sites former tenements were replaced by a garage and petrol station in the 1920's. Although occurring within an area of archaeological potential, given its last use as a petrol station and effects of modern demolitions, it is considered unlikely that significant in situ remains will survive on this site.

Accordingly, it has been concluded that there are no significant archaeological implications regarding this application.

City of Edinburgh Council Waste Management Service (13 February 2020) - No objection

As this is to be a development solely for the use of students, Waste and Cleansing Services would be expected to be the service provider for the collection of any domestic waste and recycling (only). The bin store for this development is not in line with guidance but an agreement is in place with the below conditions.

- 1. All bins must be presented for collection on the specified days and removed as soon as possible after collections by a contractor/factor or similar at their cost; and*
- 2. The developer must obtain permission / planning for a designated collection point set out on West Norton Place, at their cost.*

The City of Edinburgh Council Waste Management Service will need to be contacted a minimum of 12 weeks prior to any collection agreement to allow time to arrange a site visit and to add these to our collection systems. A site visit will be conducted to ensure that this has been constructed in line with our agreement. Any waste produced on site by the residents/occupants will be the responsibility of the developer/builder until such times as the final part of our agreement and waste collections are in place.

Historic Environment Scotland (21 February 2020) - No comment

Historic Environment Scotland considered the information received and did not have any comments to make on the proposal. Their decision not to provide comments should not be taken as support for the proposal. The application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

City of Edinburgh Council as Roads Authority (3 March 2020) - Recommend continuation

Reasons:

- 1. It is considered that the current proposals do not comply with LDP Policy Tra 4 - Design of Off-Street Car and Cycle Parking, due to the proposed vertical hanging cycle racks being unacceptable (see Note 3 for further info);*
- 2. The applicant should consider redistributing the cycle parking provision and provide a cycle store with direct level access to Montrose Terrace (see Note 4 for further info); and*
- 3. The applicant should consider provision for non-standard cycle parking within the proposed cycle store.*

The following should be included as conditions and informatives as appropriate if it is minded to grant the application:

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; and*
- b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary.*

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

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

4. The applicant should be advised that as the development is student housing, 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 F - All student housing).

Note:

1. The application has been assessed under the 2017 parking standards for a 141-bed student accommodation in zone 2. These permit the following:

a. A maximum of 24 car parking spaces (1 per 6 beds), 0 car parking is proposed;

b. A minimum of 141 cycle parking spaces (1 per bed), 141 cycle parking spaces are proposed;

c. As zero car parking is proposed there is no requirement for accessible or EV parking spaces.

2. The justification for the zero car parking is based on the sites accessibility to public transport and local services and amenities. It is noted that this site is currently on the boundary of the existing Controlled Parking Zone (CPZ) and will be included within the current proposed phased extension to the CPZ. The proposed zero car parking complies with the Councils current Parking Standards and based on this justification is considered acceptable;

3. The proposed cycle parking is made up of the following:

a. Internal two-tier storage - 104 spaces;

b. Internal vertical racks - 18 spaces;

c. External vertical racks - 7 spaces; and

d. External Sheffield stands - 12 spaces.

Vertical hanging racks are generally unacceptable as less able-bodied people will find them difficult to use due to the requirement to lift the bike into place. The distribution between internal and external cycle parking is considered acceptable.

4. In terms of access to cycle parking, the proposals allow for level access through a pend from West Norton Place. Whilst this is considered acceptable, it is noted in the

transport statement the proximity of the site to the cycle route at Holyrood Park (Innocent Path) and to Edinburgh University's Campus at George's Square. Redistribution of a number of the cycle parking spaces to a secure store with direct level access to Montrose Terrace would further improve the provision for cycle parking within this development.

5. A transport statement has been submitted in support of the application. The transport statement provided an estimated weekday people trip generation of 27 trips in the AM peak (8am-9pm) and 39 trips in the PM peak (5pm -6pm). Further analysis of these trips rates against at this with census data for the City Centre and Leith Walk Wards related to travel to Work and Study (16.35%) the vehicle trip rate could be estimated at 4 trips in the AM peak and 6 trips in the PM peak. It should also be noted that this site was formally a petrol filling station that would be expected to generate a significant number of vehicle trips. This has been assessed by transport officers and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The submitted document is generally in line with the published guidelines on transport assessments.

6. Application site is outwith the Tram Contribution Zone.

City of Edinburgh Council Flood Prevention Service (4 March 2020) - No objection

City of Edinburgh Council Environmental Protection Service (27 March 2020) - No objection subject to conditions

The application proposes purpose-built student accommodation on the site of a previous petrol filling station.

Site remediation information has been provided in support of the application and further information is still required to be provided in this regard. Therefore, a condition is recommended to ensure the site is appropriately remediated prior to commencement of building on site.

The applicant has provided a noise impact assessment in support of the application which advises that road traffic noise is the main source of noise impacting upon the amenity of the accommodation. Recommendations are included within the report which should ensure a suitable internal noise level is achieved.

Therefore, Environmental Protection offers no objection to this development 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. 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. Prior to occupation, the mitigation measures as specified in section 5.6, 5.7, 5.8 and 5.9) of the RMP Noise Impact Assessment (Technical Report No. R-8575-NS1-RGM) shall be met. Those being:

a. The living rooms and bedrooms overlooking Montrose Terrace will require a 6mm float glass - 12mm air cavity - 10mm flat glass or an acoustically equivalent glazing unit which provides a minimum Rtra of 34dB;

b. The facades overlooking Montrose Terrace should be fitted with attenuated trickle ventilation with a minimum acoustic rating $D_{n,e,w}$ 38dB in the open position;

c. The living rooms and bedrooms overlooking West Norton Place will require a 4mm float glass - 12mm air cavity - 10mm float glass or an acoustically equivalent glazing unit which provides a minimum Rtra of 32dB; and

d. The facades overlooking Montrose Terrace should be fitted with attenuated trickle ventilation with a minimum acoustic rating $D_{n,e,w}$ 36dB in the open position.

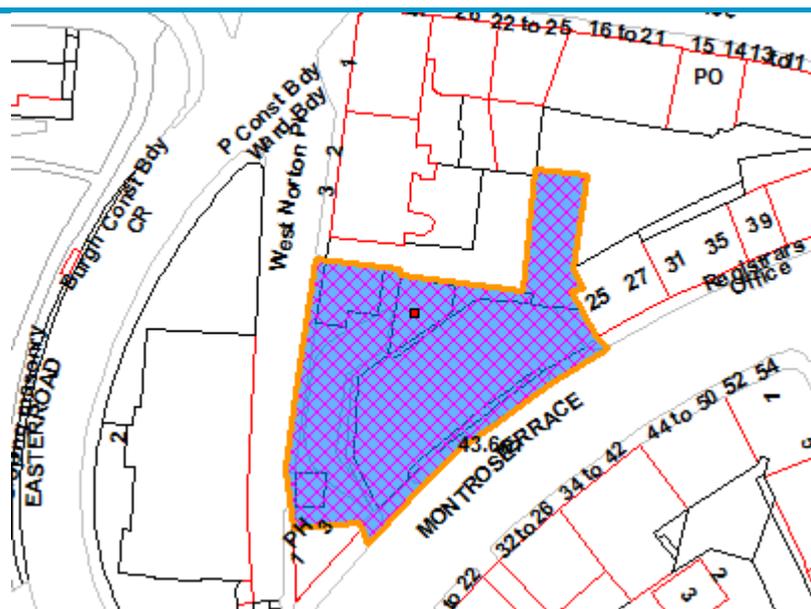
City of Edinburgh Council Natural Heritage Service - No response

Leith Central Community Council - No response

Old Town Community Council - No response

New Town and Broughton Community Council - No response

Location Plan



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