

# Development Management Sub Committee

**Wednesday 3 June 2020**

**Report for forthcoming application by**

**Drum (Steads Place) Ltd and CAMVO 123 LTD. for Proposal of Application Notice**

**20/01447/PAN**

**at 106 - 162 Leith Walk, Edinburgh, EH6 5DX**

**Proposed Demolition of Industrial Units and Development of Residential Led Uses. Retention of existing 2-Storey Sandstone Building with Potential to Include Class 1 (Shops), Class 2 (Financial Professional and Other Services), Class 3 Food and Drink), CLASS 4 (Business), Class 10 (Non-Residential Institutions) Class 11 (Assembly and Leisure) and Sui Generis Uses, With Associated Landscaping, Open Space and Infrastructure.**

**Item number**

**Report number**

**Wards**

B12 - Leith Walk

## **Summary**

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The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for full planning permission for the proposed demolition of industrial units and development of residential led uses, retention of existing 2-storey sandstone building with potential to include class 1 (Shops), Class 2 (Financial Professional and Other Services), Class 3 (Food and Drink), Class 4 (Business), Class 10 (Non-Residential Institutions), Class 11 (Assembly and Leisure) and Sui Generis Uses, with associated landscaping, open space and infrastructure at 106-162 Leith Walk, Edinburgh.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, the applicants submitted a Proposal of Application Notice: 20/01447/PAN on 25 March 2020.

Due to the Coronavirus emergency, the Council's Leadership Advisory Panel has agreed changes to the schemes of delegation in respect of planning applications. This gives the Chief Planning Officer extended delegated powers to make decisions on applications which would require a committee decision under the current schemes of delegation. This application has been determined under the extended scheme of delegation.

## **Links**

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**Coalition pledges**

**Council outcomes**

**Single Outcome Agreement**

## **Recommendations**

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

## **Background**

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### **2.1 Site description**

The site covers approximately 1.2 hectares and consists of a 1930s two-storey red sandstone building fronting Leith Walk and land to the rear comprising industrial units and some open space.

The sandstone building contains a number of commercial units on the ground floor with office space above. It was originally designed for the London Midland & Scottish Railway Company, who operated the goods yard behind. Due to the industrial nature of the goods yard, the red sandstone ashlar frontage elevation has a far higher standard of architectural treatment when compared to the building's utilitarian brick rear elevations.

The areas to the rear of this building are a series of larger industrial units that are also in a variety of uses covering 4,087 sqm. The uses include a timber yard and indoor paintball. To the west of the industrial units is an area of open space and some existing trees.

The northern boundary is created by the former railway abutment, arches and embankment. There are a number of small businesses operating within the arches and further business and industrial uses to the north. To the south is a modern flatted development rising up to six/seven storeys. To the west is a recently completed housing development and Pilrig Park. There is an informal link through the site to the park.

To the east, on the adjacent side of Leith Walk, are a number of buildings with various commercial uses on the ground floor and residential use mostly on the upper floors. Stone is the predominant material on the frontages, with slate roofs. Heights range from one storey to four and a half storeys.

Vehicular access is from the entrance to Steads Place from Leith Walk at the south of the site.

There is a B Listed Building to the south of the site at 7 Stead's Place and other listed buildings in the vicinity of the site.

The red sandstone building along the frontage is within the Leith Conservation Area. This application site is located within the Leith Conservation Area.

## 2.2 Site History

30 January 2019 - Planning permission was refused for the demolition of existing buildings and erection of a mixed use development including 53 affordable housing flats, student accommodation (471 bedrooms), hotel with 56 rooms (Class 7), restaurant(s) (Class 3) and space for potential community and live music venue (Class 10 & 11), retail (Class 1), public house (sui generis) or commercial uses (Class 2 & 4). Includes associated infrastructure, landscaping and car parking (application number 18/04332/FUL).

30 January 2019 - Conservation Area Consent refused for the complete demolition of the existing building submitted on the same site (application number 18/04349/CON).

20 December 2019 - Appeal against refusal of planning permission dismissed by Scottish Ministers for the demolition of existing buildings and erection of a mixed use development including 53 affordable housing flats, student accommodation (471 bedrooms), hotel with 56 rooms (Class 7), restaurant(s) (Class 3) and space for potential community and live music venue (Class 10 & 11), retail (Class 1), public house (sui generis) or commercial uses (Class 2 & 4). Includes associated infrastructure, landscaping and car parking (appeal reference PPA-230-2274).

20 December 2019 - Appeal against refusal of Conservation Area Consent dismissed by Scottish Ministers for the complete demolition of the existing building submitted on the same site (appeal reference CAC-230-2004).

The units along the Leith Walk frontage have been subject to a number of applications for alterations and changes of use over the years.

### Adjacent Sites:

6 February 2018 - planning permission and associated listed building consent granted for the refurbishment of existing building to facilitate flexible work space and gates/ external alterations and the placement of shipping containers to rear of building for Class 4 uses (as amended) at 165 Leith Walk opposite the site (application numbers 17/04380/FUL and 17/04381/LBC).

### Site Brief:

07 August 2008 - The Stead's Place / Jane Street Development Brief was approved. This contains a number of objectives for the area. These include:

- Achieve attractive and safe pedestrian connections to Pilrig Park;
- Establish an appropriate mix of uses within the area that ensures the introduction of residential uses will not compromise the operation of existing businesses with regards to environmental health issues, such as noise;
- Provide modern flexible small business space to meet needs in north-east Edinburgh;
- Provide a frontage to Leith Walk that complements the character of the Leith Conservation Area.

## Main report

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### 3.1 Description of the Proposal

An application for planning permission will be submitted for the proposed demolition of industrial units and development of residential led uses, retention of existing 2 storey sandstone building with potential to include Class 1 (Shops), Class 2 (Financial Professional and Other Services), Class 3 (Food and Drink), Class 4 (Business), Class 10 (Non-Residential Institutions), Class 11 (Assembly and Leisure) and Sui Generis uses, with associated landscaping, open space and infrastructure.

No details have been submitted regarding the total number of units or design.

### 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 within the Urban Area in the Edinburgh Local Development Plan (LDP), with the building along the frontage falling within the Leith Conservation Area.

Consideration will be given to the impact of the development on the conservation area and adjacent listed buildings, and the compliance with other policies in the Plan.

LDP Policy Emp 9 (Employment Sites and Premises) states that such redevelopment proposals should include floorspace designed for a range of business users on sites over one hectare that are currently in or last in employment use.

The buildings along Leith Walk are within the town centre, where the Leith Town Centre Supplementary Guidance applies. This states that Class 1 (Shops), Class 2 (Financial, professional and other services), Class 3 (Food and drink) or an appropriate commercial or community uses will be generally acceptable at this location.

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

A design and access statement will be required to accompany the application.

The proposal will be considered against the provisions of the LDP, Edinburgh Design Guidance and the Stead's Place/Jane Street Development Brief.

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

The proposal should have regards to transport policies of the Edinburgh Local Development Plan and the Edinburgh Design Guidance. Consideration should be given to the impact on traffic flows on local roads, accessibility through the site for pedestrians and cyclists, and access to public transport.

A transport statement will be required to support the application.

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

The application will be screened to assess whether an Environmental Impact Assessment (EIA) is required, including the cumulative impact of the proposals.

The applicant will also be required to submit sufficient information to demonstrate that the site can be developed without having a detrimental impact on the environment.

In order to support the application, the following documents will be submitted (this list is not exhaustive):

- Pre-application consultation report;
- Design and Access Statement;
- Conservation Area Assessment;
- Planning Statement;
- Transport information;
- Economic Impact information;
- Daylighting and Sunlight Analysis;
- Flood Risk Assessment and Surface Water Management Plan;
- Phase 1 Habitat Survey;
- Tree Survey;
- Noise Impact Assessment and
- Sustainability Statement.

**3.3 Assessment**

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

## **Financial impact**

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

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

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

## **Equalities impact**

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

## **Sustainability impact**

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

## **Consultation and engagement**

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

Pre-application discussions took place on this application.

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

The applicant's Proposal of Application Notice noted that there will be an online consultation event in accordance with government guidance for the period of the Covid-19 emergency. A public notice will be placed in the Edinburgh Evening News seven days before.

The applicant has confirmed that the community councils of Leith Central, Leith Harbour and Newhaven and Leith Links have received notification. Local ward councillors, neighbouring ward councillors and MSPs also received a copy of the Proposal of Application Notice in March 2020.

## Background reading/external references

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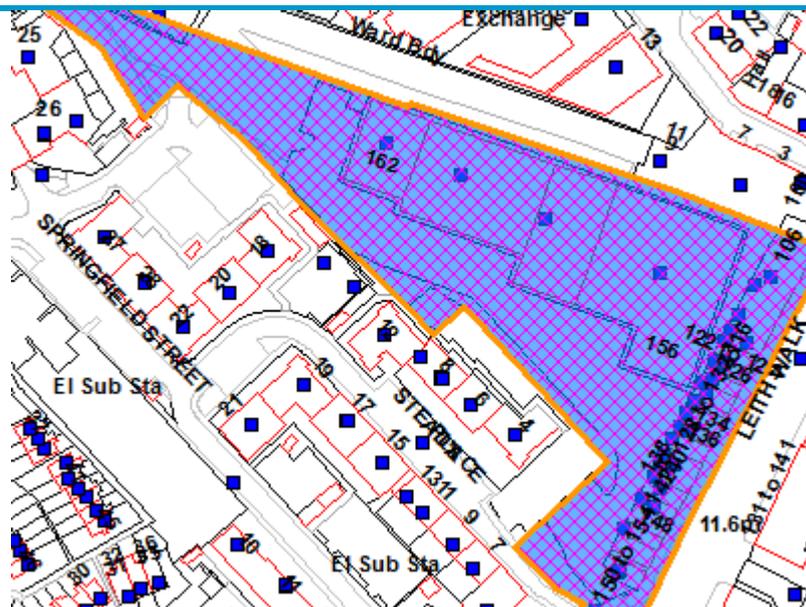
- To view details of the proposal of Application Notice go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)

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## Location Plan

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