

Development Management Sub Committee

Wednesday 23 September 2020.

**Application for Planning Permission 20/00972/FUL
At 48 - 50 Iona Street, Edinburgh, EH6 8SW
Demolition of the existing warehouse and ancillary office building and construction of residential (flatted) development including purpose-built student accommodation, general housing and affordable housing, public realm improvements, hard and soft landscaping and associated infrastructure.**

Item number

Report number

Wards

B12 - Leith Walk

Summary

The proposal is acceptable in principle and is of an appropriate scale and design which will sit comfortably with the character and appearance of the surrounding area. The proposal will create a satisfactory living environment for prospective occupants, will not have a significant adverse impact on the amenity of neighbouring residents and does not raise any issues in respect of vehicle and cycle parking, flood prevention, setting of the adjacent conservation area or waste and recycling provision. The proposal will introduce a density which is higher than those of surrounding development, but is not considered overdevelopment of the site and the scheme will create a sustainable mixed-use community which will provide an appropriate mix of uses and tenures.

The application complies with the policies of the Local Development Plan and associated guidance. The application also complies with; The Historic Environment Policy for Scotland 2019, Managing Change in the Historic Environment: Setting, The Leith Conservation Area Character Appraisal, Non-Statutory guidelines Edinburgh Design, Non-Statutory guidelines Edinburgh Design, Non-statutory guidelines - Affordable housing.

Links

[Policies and guidance for this application](#)

LDES01, LDES03, LDES04, LDES06, LDES07, LDES08, LEN06, LEN12, LEN20, LEN21, LEN22, LEMP09, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU08, LTRA02, LTRA03, LRS06, LEN08, LEN09, HEPS, HESSET, CRPLEI, NSG, NSGD02, NSGSTU, NSHAFF,

Report

Application for Planning Permission 20/00972/FUL At 48 - 50 Iona Street, Edinburgh, EH6 8SW Demolition of the existing warehouse and ancillary office building and construction of residential (flatted) development including purpose-built student accommodation, general housing and affordable housing, public realm improvements, hard and soft landscaping and associated infrastructure.

Recommendations

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

Background

2.1 Site description

The site, which lies on the south side of Iona Street, occupies the central part of a perimeter block. The site frontage at 48-50 Iona Street is occupied by a two storey office/ showroom building, and a large warehouse building and yard to its rear. The application site is 0.53 hectares in area. Vehicular access is currently available on Iona Street.

The site slopes gently from north to south and is bounded on three sides by residential buildings fronting onto Albert Street, Buchanan Street and South Sloan Street, which vary between three and four storeys. A mix of communal garden ground, and private parking areas for each of these residential blocks directly abut the site boundary, including mature trees, particularly to the south east of the site.

On Iona Street itself, the site adjoins a three-storey tenement building to the east, and a 4 storey, late 20th century, block of flats to the west. Four storey, stone built tenement buildings on the opposite side of Iona Street, front onto the site. These lie on the southern boundary of the Leith Conservation Area. The view west along Iona Street is terminated by the category A-listed Pilrig Church.

2.2 Site History

27 October 1992 - Planning permission granted for alterations and extension to office building fronting onto 48-50 Iona Street (application number 92/01381/FUL).

9 August 2019 - PAN submitted in respect of: Demolition of the existing warehouse and office building. Construction of general market flatted dwellings, affordable flatted dwellings and student accommodation. Proposal presented to Development Management sub- Committee on 25 September 2019 (Reference 19/03802/PAN).

Main report

3.1 Description Of The Proposal

The proposals are for a mixed use development comprising student residential accommodation and residential flats.

The student accommodation contains a total of 250 bed spaces, with a mix of 81 studio apartments, 12 DDA studio apartments and a further 157 beds over 23 cluster apartments. These are located within the block fronting onto Iona Street. The main entrance to the student building, with communal amenity space is situated at ground level, to the east of the pend entrance. The student block will be six storeys high, including a basement level.

The proposed residential development comprises three adjoining blocks, which abut the south east of the student accommodation block and form an L shape. The residential accommodation includes 80 flats, 20 of which comprise affordable housing which is proposed to be for social rent. The residential blocks are between four and five storeys high, including an element of basement level.

The proposed mix of units for the private flats comprises: 20 studio units, 22 one bed units, six, two bed units, 12, three bed units. The proposed mix for the affordable housing component comprises: 14, one bed units, two, two bed units and, four, three bed units.

Proposed facing materials for the development include:

- Natural sandstone as the predominant material on the Iona Street frontage and buff coloured brick on 'book-end' features at each end of the building.
- Dark grey aluminium cladding finish to top floor of each block and surrounding dormer feature windows
- Buff coloured brick as the predominant facing material on the residential blocks to rear.
- Pre-cast feature surround to rear elevation of Iona Street facing block.
- Flat roofs to blocks are to be green sedum roof finishes, apart from the affordable housing, where solar PV panels are to be located at roof level.

Landscaped areas are to be provided mainly within the internal courtyard space. This area includes a swale at the western side of the soft landscaping, as part of the SUDS provision. The site as a whole will provide 1511 square metres of open space, 687 square metres of which is communal green space, the remainder being either private gardens or shared private ground. Private garden areas are provided to ground floor residential units around the site's periphery. Public realm alterations are also proposed to the Iona Street frontage, including the installation of flag paving, loading bays and three street trees.

There are no proposed parking spaces within the site with the development to be car free. Vehicular access is to be provided through a pend on Iona Street and is for refuse and maintenance access only with priority given to pedestrian and cycle access.

Cycle parking provision is provided at a mix of internal and external secure locations within the internal courtyard. A total of 415 spaces are included to be split as 234

spaces for the student accommodation and 163 spaces for the residential accommodation. A further 18 cycle visitor spaces are proposed at the entrance to the development on Iona Street.

Two main refuse stores are to be located at ground floor within buildings, one of which is for use of students only. An additional refuse store is to be located in an outbuilding within the courtyard area.

Previous Schemes

Scheme 1 showed alternative proposals, particularly to the Iona Street facing elevation of the student housing block. The changes which have been made since Scheme 1 are;

- Pull back the north east bookend to closely align with adjacent building (52 Iona Street);
- Reduce projection and alter fenestration details where top floor of the student block extends south (north east corner);
- Amend the plan form of Iona Street frontage so the pend is flanked by a more continuous building frontage;
- Replace white pre-cast with sandstone where appropriate to make it the primary cladding material and respect the uniformity of the conservation area;
- Step back top floor on Iona Street elevation to emphasise eaves level and improve daylight to existing Iona Street flats;
- Windows on the east and west elevations removed and replaced with alternative detailing to alleviate privacy concerns;
- Access junction has been redesigned in accordance with G7 Fact Sheet;
- External cycle store is fully enclosed with a timber structure;
- Provision of non-standard cycle storage;
- Cycle storage in store No4 to be horizontal and not vertical;
- Steps to the external student cycle store removed and replaced with a slow ramp (1:21).

The following supporting documents have been provided with this application:

- Pre-application Consultation Report;
- Design and Access Statement;
- Planning Statement;
- Daylight and Sunlight Assessment;
- Flood Risk Assessment and Drainage Impact Assessment;
- Sustainability Statement;
- Noise Impact Assessment;
- Phase 1 Habitat Survey;
- Construction Management Plan;
- Tree survey and Protection Plan;
- Letter from Port of Leith Housing Association as affordable housing partner;
- Travel Plan;
- Student Management Plan;
- Study of impacts on Protected and City Views, and;
- Pre-Demolition Site Investigation.

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

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The principle of the proposed mix of uses is acceptable and in accordance with relevant development plan policies;
- b) The proposals safeguard the setting of the adjoining conservation area (and the setting of neighbouring listed buildings);
- c) The design, scale and layout of the proposed development is acceptable and compatible with the neighbourhood character;
- d) The proposals safeguard the amenity of existing occupiers and provide a satisfactory standard of amenity for future occupiers;
- e) There are other material considerations;
- f) The matters raised in representations have been addressed.

a) The Principle of the Development

Local Development Plan (LDP) Policy Hou 1 (Housing Development) supports housing development at suitable sites within the Urban Area, subject to other development plan policy requirements. The proposal for residential flats at this site, complies in principle with the requirements of this policy (subject to other policy considerations).

The development, which will provide for 25% affordable housing within the residential component of the development, also meets the terms of LDP Policy Hou 6 (Affordable Housing) which requires the provision of a minimum of 25% affordable housing for development of this scale. It is anticipated that this will be provided by a registered social housing landlord and should be secured through a relevant legal agreement.

The provisions of LDP Policy Hou 8 (Student Accommodation) are also relevant to this application. This policy supports student housing on sites which are appropriate in

terms of access to university and college facilities, and will not result in an excessive concentration of student housing in a particular area. The site has a relatively high level of accessibility, with a number of bus and active travel routes within a short distance. The surrounding area also supports a mixed community and is not identified as being an area with an existing over concentration of student residents under guidance. The non-statutory Student Housing Guidance provides further locational criteria considerations, which in this case would seek the provision of a maximum of 50% student accommodation, and minimum of 50% floor space provision for residential flats from the total site area. The proposal, which includes an equal proportion of floor space allocation for student accommodation and residential units, complies with this guidance and would support the maintenance of balanced communities.

As the application site is less than 1 hectare, the provisions of LDP Policy Emp 9 (Employment Sites and Premises), in terms of the requirement to provide small business units on site do not apply to this application. The introduction of a non-employment use would not prejudice any other local businesses and the proposal will contribute to the regeneration of the site in accordance with the policy.

LDP Policy Hou 2 (Housing Mix) seeks provision of house types and sizes to meet a range of housing needs, including those of families, older people and people with special needs, and having regard to the character of the surrounding area and its accessibility. For both the private and proposed affordable housing units, 20% of the total comprises units of three bedrooms and at least 91square metres in area, which accords with both the policy and with the relevant advice in the Edinburgh Design Guidance. All other housing units, excluding the student element, meet or exceed the minimum floorspace standards of the Edinburgh Design Guidance.

The Council has no minimum room size standard for student accommodation. A range of accommodation types are proposed in relation to smaller clusters to larger corridors with shared facilities. There is the potential for these to be converted in the future to mainstream residential uses with changes to layouts and appearance.

b) Impacts on Conservation Area and Setting of Listed Building

The northern boundary of the site on Iona street borders onto the southern edge of the Leith Conservation Area. LDP Policy Env 6 (Conservation Areas- Development) states that development within a conservation area or affecting its setting, will be permitted if it preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal and demonstrates high standards of design and utilises materials appropriate to the historic environment. As the application site lies just outwith the Leith Conservation Area, the proposal is not subject to the provisions of section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Within the Leith Conservation Area Character Appraisal, side streets are noted as being mainly residential. However, the presence of other uses, such as churches or schools, is noted. There is also an area of parkland on the edge of the Area. Pilrig church, with its cascading roofscapes to Pilrig Street and its spire and eastern facade, is noted as a local 'set-piece', terminating Iona Street.

The clearly defined public frontage on Iona Street reflects this aspect of the traditional pattern of development on the street front. In this respect, the proposals contribute to the enhancement of the area's townscape, including its conservation area setting. The height of the proposed eaves on Iona Street is marginally lower than that of the tenement buildings on the opposite side of Iona Street and in this respect, reflect the characteristic roofscape. The use of sandstone on a significant part of the building frontage, which has been significantly increased since Scheme 1, also reflects the conservation area's character.

The proposals to improve the public realm on the Iona Street frontage, which include the planting of trees and new surfacing have the potential to enhance the Conservation Area setting.

With reference to Section 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) (Act), the proposals are required to preserve the setting of the listed Pilrig Church, including any special architectural or historic interests it possesses. Townscape Analysis documents have been submitted as part of Scheme 2 which show that the proposals will have a very limited impact on the setting of Pilrig Church. The reduced scale of the proposals means the proposed development will not appear visually dominant in westward views along Iona Street towards Pilrig Church.

As a result, this demonstrates compliance with the relevant requirements of LDP policy Env 3 and Section 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) (Act).

c) The Design, Scale and Layout

LDP Policies Des 1 - Des 8 set a requirement for proposals to be based on an overall design concept which draws on the positive characteristics of the surrounding area with the need for a high quality of design which is appropriate in terms of height, scale and form, layout, and materials.

An early iteration of the proposals was discussed at the Edinburgh Urban Design Panel (EUDP) on 24 March 2019. A copy of the report can be found in the consultations section in the appendix.

Layout

LDP policy Des 7 (Layout Design) of the LDP sets out that developments should have regard to the position of buildings on the site and should include a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths and open spaces.

The proposed layout involves two separate blocks, with the student accommodation located along the Iona Street frontage and part of the east side of the site. The proposed residential, and affordable housing block will be L shaped and positioned parallel to the eastern and southern boundary of the site. Private garden grounds along the south and east boundary itself will be accessible by ground floor flats of the residential block.

Communal open space is to be formed within a courtyard area, enclosed by the proposed buildings, with an open aspect to the west. No car parking is proposed within the site itself and cycle parking facilities are accessible from within the internal courtyard. The proposed layout will encourage the use of cycling and walking. The proposed residential units to the rear of the site will be accessed by a pend at ground floor of the student accommodation block, which reflects the characteristics of the surrounding area. It is considered that this access provides a safe and convenient route for movement in and around the development from Iona Street.

Design and Materials

The Iona Street elevation of the proposals have been revised as part of Scheme 2 to reduce the number of proposed materials, and better reflect the character of the Leith Conservation Area opposite. The predominant building material is blonde sandstone cladding with buff brick in key areas. The upper storey of this block has been considerably set back from the front building line to reduce the visual bulk of the block and will be finished in dark grey aluminium cladding panels.

The residential blocks within the site are to be finished in buff brick, again with aluminium cladding at upper level. This material appropriately reflects the buff coloured materials found in neighbouring modern developments and is appropriate for the residential setting. This block will have a subordinate feel in relation to the Iona Street frontage block and is of a high design standard.

Height

LDP Policy Des 4 (Development Design - Impact on Setting) states that development should have a positive impact on its surroundings, including the wider townscape and landscape, and impact on existing views including (amongst other matters) height and form.

The surrounding area has a mix of building heights although predominantly three or four storeys. The proposed development has taken a stepped heights approach with six storeys fronting Iona Street, including basement level, which then drops to four storeys towards the rear of the site.

The revised scheme has reduced the Above Ordnance Datum (AOD) heights of the proposals, so that both the proposed eaves and ridge line of the tallest part of the development, facing Iona Street, is lower than the tenement buildings on the opposite side of the street. The setting back of the upper storey of this front block has also assisted in reducing the bulky appearance from street level. This front block will remain of a visually greater scale than the adjacent tenement blocks, particularly at 52 Iona Street, which is three storeys. However, the design amendments made, and recessing of the front building line mean that this will not be an unacceptable juxtaposition in the streetscene.

The proposed development is not of a height and scale out of keeping with the context of the surrounding area. The development does not significantly impact any safeguarded key view cones or local identified views of importance.

Density

LDP Policy Hou 4 (Housing Density) promotes an appropriate density of development, taking account of the character of the site and its surroundings, and access to public transport. This policy also provides that in established residential areas, care should be taken to avoid inappropriate densities which would damage local character, environmental qualities or residential amenity.

Taking the housing element in isolation, comprising the residential flats and associated external space, the proposal has a density of 216 dwellings per hectare. This is a higher density than is found in existing tenemental stock in the Leith Walk area. However, given that the proposal meets other policy requirements including the provision of open space and is of an appropriate height in the townscape, this density is not inappropriate.

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 which is the case for this site.

Open Space and landscape

LDP Policy Hou 3 (Private Green Space in Housing Developments) requires adequate provision of green space to meet the needs of future residents. Where communal provision is necessary, this should be on a standard of 10 square metres per flat, and a minimum of 20% of the total site area.

The proposed housing element of the development will include a mix of communal and private open space. The fourteen proposed ground floor flats for the residential block will have access to private areas of garden ground, each with a small patio and soft landscaped area.

Within the central courtyard will be an area of communal open spaces accessible to all other occupiers, with an additional small area of common space to the rear of the affordable housing block. A total area of 687 square metres of green space will be provided between these areas, which equates to 10.2 square metres per flat, and 28% of the total site area in accordance with policy.

Further areas of green space are also proposed at lower levels around the student accommodation block. The landscaping proposals show an appropriate mix of hard and soft landscaping on the site with a range of species, and maintenance proposals included in the application.

In terms of access to additional public space, Dalmeny Street Park is situated to the north east of the site. It is a high quality park with a play space rating of "Very Good" as per the North East Open Space Action Plan 2016 and will provide a supplementary open space for the use of future occupiers.

Green roofs are also proposed throughout the development site to increase biodiversity. Sedum grass is proposed on the roof level of the student accommodation and to private housing blocks. Additional planting areas of wild flowers, grass turf and

shrub planting will be formed on podium roof elements to both the student and affordable housing block, cycle and refuse stores.

Gull and Pigeon Deterrents

The Edinburgh Design Guidance requires that all developments should include roof designs which deter roosting and nesting gulls and pigeons. Example of roof designs which are unattractive for nesting are:

- Roofs which have a smooth surface and a pitch of more than 25%; and
- Green roofs which are intensive, accessible roof gardens as the associated human disturbance will prevent nesting.

Where a flat roof, or features on other types of roof, may support roosting and nesting, appropriate deterrent measures should be included in the design. In order to address this issue, a suitable informative is recommended.

d) Impact on Amenity of Neighbouring Residents and Future Occupiers

LDP Policy Des 5 (Development Design Amenity) supports development where the amenity of neighbouring residents is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy and immediate outlook.

Daylight and Overshadowing

Representations have been made concerning the impact of the development on residential amenity. The application site is in close proximity to a number of residential properties.

A Daylight and Sunlight Assessment has been submitted and has also been updated to reflect the changes made in scheme 2.

For residential properties directly surrounding the site on Iona Street, Buchanan Street, Albert Street and South Sloan Street, Vertical Sky Component (VSC) modelling has been used to demonstrate if there would be any impact on the existing residential uses. The VSC model shows that the majority of existing rooms meet the requirements of the Edinburgh Design Guidance (EDG) in relation to the retention of levels of daylight. Of the 444 windows assessed, 21 windows in 15 rooms do not meet the VSC standard and so the alternative Average Daylight Factor (ADF) assessment has been carried out, as recommended in the EDG.

The ADF assessment shows that daylight in all 15 rooms will be reduced by the development:

- In four rooms, daylight reduction meets the requirements set out in the EDG.
- In two rooms, where existing daylight levels conform to EDG minimum requirements, the ADF will drop slightly below the required minimum level.
- In nine rooms, existing daylight levels are already lower than minimum EDG requirements. Any reduction in ADF will therefore continue to infringe on EDG thresholds. In these rooms the

reduction in ADF arising from development ranges from 15% to 25%. Three of these rooms are located in main door flats at 25 and 31 Iona Street. These two properties are duplex flats which have been formed in former commercial units and have two small front windows at pavement level. Existing ADF values for these basement rooms were considerably lower than EDG's minimum requirements for new development. When measured, the ADF in these rooms will reduce by 25% whereas the actual drop (0.06%) is very small given their existing nature. On this basis a deviation from guidance is justified.

The Daylight and Sunlight Assessment demonstrates that, in general, the reduction in daylight to neighbouring properties is acceptable in terms of EDG requirements.

The ADF assessment shows, however, that daylight levels in 11 neighbouring rooms do not meet minimum requirements. This is largely due to existing daylight levels being already lower than minimum EDG requirements. It is also a result of the Iona Street frontage changing from a two-storey building and boundary wall to a continuous frontage, similar in scale to the surrounding townscape. The EDG states that the layout of buildings in an area will be used by the Council to assess whether the proposed spacing is reasonable, and that achieving reasonable amenity needs to be balanced against achieving good townscape.

The Daylight and Sunlight assessment also concludes that sunlight provision to neighbouring gardens is not materially compromised and the results are fully compliant with the EDG. Details have been submitted to show that there will be no significant impact on the health of existing trees within the garden ground of properties on South Sloan Street by way of overshadowing.

Taking into account the relatively high density of the surrounding context and the prevailing character of the townscape, this infringement of policy and guidance is acceptable when considering the benefits of the development as a whole.

Daylight to future housing occupiers

The revisions made in scheme 2 involve a degree of reconfiguration of internal spaces proposed within the new residential units. All units now meet the requirements of the EDG in relation to internal daylight levels.

Daylight to future student residence occupiers

The 'No Sky Line' assessment method has been used to assess daylight levels internally to the proposed student residence block. Alterations to scheme 2, including alterations to rooms sizes internally, mean that all proposed student residences now meet this requirement.

Privacy and noise

The development will reflect the grid pattern of the area along Iona Street, and an acceptable level of privacy will be maintained for neighbouring properties. The large double storey windows on the Iona Street elevation have been positioned so that they

will not cause excessive overlooking. To the rear of Iona Street, the reduced building heights will mean an adequate level of privacy is retained for neighbours. Adjacent modern flats on Albert Street feature car parking to the rear rather than garden ground, and the existing mature landscaping within communal gardens of South Sloan Street will also provide a degree of screening from the new development.

The proposal is for entirely residential uses, albeit a mix of flats and student accommodation. As a result, there is less potential for noise nuisance to neighbouring residents than from the existing business premises. In addition, a Student Management Plan has been submitted to show how potential anti social behaviour could be managed.

In order to mitigate existing traffic noise for future occupiers, upgraded acoustic glazing will be required on the Iona Street facing windows which can be controlled by condition.

e) Other Considerations

Transport

The proposal is for a 'car free' development with no designated off street parking forming part of the proposals. On street bays are to be formed on Iona Street for servicing purposes where existing parking provision is found. The application meets the 2017 Parking Standards in terms of the acceptability of providing zero on site car parking and the level of cycle parking provision proposed. It is noted that the site is in a highly accessible location with a number of bus routes within short walking distance. The site will also benefit from increased accessibility on completion of the Trams to Newhaven project.

A number of developer contributions relating to the provision of transport of infrastructure in the surrounding area have been identified, including Tram Line Developer Contributions, and contributions towards the provision of Car Club vehicles. Further details can be found in the Transport Planning consultation response below.

The proposal complies with LDP policies Tra 2 (Car Parking) and Tra 3 (Cycle Parking) and will not result in any significant transport issues.

Flood Risk and Drainage

LDP Policy Env 21 (Flood Protection) seeks to ensure that development does not result in an increased flood risk for the site being developed or elsewhere.

The submitted Surface Water Management Plan and Flood Risk Assessment has been considered by the Council's Flood Prevention team who are satisfied with these proposals.

The consultation response from Scottish Water notes a discrepancy between the requirements of the Council Flood Prevention team and their own requirements in terms of surface water discharge rate. The Council adopted standards allow for slightly higher diameters of hydraulic controls than those set by Scottish Water. This means that any flow rates using the CEC guidance will be higher, although the potential for blockages will be reduced.

Agreement with Scottish Water in relation to flow rates will be made by the applicant at the time of any formal connection application. Therefore, it is not necessary to require any further planning controls.

The proposals for surface water drainage and flood prevention are acceptable.

Archaeology

LDP Policy Env 8 (Protection of Important Remains) seeks to protect archaeological remains from being adversely impacted from development.

In relation to buried remains, the Archaeology Officer notes that the site is in an area which has been associated with industrial development from the mid-19th Century and is of local archaeological potential in terms of Edinburgh's Victorian Industry, Medieval/Post-medieval agriculture and potentially also for Palaeo-environmental evidence

Accordingly, a condition is recommended to be placed on any permission to agree a programme of works to fully excavate, record and analyse any significant remains affected.

Contaminated Land and Air Quality

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) seeks to ensure that there will be no significant adverse effect for health, the environment and amenity.

Environmental Protection has recommended a condition relating to investigation and evaluation of potential contaminated land prior to the erection of any new buildings on the site.

Although the site is located in close proximity to an existing Air Quality Management Area, its car free nature, and the removal of the existing business premises mean that there will be no adverse impact on air quality.

Ecology

The site is considered brownfield in nature due to its existing active industrial uses. There is no evidence that the proposals will result in a loss of existing biodiversity in or adjacent to the site, or that it will have an impact on any protected species, including bats. The inclusion of sedum roofs will provide enhanced biodiversity opportunities on completion of the development.

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 a sustainability statement in support of the application. The site is located in an urban area with excellent public transport links, allowing a reduced reliance upon the car. Photovoltaic panels are proposed to the roof of affordable housing block.

The proposal accords with LDP Policy Des 6 'Sustainable Buildings'

Other Developer Contributions

Education

This site falls within Sub-Area D-1 of the 'Drummond Education Contribution Zone'. Using the pupil generation rates set out in the Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery', the development is expected to generate at least one additional primary school pupil but not at least one additional secondary school pupil.

The proposed development is therefore required to make a contribution towards the delivery of these actions with a total infrastructure contribution required of £20,544. 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.

Healthcare

The site is not located in an area identified as requiring developer contributions towards new healthcare provisions.

f) Whether public comments have been addressed.

Scheme 1

Objections:

- Existing oversupply of student accommodation in the area (addressed in section 3.3(a) above);
- Unsuitable location for student housing due to distance from further education establishments (addressed in section 3.3(a) above);
- Insufficient contribution towards meeting local demand for housing (addressed in section 3.3(a) and 3.3(c) above);
- Failure of proposals to make a sufficient contribution to affordable housing need (addressed in section 3.3(a) above);
- Loss of local employment opportunities (addressed in section 3.3(a) above);
- Impacts on local educational provision, healthcare and services (addressed in section 3.3(e) above);
- Excessive scale, height, materials and design (addressed in section 3.3(c) above);
- Lack of open space (addressed in section 3.3(d) above);
- Impact on character and appearance of conservation area (addressed in section 3.3(b) above);
- Impact on setting of nearby listed building (addressed in section 3.3(b) above);

- Loss of daylight/sunlight to neighbours (addressed in section 3.3(d) above);
- Increased noise and disturbance in local area (addressed in section 3.3(d) above);
- Insufficient parking provision (addressed in section 3.3(e) above);
- Additional strain on local and drainage system (addressed in section 3.3(e) above);
- Impacts on refuse collection facilities (addressed in section 3.3(e) above);
- Impacts on local wildlife (addressed in section 3.3(e) above);

Support

- Provision of housing at an accessible location;
- Benefits to local businesses arising from student clientele;
- Support for mix of uses;
- Provision of green space;
- Benefits to area's amenity resulting from removal of timber yard;
- Support for modern design;
- High quality design of homes;
- Compatible with local character.

Non-Material Objections

- Potential short term let use of student accommodation;
- Lack of demand for student housing provision.

Community Council

The Leith Central Community Council did not request to be a statutory consultee but did object on the following grounds;

- Overdevelopment of the inner area perimeter block, contrary to LDP policy Hou 4 (addressed in section 3.3(c) above);
- Excessive height and scale, contrary to LDP policy Des 4 (addressed in section 3.3(c) above);
- Excessive increase in density of student housing population in the local area, contrary to LDP policy Hou 8 (addressed in section 3.3(a) above);
- Loss of daylight to existing residential properties on Iona Street and Buchanan Street, contrary to LDP policy Des 5 (addressed in section 3.3(d) above);
- Concerns relating to the provision of surface water removal from the site - (addressed in section 3.3(e) above);
- Failure to address increased demands on local services, including health care, schools and transport, contrary to LDP policy Hou 10 - (addressed in section 3.3(e) above);
- Impact of inappropriately dimensioned façade to Iona Street frontage on the setting of the listed Pilrig Church and the Leith Conservation Area - (addressed in section 3.3(b) above).

Additional comments received relating to scheme 2

Objections:

- The principle of student housing (addressed in section 3.3(a) above);
- The lack of car parking (addressed in section 3.3(e) above);
- The loss of sunlight/daylight on neighbouring properties (addressed in section 3.3(d) above);
- Inappropriate height, scale, massing and roofline design (addressed in section 3.3(c) above);
- Negative impact on the conservation area (addressed in section 3.3(b) above);
- The development does not comply with the Edinburgh Design Guidance in relation to pigeons and seagulls (addressed in section 3.3(e) above);
- The impact on protected species, mainly bats (addressed in section 3.3(e) above).

Conclusion

The proposal is acceptable in principle and is of an appropriate scale and design which will sit comfortably with the character and appearance of the surrounding area. The proposal will create a satisfactory living environment for prospective occupants, will not have a significant adverse impact on the amenity of neighbouring residents and does not raise any issues in respect of vehicle and cycle parking, flood prevention, setting of the adjacent conservation area or waste and recycling provision. The proposal will introduce a density which is higher than those of surrounding development, but is not considered overdevelopment of the site and the scheme will create a sustainable mixed-use community which will provide an appropriate mix of uses and tenures.

The application complies with the policies of the Local Development Plan and associated guidance. The application also complies with; The Historic Environment Policy for Scotland 2019, Managing Change in the Historic Environment: Setting, The Leith Conservation Area Character Appraisal, Non-Statutory guidelines Edinburgh Design, Non-Statutory guidelines Edinburgh Design, Non-statutory guidelines - Affordable housing.

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

3.4 Conditions/reasons/informatives

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. The following noise protection measures to the proposed accommodation, as defined in the Robin Mackenzie Partnership 'Environmental Noise Assessment' report (Report No. R-8542-GH1-RGM dated 21st February 2020):

- Acoustic glazing units with a minimum insulation value of 6/12/10mm and trickle vents with a minimum noise reduction level of $D_{n,e,w} \geq 36$ dB shall be installed for the external doors and windows of the living room and bedrooms overlooking Iona Street and highlighted in Appendix A shall be carried out in full and completed prior to the development being occupied.

3. 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) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

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

Reasons:-

1. In the interests of public safety.
2. In order to protect the amenity of the occupiers of the development.
3. In order to safeguard the interests of archaeological heritage.
4. In order to ensure that the approved landscaping works are properly established on site.

Informatives

It should be noted that:

1. 1. Consent shall not be issued until a suitable legal agreement relating to education, affordable housing and transport has been concluded and signed. The legal agreement shall include the following:

- a) Education - A financial contribution of £20,544 in total (or £856 per unit for the 24 units above one bedroom in size), is required to Communities and Families to alleviate accommodation pressures in the local area as identified by the LDP Action Programme and associated LDP policy Del1.
- b) Affordable Housing - 25% of the total number of residential units shall be developed for affordable housing provision for social rent.

c) Transport - A contribution towards the LDP Action Programme for the following transport works;

1. Contribute the sum of £279,105 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment
2. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;
3. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
4. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £18,000 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area.

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. 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 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 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 and real time information displays for local public transport.
- 8. In order to deter gulls and pigeons from roosting and nesting within the roofs of the development, deterrent measures should be included for the roofs of the buildings. Any measures must be carefully designed and maintained to avoid impacts on non-target species and also to avoid welfare issues such as trapping,

injury or death of birds. Gulls are a protected group by law (Wildlife & Countryside Act 1981).

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

Scheme 1

The application was advertised on 10 March 2020. A total of 120 representations were received, 112 of which were objections, seven were in support and one was neither in favour or against the proposals, These included objections from the Leith Community Council.

Scheme 2

The revised scheme was advertised on 24 July 2020. A total of 34 representations were received. This comprised 33 letters of objection and one letter of general comment.

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 application site is located within the Urban Area and fronts onto the southern boundary with the Leith Conservation Area, as designated in the Edinburgh Local Development Plan.

Date registered

27 February 2020

Drawing numbers/Scheme

01,02,03A,04A,05,06,07B,08B,09,10A-30A, 31-46,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Rachel Webster, Planning Officer

E-mail: rachel.webster@edinburgh.gov.uk

Links - Policies

Relevant Policies:

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

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

LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in 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 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 RS 6 (Water and Drainage) sets a presumption against development where the water supply and sewerage is inadequate.

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.

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

Managing Change in the Historic Environment: Setting sets out Government guidance on the principles that apply to developments affecting the setting of historic assets or places.

The Leith Conservation Area Character Appraisal emphasises the area's unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value

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

Appendix 1

Application for Planning Permission 20/00972/FUL At 48 - 50 Iona Street, Edinburgh, EH6 8SW Demolition of the existing warehouse and ancillary office building and construction of residential (flatted) development including purpose-built student accommodation, general housing and affordable housing, public realm improvements, hard and soft landscaping and associated infrastructure.

Consultations

Environmental Assessment

Contaminated Land - Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning and Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent (except where it is inappropriate to do so, for example where remediation of severe contamination might not be achievable).

Local Air Quality - The application site is located near to the city centre air quality management area; however it does not introduce any car parking, will be promoting a green travel plan and will be replacing an existing industrial yard that had a level traffic movements.

The impact on air quality arising from the use of the development has been considered due to its proximity to the AQMA. The main consideration from this type of development is the potential increase in fossil fuel driven motor vehicles. There is no parking provision associated with the development so its not a significant factor.

Due to the removal of the existing use on-site, there will be no net increase in traffic associated with the development. On this basis, it is considered that the proposed development will have a negligible impact on the road network and Central Air Quality Management Area.

It is noted that 'Block D Student' block will be served with a Combined Heat and Power (CHP) is being proposed to meet a significant amount of the building's hot water demand. This will be located within the plantroom. Heat pumps will be specified to provide heating and cooling to the management suite and student amenity areas however these will be located externally in a suitable plant enclosure where they will not impact visually. It should be noted that gas is no longer a fuel that we would want to encourage with any proposed energy centre. the applicant should look to reduce

energy demand to a minimum with use of good insulation linked to ground/air sourced heat pumps and PV/solar panels.

The applicant 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).

The construction phase has the potential to impact the neighbouring residential properties adversely in the form of particulates and dust. The site is surround by residential units therefore careful consideration has been given by the applicant to mitigate any impacts. The applicant has submitted a supporting construction environment management plan which details how construction impacts will be minimised. Environmental Protection will recommend an informative is attached to ensure this is addressed.

HMO - The development may require a HMO License then the applicant should make contact with the HMO Team to ensure that the design and layout will meet the HMO standards. they can be contacted on 0131 469 5151.

Noise - The applicant has submitted a supporting noise impact assessment which has identified that noise mitigation measures will be required. This will be in the form of acoustic glazing along Iona Street to mitigate transport noise. The glazing specification is dictated by the maximum noise levels at night. The living rooms and bedrooms overlooking Iona Street will require a minimum of 6mm glass - 12mm air cavity - 10mm float glass which provides a minimum R_w+C_{tr} of 33dB in order to comply with the required noise criteria. Trickle vents will need to provide a minimum noise reduction level of $D_{n,e,w}$ ≥ 36 dB.

The facades where bedrooms and living rooms that will need to be specified with the upgraded glazing is shown in Appendix A of the applicant noise impact assessment (Technical Report No. R-8542-GH1-RGM 21st February 2020). Due to the proximity of the development site to existing residential properties Environmental Protection highlighted that construction phase impacts must be considered. The applicant has submitted a supporting Construction Environment Management Plan (CEMP) which deals with noise construction dust emissions.

The applicants CEMP advises that creating noise which is audible at the site boundary should not occur outside the hours of 07:00 to 19:00 Monday to Friday and 09:00 to 16:00 on Saturdays. Site will be closed on Sundays and Bank holidays. Environmental Protection shall recommend that this is included as an informative. It should be noted that Environmental Health can regulate construction noise under the Control of Pollution Act 1974.

Environmental Protection has no objections to this proposed development, subject to the following conditions:

Conditions

1. 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.

2. The following noise protection measures to the proposed accommodation, as defined in the Robin Mackenzie Partnership 'Environmental Noise Assessment' report (Report No. R-8542-GH1-RGM dated 21st February 2020:

- Acoustic glazing units with a minimum insulation value of 6/12/10mm and trickle vents with a minimum noise reduction level of $D_{n,e,w} \geq 36$ dB shall be installed for the external doors and windows of the living room and bedrooms overlooking Iona Street and highlighted in Appendix A shall be carried out in full and completed prior to the development being occupied.

Informative

1. 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.

2. Prior to occupation of the development, details demonstrating that noise from all plant (including air source heat pump system) complies with NR25 within the nearest residential property (with window partially open for ventilation purposes) shall be submitted for written approval by the Head of planning and Building Standards.

3. The applicant should make contact with the HMO Team to ensure that the design and layout will meet the HMO standards. they can be contacted on 0131 469 5151.

Construction Mitigation

a) 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. All mobile plant shall be

maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.

b) The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.

c) Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.

d) Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.

e) All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.

f) Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.

g) This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.

h) No bonfires shall be permitted.

i) Construction noise at the site boundary should not occur outside the hours of 07:00 to 19:00 Monday to Friday and 09:00 to 16:00 on Saturdays. Site should be closed on Sundays and Bank holidays.

Waste Management

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

I have been in direct contact with the architect for this development, I can confirm that they have provided the information for the bin stores and these are shown to be in line with our instruction for architects guidance and waste and recycling requirements have been fully considered.

I would ask that the architect passes my contact information to the developer/builder and to stress that they will need to contact this department a minimum of 12 weeks prior to any collection agreement to allow us 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 inline 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.

Archaeology

The site lies to the east of Leith Walk the historic medieval route between Edinburgh and its port at Leith. Map evidence indicates that until the late 19th century it was open

ground/ market gardens bisected by the Greenside Burn with its intersection with a further burn or drainage ditch. With the growth of Victorian Edinburgh, the site was developed between 1876 and 1893 with the construction of saw mills. Accordingly, the site has been identified as of being of local archaeological potential in terms of Edinburgh's Victorian Industry, Medieval/Post-medieval agriculture and potentially also for Palaeo-environmental evidence (associated with the burns).

Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and CEC's Edinburgh Local Development Plan (2016) Policy 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 proposals will require significant ground-breaking works during both demolition and construction. Such works will have a significant impact upon any surviving archaeological remains expected to range from the 19th century industrial saw mills through to Palaeo-environmental deposits associated with the Greenside Burn. It is essential that if permission is granted for this scheme, that a programme of archaeological mitigation is undertaken prior to demolition or development. This is to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains is undertaken.

In consented it is recommended that the following condition (based upon the following CEC condition) be applied to secure this programme of archaeological works;

'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) 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.

Flooding

CEC Flood Prevention have no concerns with this application, which can proceed to determination with no further comments from our department.

Section 6.2.1 of the 'Flood Risk and Drainage Impact Assessment' notes that the proposed limiting surface water discharge rate is equal to the 1:2-year greenfield runoff rate (2.4l/s). This is in line with our current guidelines

Education

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 (February 2020).

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

Assessment and Contribution Requirements

Assessment based on:

24 Flats (56 one bedroom / studio flats excluded)

This site falls within Sub-Area D-1 of the 'Drummond Education Contribution Zone'. Using the pupil generation rates set out in the Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery', the development is expected to generate at least one additional primary school pupil but not at least one additional secondary school pupil. The Supplementary Guidance states that if a development is expected to generate at least one primary school pupil but less than one secondary school pupil, only a contribution towards new primary school infrastructure may be required.

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:

£20,544

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.

Affordable Housing

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

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 comprising 80 residential flats alongside purpose-built student accommodation. There is an AHP requirement for a minimum of 25% (20) homes of approved affordable tenures.

The applicant has submitted an 'Affordable Housing Statement' which confirms that the 20 affordable homes that are required will be provided on-site. In the interests of delivering mixed, sustainable communities, the affordable homes will be integrated in a central part of the site and "tenure blind" in appearance. Leith Walk Town Centre and extensive public transport links are in easy walking distance.

The applicant has confirmed the intention that all the affordable homes will be available for social rent, the Council's highest priority tenure type. This is welcome and exceeds the Council's aim for a minimum of 70% of affordable homes to be available for social rent. The applicant has engaged with Port of Leith Housing Association (POLHA), a Registered Social Landlord. However, it should be noted that the applicant has not yet entered into contract with the RSL and has not confirmed that the homes would be sold to the RSL at price that would enable social rent.

The design of affordable housing should be informed by guidance such as Housing for Varying Needs and relevant Housing Association Design Guides. POLHA have written a letter of support and confirmed that it plans to work in conjunction with the applicant to refine the layouts to be adaptable enough to respond to the existing and future needs of its households. The affordable units will be contained in one block and accessed from a single stair core to allow effective management.

The affordable homes will be a mix of one (14), two (2), and three (4) bedroom flats. The proportion of two and three-bedroom flats is representative of what is being delivered across the wider site. The applicant has engaged with POLHA and agreed to provide one-bedroom units in place of studio flats which is welcome. The proposed mix is acceptable and will meet a range of housing needs.

The affordable home residents will have access to two communal garden spaces. Four flats on the lower ground and ground floor will have direct access to small private gardens. These either have one or two bedrooms. It would be preferable for larger three-bedroom units to be on the lower floors so that families would benefit from having direct access to the gardens. This was raised with the applicant, but no changes have been made as the applicant advised that the current design allows for one-bedroom affordable homes in place of studio flats.

An equitable and fair share of cycle and vehicle parking, consistent with the relevant parking guidance, should be provided for the affordable homes.

3. Summary

The applicant has submitted an "Affordable Housing Statement" which sets out the proposed approach for delivering affordable housing. It commits to providing 20 (25%) on-site affordable homes which complies with Affordable Housing Policy and will assist in the delivery of a mixed sustainable community. This should be secured by a Section 75 Legal Agreement.

The proposal that all affordable homes will be available for social rent is welcomed. The applicant has identified a Registered Social Landlord (RSL) to deliver the affordable housing units. The design of the units will be informed by guidance such as Housing for Varying Needs units and built to the RSL design standards and requirements.

The affordable housing will be "tenure blind" and comprise a variety of flat sizes which are representative of the provision of homes across the wider site.

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

Scottish Water

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

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

Foul - There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us. A DIA will be required to be undertaken for this development to understand the impact on our drainage network.

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.

Surface Water- The proposal for surface water connection to the combined sewer has been accepted for this site. Any changes to the site layout or discharging volume will require the case to be resubmitted to Scottish Water for review. The attenuation and discharge rate must be designed to mimic the quality and quantity of the site in its 'Greenfield' state, the appropriate calculation can be found in Appendix VII of Sewer for

Scotland. The area used in the calculation should be based on the hard standing draining areas only.

In addition, please see the below: Scottish Water does not accept that the minimum flow rate requirement, stated in the City of Edinburgh Council document for this site, is applicable for connection to a Scottish Water sewer or asset. This requirement contradicts the guidance in Sewers for Scotland 4 and will potentially result in greater strain on the network. This is due to a higher flow rate than that of the Greenfield equivalent or a flow rate with a 30mm diameter throttle control on privately-owned system (SfS4 2.7.2 & 2.15.2). For the proposed flow rate to be considered in the Technical Audit, Scottish Water will require the specific flood risk concerns for this site directly from CEC and the reasoning for a planning requirement for drainage that is not in line with the latest edition of Sewers for Scotland.

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 all of our application forms on our website at the following link:

<https://www.scottishwater.co.uk/business/connections/connecting-yourproperty/new-development-process-and-applications-forms>

Transport Planning

Further to the memorandum dated the 15th of April 2020 and the subsequent amendments made there are no objections to the application subject to the following being included as conditions or informatives as appropriate:

1. The applicant will be required to:
 - a. Contribute the sum of £279,105 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;
 - b. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;
 - c. 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 Cars1 policy, the applicant should contribute the sum of £18,000 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area;

3. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;
4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of 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;

Note:

I. The application has been assessed under the 2017 parking standards. These permit the following:

- a. A maximum of 122 car parking spaces (1 space per residential unit, 1 space per 6 student accommodation beds). Zero car parking is proposed;
- b. A minimum of 406 cycle parking spaces (for residential - 1 space per studio unit, 2 spaces per 2/3 room unit and 3 spaces for 4+ room unit. 1 space per student accommodation bed). 415 cycle parking spaces are proposed.
- c. As zero car parking is proposed, there is no requirement for EV or Accessible car parking;
- d. A minimum of 13 motorcycle parking spaces. (1 space per 25 units and Student Accommodation beds). 0 dedicated motorcycle parking is proposed;

II. The justification for the proposed level of car parking is centred around the site's location to local services and amenities and its accessibility to public transport which will be further enhanced by the completion of the Tram to Newhaven project. In conjunction with reviewing data from the Councils Strategic Parking Review (reported to T&E committee September 2019) the applicant conducted parking surveys of the surrounding streets which both found that this area is heavily parked on. The strategic parking review noted that the average parking pressures in the Leith Walk area is one of the highest in the city and has proposed an extension to the existing Controlled Parking Zone (CPZ) to address this pressure, this includes the Leith Walk area in Phase 1 of implementation (expected winter 2021). Under current policies parking permits are not issued to residents of Student Accommodation, and permit limits will be set for the residential development. The applicant also propose introducing car club vehicles to this area to further enhance sustainable travel options for the existing and future residents of this area. The proposed zero car parking complies with the Councils current parking standards and based on the justification provided is considered acceptable;

III. The proposed cycle is broken down into the following:

- a. Student Accommodation - 234 spaces a mixture of internal storage (90 spaces) and storage within covered and secure external stores (144 spaces);
- b. Residential - 163 spaces between a large internal store (139 spaces) and storage within secure and covered external store (24 spaces);
- c. 18 visitor spaces are proposed at the entrance to the development on Iona Street. Within this provision 5 non-standard bike spaces have been provided. All stores are considered to be easily accessible and where placed on the lower ground floor are accessed by a ramp with an appropriate gradient. Majority of the cycle parking is made up of high-density two-tier racks with a small amount of Sheffield stands. External stores are all fully weatherproof and secure and located within the semi-private amenity space. The proposed level of cycle parking complies with the Councils parking standards and the design, layout an access is considered acceptable;

IV. A transport assessment has been submitted in support of the application. This has been assessed by transport officers and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The submitted document is generally in line with the published guidelines on transport assessments and estimates in a worst-case scenario where vehicle trips are generated from both elements of this development, 13 vehicle trips during the AM Peak (0800-0900) and 24 vehicle trips during the PM Peak (1700-1800). No trip generation analysis was provided for the existing use (lumber yard), it would be anticipated that whilst this may not generate the same amount of vehicle trips at peak times, it would likely lead to a net reduction in vehicle trips when comparing the numbers over the course of a day (24 hours). The existing use would likely generate a number of daily large vehicle movements that would not be happening with the proposed use.

V. The proposed development is in zone 1 of the Tram contribution zone. The tram contribution is based on a net contribution that takes the existing use into consideration. The proposed use is based on 80 residential units and 6,331m² GFA of student accommodation = £345,392. The existing use is based on 4,352m² of warehousing use = £66,287. Net use = proposed use - existing use = £345,392 - £66,287 = £279,105;

VI. Consideration was given to the LDP Action Programme with regards to potential contributions to transport improvements. The applicant has demonstrated that there will be very little impact in terms of vehicular traffic from this development, therefore it is not considered reasonable to require contributions to any proposed junction improvements. Also there does not appear to be any active travel improvements within the vicinity that will greatly improve direct access by foot and bike to the development. It should also be noted that Iona Street is not highlighted in the Active Travel 5-year programme for any future improvements;

Leith Walk Community Council Comments

I write on behalf of Leith Central Community Council to object to the above planning application for the following reasons:

- By over-developing the inner area of the perimeter tenement block (arguably Edinburgh's most successful form of housing), located at the centre of the traditional, tenemental grid formed by Iona/Buchanan/Albert/South Sloan Street and the wider area between Leith Walk and Easter Road, the proposal adds to the extremely high residential density of the area (the most densely populated area in Scotland - census 2011) previously made - in part - possible by respecting the perimeter block, thus breaching Policy Hou4a and Hou4d.
- The proposal's domineering height, size and scale will have a negative impact on surrounding, existing housing, breaching Policy Des4a and Des4b.
- It will result in an unacceptable increase in the density of student accommodation and thus in the transient population with a far-reaching negative socio-economic impacts (instead of maximising - less lucrative rented accommodation for which there is proven demand), thus breaching Policy Hou8.

We do not accept the assumptions and calculations for existing student numbers in the applicant's supporting documentation.

- It reduces light amenity to neighbouring properties in Iona Street and Buchanan Street to unacceptable levels breaching Policy Des5a

- The increased footfall and movement of a transient student population and the attendant noise will impact negatively on what is a quiet - recently traffic calmed - residential street, breaching Policy Des5a.
- Given the density of the area, surface water removal is of the utmost importance. We note Scottish Water's letter (30 March 2020): 'Scottish Water does not accept that the minimum flow rate requirement, stated in the City of Edinburgh Council document for this site, is applicable for connection to a Scottish Water sewer or asset. This requirement contradicts the guidance in Sewers for Scotland 4 and will potentially result in greater strain on the network.'. Unless this is resolved, both applicant and the local authority must be concerned about potential future litigation.
- As the proposed development does not address how the increased demands on already stressed local services (health care, schools, public transport) will be resolved we consider this a breach of Policy Hou10.

Finally, we regard the impact of the insertion of an inappropriately dimensioned facade on the vista along Iona Street towards the A-listed Pilrig St Paul's Church and the Leith Conservation Area as detrimental to both, and perhaps more importantly on the identity of the area and thus the very quality - community cohesion - that underpins the high density of our area.

We urge you to reject the development in its present form and scale and would ask the developer to address our concerns regarding unacceptable student density and surface water issues that were highlighted during the PAC process.

Edinburgh Urban Design Panel meeting 24 April 2019.

The Panel welcomed the opportunity to comment on the emerging design proposals for this site at an early stage of the design process.

The Panel welcomed the design approach to date and in particular the Panel supported the following:

- The mix of student accommodation and residential;
- a tenure blind approach to the affordable housing
- the introduction of a pend

In developing the proposals, the Panel suggested the following matters be considered further:

- a design which integrates but is creative with the existing urban grain, townscape and frontages;
- the landscape and public realm;
- the design of the new street.

1 Planning Context

The proposal is for 88 residential flats and accommodation for 270 students.

Site Description

This 0.53ha site is currently occupied by Walker Woodstock Timber who operate a timber yard, office and showroom from this location.

The site occupies the centre of a perimeter block with a frontage onto Iona Street comprising: a 3M high blank masonry wall; a vehicle entry point for the timber yard; and a one and a half storey brick building containing the office and showroom.

The site slopes from north to south and is bounded on three sides by tenements fronting onto Albert Street, Buchanan Street and South Sloan Street. The site is adjacent to but outwith Leith Conservation Area, whose boundary lies immediately to the north and west. The view west along Iona Street is terminated by the A-listed Pilrig Church at the junction of Pilrig Street and Leith Walk, on the edge of Pilrig Conservation Area.

Planning Policy

Proposals for development at this location must comply in principle with all relevant policies within the LDP, which include:

- Env 6, in terms of its impact on the character and setting of Leith Conservation Area:
- Env 12 addressing protection of existing trees on the eastern boundary of the site.
- All design policies including Des 2 (Co-ordinated Development) which requires proposals to demonstrate that design will not compromise the effective development of neighbouring sites at a future date.
- All Housing policies, including Hou 8, which supports purpose-built student accommodation where the location is appropriate in terms of access to university and college facilities and the proposal will not result in an excessive concentration of student accommodation. The Council's non-statutory Student Housing Guidance advises that sites greater than 0.25 hectares must provide a proportion of housing representing a minimum of 50 percent of the gross floor area of the overall development.

Panel Comments

The Panel had detailed comments as follows and welcomed the opportunity of providing advice at this early stage in the design process.

Use

The Panel noted the proposed land use for this site of, residential and student accommodation. In general this approach was encouraged. However, the Panel asked that the following be considered further:

The Panel suggested that the proposed level of student accommodation appears to be high for this area and therefore will require to be fully justified. The Panel suggested that consideration could be given to the student accommodation and residential accommodation being provided in both blocks and not split into two separate blocks. With respect to the element of affordable housing proposed for the site the Panel supported the tenure blind approach.

Urban Form

Generally the Panel noted concern with the overall height, mass and scale of the proposal.

Iona Street Frontage:

The Panel expressed concern regarding the proposed height and mass of the block on Iona Street. It was noted that it appeared out of context with the surrounding area but recognised that there is less uniformity of adjacent buildings and tenements on the south side of the street. The Panel suggested that the composition of this frontage could benefit from a more broken approach as illustrated in the presenter's precedent images, including a stepped upper storey roof scape of not just one but two storeys in parts which might enable a six storey building on this frontage.

It was suggested that the lowering of the block above the pend could be used as a device to mark the entrance to the pend, again as illustrated in one of the presenters precedent images.

The Panel noted the opportunity to form a cohesive, creative and active frontage to Iona Street while encouraging densification to this edge.

Rear blocks:

Given these blocks are secondary sitting behind the Iona Street primary frontage the Panel suggested that these should be lower and step down to achieve an appropriate height, mass and scale for this secondary frontage. It was also suggested that the layout of the rear blocks would benefit from the student block moving east away from the boundary. This could assist in establishing an appropriate relationship with the site boundary and adjacent properties.

Pend:

The introduction of a pend was generally supported by the Panel. However, it was recommended that the width be reconsidered to form a narrower mews scale access.

Architectural Response

The Panel advocated a creative architectural approach to this site, included and selection of materials which in this case may not necessarily be the natural stone.

The Panel encouraged the introduction of balconies to the elevations as both an architectural device and to provide amenity for the residents.

Landscape and Open Space

The Panel advocated the appointment of a landscape architect at this stage of the design process. The Panel expressed concern that the open space/landscape is 'left over' space between the buildings.

To assist with the design of the open space/landscape the Panel suggested that the layout and extent of road and car parking could be reconsidered. Access to the rear court parking area could be designed as a space to accommodate minimum vehicular movements with the focus on pedestrian movement and quality open space/amenity for the residents. A mews scale street was suggested. Concern was raised with respect to the proximity of car spaces to private space. The loss of sunlight to some existing garden spaces was also noted.

Public Realm

The Panel advocated a continuous footway to Iona Street to assist with pedestrian priority on this street. It was noted that there are good examples of this approach in the area.

Vehicular movements

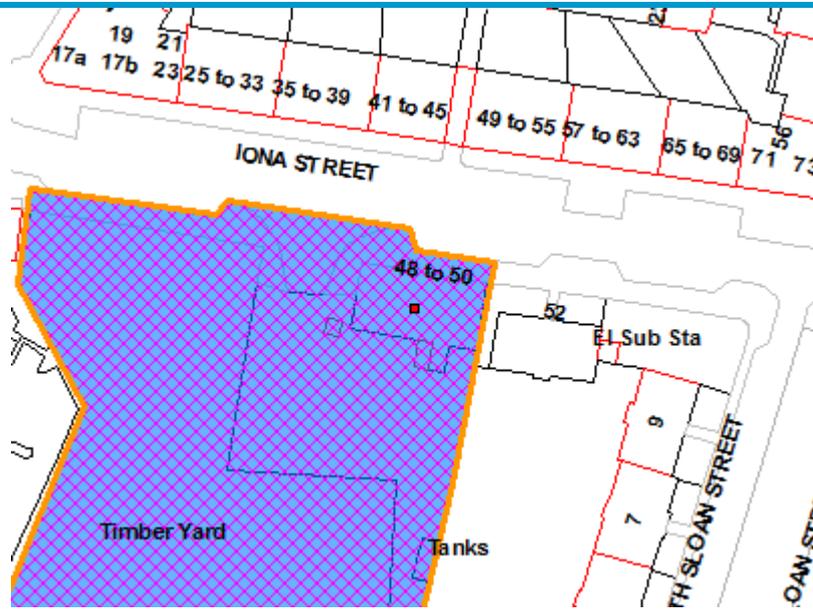
The Panel encouraged a car free approach to the site given it is well connected to the public transport network.

Also, consideration could be given to restricting vehicular movements within the site, with all of the main servicing being accommodated off Iona Street. This could include refuse collections and would assist in achieving high quality private space to the rear of the primary block. It was noted that disabled parking bays may require to be located within the site. The Panel noted that 100 pc electric charging points should be considered.

Security

The Panel advocated secure by design accreditation for this proposal. Cycle storage should be located in the buildings in secure areas.

Location Plan



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