

# Development Management Sub Committee

**Wednesday 27 October 2021**

**Report for forthcoming application by**

**Ocean Terminal Limited c/o Ambassador Group. for  
Proposal of Application Notice**

**21/04420/PAN**

**at Ocean Terminal, 98 Ocean Drive, Edinburgh.  
Erection of mixed use development potentially comprising  
residential, hotel, office, leisure, community and other  
commercial uses, including food and drink and retail uses,  
and creation of new public realm, with associated  
landscaping, infrastructure and access arrangements.**

**Item number**

**Report number**

**Wards**

B13 - Leith

## **Summary**

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The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for planning permission for the erection of a mixed use development potentially comprising residential, hotel, office, leisure, community and other commercial uses, including food and drink and retail uses, and creation of new public realm, with associated landscaping, infrastructure and access arrangements.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, the applicants submitted a Proposal of Application Notice 21/04420/PAN on 18 August 2021.

## Links

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**Coalition pledges**

**Council outcomes**

**Single Outcome Agreement**

## **Recommendations**

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

## **Background**

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### **2.1 Site description**

The site covers the Ocean Terminal building and its immediate surroundings. It is approximately 5.5 hectares in size. The distillery currently under construction to the north of the site is not within the site boundary.

The existing centre is a large symmetrical building (with additions) orientated north-east/south-west alongside Ocean Drive and forming the eastern frontage to the main harbour of the Port of Leith. The building is a large, covered shopping mall with two multi-storey car parks at either end. The Royal Yacht Britannia is moored adjacent to the centre.

Bus stops are located immediately outside the main pedestrian entrance on Ocean Drive and the tram line (with tram stop) is currently under construction along Ocean Drive.

To the north of the site is the Imperial Dock Special Protection Area (SPA) which contains a tern colony.

The wider area consists of a mix of uses including retail, offices and residential. Some adjacent sites are currently under construction.

### **2.2 Site History**

1999 - permission granted for the Ocean Terminal development comprising a mixture of retail and leisure uses, incorporating the Britannia Exhibition and Visitor Centre (application number 99/00018/FUL)

22 February 2017 - planning permission in principle minded to grant for a hotel on the northern surface car park area (application number 16/02815/PPP)

Adjacent sites:

31 October 2001 - Planning permission was granted for the erection of two office buildings of 9 and 11 storeys respectively, with a combined floor area of 25,000sqm. The 9-storey building (Ocean Point) has been implemented (application number 01/01030/FUL).

14 August 2018 - to the east of the site, planning permission granted for the 388 residential units and 29 commercial units proposed to be either Class 1, 2 or 4 + 2 corner cafes on the Waterfront Plaza (Cala site) (application number 16/03684/FUL). Under construction.

26 September 2019 - distillery and visitor centre granted permission to the north of Ocean Terminal (application number 17/04428/FUL). Under construction.

3 November 2020 - Skyliner site further east, residential development of 338 flats over 4 apartment buildings with heights of 10 storeys (Building A), 14 storeys (Building B), 12 storeys (Building C) and 10 storeys (Building D) with two commercial units (Class 1,2,3 and 4), car parking and associated landscaping (application number 19/02778/FUL).

## **Main report**

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### **3.1 Description of the Proposal**

The forthcoming application will be a full planning application for the erection of mixed use development potentially comprising residential, hotel, office, leisure, community and other commercial uses, including food and drink and retail uses, and creation of new public realm, with associated landscaping, infrastructure and access arrangements.

A separate application will be required for the part demolition of Ocean Terminal and its reconfiguration.

### **3.2 Key Issues**

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

#### **a) The principle of the development is acceptable in this location having regard to the development plan;**

The site is located within the Central Leith Waterfront area (Proposal reference EW1b) as identified in the adopted Edinburgh Local Development Plan (LDP). Ocean Terminal is designated as one of the City's Commercial Centres.

LDP Policy Ret 4 (Commercial Centres) sets criteria to assess additional retail floorspace and allows additional floorspace with very specific justification and demonstrating impact on sequentially preferable locations. There are no specific policies in these areas to protect the loss of retail floorspace.

As this forms part of the wider waterfront area, LDP Policy Del 3 (Edinburgh Waterfront) will be of relevance to the assessment of the site. This policy supports development proposals that will contribute to the creation of new urban quarters at Leith Waterfront. Commercial and housing-led mixed use development is generally supported. This includes proposals that maximise the development potential of the area and contain a mix of house types, sizes and affordability.

LDP Policy Hou 1 (Housing Development) supports housing development at suitable sites within the Urban Area, subject to other LDP policies. Proposals for residential development would be expected to address the principles of LDP Policy Hou 2 (Housing Mix), which requires an appropriate mix of residential units to meet the needs of the range of household types in the area, with regard to other considerations. Proposals would also be expected to demonstrate compliance with LDP Policy Hou 6 (Affordable Housing).

Other potential uses, such as commercial, community, leisure or a hotel will be assessed against the relevant policies in the LDP.

#### **b) Design, Scale and Layout.**

Design development will need to take cognisance of relevant LDP design and environment policies and the Edinburgh Design Guidance. Detailed information will be required in relation to the height, materials and form of the proposed units. The design approach must be based on a thorough understanding of the surrounding context. The proposal should not adversely impact on key local views and wider city views as identified in Edinburgh Design Guidance.

An assessment of the amenity of future occupiers, as required by LDP Policy Des 5 (Development Design - Amenity) will also be required. This will include the requirement for greenspace provision, in accordance with LDP Policy Hou 3 (Private Green Space in Housing Development).

The proposals have been presented to the Edinburgh Urban Design Panel.

#### **c) Access and transport.**

The proposal shall have regard to LDP transport policies and Edinburgh Design Guidance. Developer Contributions and Infrastructure Delivery Supplementary Guidance will apply to the proposal. The applicant will be required to provide transport information to demonstrate how the proposal prioritises active travel and is aligned with parking standards, including service arrangements and cycle parking provision.

The LDP Proposals Map contains the tram route safeguard along Ocean Drive adjacent to the site and also the safeguarded route for the Waterfront Promenade. Both these matters should be factored into the forthcoming application.

#### **d) Other Environmental Factors.**

The applicant will be required to submit sufficient information to demonstrate that the site can be developed without having a detrimental impact on the environment. An Environmental Impact Assessment Screening Opinion has been issued stating that an Environmental Statement is not required, based on the information supplied at the time of the screening request.

In order to support the application, the following documents should be submitted:

- Pre-Application Consultation report;
- Planning Statement;
- Design and Access Statement;
- Air Quality Impact Assessment;
- Daylight, Overshadowing and Privacy Assessment;
- Flood Risk Assessment and Surface Water Management Plan;
- Odour, dust and fume impact assessment;
- Landscape and Visual Impact Appraisal;
- Landscape Strategy;
- Noise Impact Assessment;
- Ecology information;
- Sustainability Statement and S1 Form and
- Transport Information.

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

### **3.3 Assessment**

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

### **Financial impact**

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

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

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

### **Equalities impact**

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

### **Sustainability impact**

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

## Consultation and engagement

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### 8.1 Pre-Application Process

Pre-application discussions took place on this application.

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

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

An online community consultation event took place on Thursday 23 September 2021 between 12pm and 8pm. The applicant also intends to undertake a further public exhibition even in November.

The Proposal of Application Notice was sent to Local Ward Councillors (Leith Ward, Leith Walk Ward and Forth Ward), Councillor Neil Gardiner, Councillor Child Councillor Kate Campbell, a number of MSPs and the MP, Leith Harbour and Newhaven Community Council, Leith Links Community Council, Leith Central Community Council, Trinity Community Council, Granton and District Community Council and the Cockburn Association.

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

### Background reading / external references

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

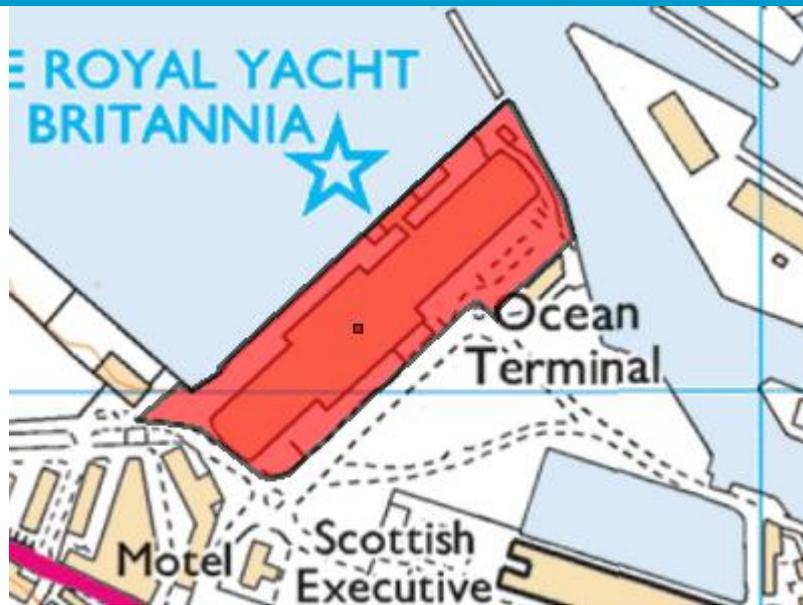
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## Location Plan

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