

# Development Management Sub Committee

Wednesday 12 January 2022

**Application for Planning Permission 21/03620/FUL at 358 - 364 Morningside Road, Edinburgh, EH10 4QN. Partial demolition of existing ground floor retail unit, alterations and extension to form replacement ground floor and basement retail unit (class 1) and erection of 10 flats in the upper floors, with associated cycle parking and infrastructure (as amended).**

**Item number**

**Report number**

**Wards**

B10 - Morningside

## Summary

---

The proposal complies with the Edinburgh Local Development Plan.

The proposal has the potential to contribute to the housing land supply through re-use of brownfield land for residential development.

The proposals will preserve the character and appearance of the Morningside Conservation Area.

A satisfactory residential environment will be created and overall there will be no unreasonable impact on the amenity of neighbouring residents. A departure from the private green space standards is acceptable given the footprint of the existing development on-site.

A reduced reliance on car usage is encouraged and promotion of sustainable modes of transport through appropriately designed cycle provision is supported. No specific road or pedestrian safety issues will occur as a result. The proposal minimises environmental resource use and incorporates sustainable features.

The proposal complies with the policy principles of sustainable development set out in Scottish Planning Policy (SPP). There are no other material considerations which outweigh this conclusion.

## Links

---

### [Policies and guidance for this application](#)

LDPP, LHOU01, LHOU02, LHOU03, LHOU04, LEN05, LEN06, LEN09, LEN12, LEN21, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES13, LRET03, LTRA02, LTRA03, LTRA04, NSG, NSLBCA, NSGD02, SPP, OTH, CRPMON,

# Report

**Application for Planning Permission 21/03620/FUL at 358 - 364 Morningside Road, Edinburgh, EH10 4QN. Partial demolition of existing ground floor retail unit, alterations and extension to form replacement ground floor and basement retail unit (class 1) and erection of 10 flats in the upper floors, with associated cycle parking and infrastructure (as amended).**

## Recommendations

---

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

## Background

---

### 2.1 Site description

The application site is on the west side of Morningside Road and contains a retail unit at ground / basement floor, currently occupied by Sainsburys. There was originally a tenement building on the site that was demolished in the 1960s. It is therefore an infill site, between two tenements on either side of varying height. There are some remnants of the previous tenement in situ, with the outline of previous windows evident on a stone structure above the ground floor.

To the west side of the site, are the rear gardens of tenements on Maxwell Street and Morningside Road.

The footprint of the existing retail unit covers the majority of the site at ground floor level. There is a pedestrian lane to the northern boundary, which has fire exits from adjacent buildings. There is a basement level below which does not take up the full footprint of the ground floor. Part of the ground floor and basement lie below the adjacent tenement to the south.

The site is located within Morningside/Bruntsfield Town Centre and is characterised by commercial units at ground floor with residential above primarily in the form of large Victorian tenement buildings. Morningside Road is a main arterial route into the city centre and a busy shopping thoroughfare which is well served by buses.

This application site is located within the Morningside Conservation Area.

## 2.2 Site History

23 December 2010 - Planning permission granted for shopfront alterations and rear extension of existing retail units (application reference 10/03161/FUL)

21 January 2011 Planning permission varied for shopfront alterations and rear extension of existing retail units (application reference 10/03161/VARY)

11 November 2013 - Planning permission granted to alter and extend ground and basement shop units and erect a residential tenement above, but legal agreement not signed, and the application was subsequently withdrawn (application reference 08/03475/FUL)

## Main report

---

### 3.1 Description of the Proposal

The proposal is to demolish part of the ground floor commercial unit and the remainder of the upper floor tenement elevation.

The replacement building will reinstate residential development on the site. A retail unit will be retained at ground floor level linked to the existing basement.

A new stair and lift core will be formed to the rear of the site to provide access to five storeys of flats above. The flats will have main door access from Morningside Road. The pedestrian pend to the north boundary will be retained as this provides fire exits from adjacent buildings. The five upper levels will have ten 2 bedroom flats in total with two units at each level. The internal size of these flats will range from 73 sqm to 83 sqm.

The proposed retail unit will have large glazed openings facing onto Morningside Road.

The residential development will be a contemporary modern design. The front elevation will be constructed externally in ashlar sandstone with a recessed upper floor in dark grey zinc cladding with a steel balustrade. Single and double pane windows with Juliet balconies will face onto the street.

The rear elevation will be finished in render with smaller, rectangular windows facing onto the communal gardens of adjacent tenement buildings.

### Supporting Information

The following documents have been submitted and can be viewed on Planning and Building Standards On-line Services.

- Air Quality Report
- Design Statement
- Energy Strategy
- Planning Statement
- Noise Impact Assessment
- Sustainability Statement Form

- Daylight and Sunlight Assessment
- Flood Risk Assessment and Drainage Strategy
- 3D Visualisations

### Revised Scheme

The original submission has been revised as per the following.

- Cycle provision increased from 12 bike racks to 22 spaces via double cycle lockers
- Solar panels added to roof
- Detail of external roof and render finishes added and roof form of rear stair core reduced
- Window glazing and floor specifications added

### **3.2 Determining Issues**

Due to the proposed development falling within a conservation area Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 applies. It provides that there is a strong presumption against granting planning permission for development which would conflict with the objective of preserving or enhancing the character or appearance of the conservation area. This report will first consider:

- Would the development conflict with the objective of preserving or enhancing the character or appearance of the conservation area?
- If it would, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh the strong presumption against granting planning permission?

This report will then consider the proposed development under Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Do the proposals comply with the development plan?

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

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

In the assessment of material considerations this report will consider:

- the Scottish Planning Policy presumption in favour of sustainable development, which is a significant material due to the development plan being over 5 years old;

- equalities and human rights
- public representations and
- any other identified material considerations.

### 3.3 Assessment

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

- a) the proposals will have an adverse impact on the character and appearance of the conservation area;
- b) the proposal is acceptable in principle;
- c) the proposal is of an acceptable scale, form and design;
- d) the proposal will provide satisfactory amenity for future residents and will not adversely affect neighbouring amenity;
- e) the proposal will have transport impacts;
- f) the proposal has ecological implications and will not result in the loss of trees worthy of retention;
- g) other matters raised have been addressed;
- h) all other material considerations raised have been addressed;
- i) the proposal raises matters of equality or human rights;
- j) material comments raised have been addressed.

#### a) Character and Appearance of the Conservation Area

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

*In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*

LDP Policy Env 5 (Conservation Areas - Demolition of Buildings), states proposals for the demolition of unlisted buildings within a conservation area but considered to make a positive contribution to the character of the area will only be permitted in exceptional circumstances and after taking into account considerations set out in Env 2.

Further, that proposals for demolition of any building within a conservation area, will not normally be permitted unless a detailed planning application is approved for a replacement building which enhances or preserves the character of the area.

LDP Policy Env 6 (Conservation Areas)- states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant character appraisal.

The Morningside Conservation Area Character Appraisal emphasises that the architectural character of the conservation area is largely composed of Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of private open space. The villa streets are complemented by the profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas which are in variety of architectural styles are unified by use of local building materials.

The proposal site is located at the western boundary of the Morningside Conservation Area. The rear projection of the existing retail unit extends beyond the building line of adjacent tenement buildings, located out with the conservation area.

The unit is of a modern, functional appearance externally finished in render with large glazed openings facing onto Morningside Road. It sits below space between three and four-storey tenement buildings. The remnants of the previously demolished tenement are still visible, an element of its elevations with outline of upper floor windows attached to the tenement building to the south.

The proposal includes removal of this upper floor stone structure and partial removal of the retail unit (east elevation and a southern section of the wall).

Removal of the upper floor structures is acceptable as these retained elements are clearly part of a previously demolished building. Their overall appearance is fragmented in terms of their stepped form. The ground floor is a modern, functional design that has limited contribution to the historic environment. Loss of these elements is therefore acceptable subject to approval of a replacement building that preserves or enhances the character or appearance of the conservation area.

The replacement modern retail frontage is similarly designed to the existing in terms of its large glazed curtain walling with stone surrounds. It is of a design that is appropriate to its retail function and is similar to refurbished shopfronts nearby. In light of this, it would have a neutral impact on the character and appearance of the conservation area.

The proposed residential development would sit above the retail unit and comprise five storeys in total. It is a modern design concept through its rectangular geometric roof form, use of modern materials and Juliet balconies.

The immediate character of the conservation area is of a high-density, traditional tenement form. The proposal site sits between two Victorian tenements of differing scale. The residential development would exceed the height of the building previously in situ. The original building mirroring that of the tenement building to the south.

However, there is some range in heights evident in the area and the step-up that would occur as a result of the proposal is not uncommon between tenement forms. The design includes a slight setback on the upper floor, which separates the new form from the bay window and stone railings of the adjacent tenement building. The height is similar to this building and this scale of development continues along Morningside Road to the north.

In regard to materials, the front elevation would be constructed in ashlar sandstone which is in keeping with the prevalent use of stone on surrounding built forms. The render finish to the rear, would be finished in a colour to match the stone of adjacent tenements. This finish is evident on prominent gable elevations and new buildings in the surrounding area. In this regard its use is not at odds with the immediate character.

The upper floor would be constructed in a dark grey zinc clad. It is recognised use of this material is not characteristic of the conservation area. Traditional materials of surrounding tenements including slated roofs form the norm.

However, the proposed building is a high-quality, distinguishable modern design. Use of modern materials is therefore appropriate on this new building subject to compatibility with traditional building materials. The upper floor will be visible, and it is important the zinc clad is of a high-quality and appropriate colour. A condition has therefore been recommended for submission of the external materials prior to commencement of the development. As part of this, details of the stone coursing on the front elevation should be submitted in order to ensure their depth is similar to adjacent tenements and align appropriately with window heads and cills. These details are required in order that the proposal harmonises with the conservation area.

The stairwell at the rear, would project beyond the footprint of the original tenement and it is recognised this arrangement is not characteristic of the conservation area. The wider views of this element would be limited however, as it is largely enclosed by the existing built form. Therefore, the impact on its appearance would be minimal.

The applicant has stated the height of the building requires a lift to meet building regulations. Furthermore, incorporating this within the original tenement footprint would significantly reduce the retail and residential floor space. In addition, that the layout of the stair core has been designed to adequately separate the lift from residential properties.

The existing unit is of a scale and form that is not typical of the historic pattern of development. The stairwell whilst of significantly greater height, forms part of a residential development that seeks to infill a gap-site. The site as existing with a large, commercial unit of functional design and remnants of a demolished tenement do not make positive contributions to the character of the conservation area.

The new development is different from the essential character of the conservation area. However, the height and form are compatible with the historic townscape. The uniformity of its design and use of ashlar stone material takes cue from the historic environment whilst clearly being distinguishable as a contemporary addition. There is no requirement to replicate traditional buildings in the conservation area, the aim is to be able to read the historical and architectural progression of the area by the buildings within it.

In reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals will preserve the character and appearance of the conservation area, therefore complies with LDP Policy Env 6.

#### b) Principle

The proposal site is located in the urban area as designated in the Edinburgh Local Development Plan (LDP). Supporting paragraph 15 of the LDP refers to promoting reuse of previously developed land and reliance on windfall sites to contribute to meeting the city's housing requirement.

LDP strategy directs new housing to sites which best meet a range of assessment criteria including landscape impact, green belt boundaries, accessibility to public transport and infrastructure capacity.

Paragraph 221 of the LDP refers to the city's need for more housing to provide for an increasing population.

The objectives of LDP housing policies are to meet the requirement for additional housing in Edinburgh whilst protecting environmental quality in housing areas, promote sustainable, better balanced communities and ensure provision is made for necessary community facilities.

LDP Policy Hou 1 (Housing Development) prioritises the delivery of housing land supply and the relevant infrastructure and identifies four criteria on where this can be achieved.

Policy Hou 1 d) prioritises the delivery of housing on other suitable sites in the urban area in recognition that windfall sites can contribute to land supply. To comply with Hou 1 d), proposals must be compatible with other policies in the plan.

LDP Policy Hou 2 (Housing Mix) promotes a mix of house types where practical to meet a range of housing needs and having regard to the character of the surrounding area and its accessibility.

LDP Policy Hou 3 (Private Greenspace) states planning permission will be granted for development that makes adequate provision for green space to meet the needs of future residents.

Supporting paragraph 226 states that exceptions to these requirements may be justifiable if there are good reasons why this cannot happen, for example where justified by the following policy on density.

LDP Policy Hou 4 (Density) seeks an appropriate density of development having regard to its characteristics and those of the surrounding area, the need to create an attractive residential environment, accessibility and its impact upon local facilities.

The proposal site is located within the Bruntsfield/Morningside Town Centre.

LDP Policy Ret 3 (Town Centres) states planning permission will be granted for retail development within a town centre, subject to a number of criteria.

The proposal relates to a gap site where previously a tenement building was located and demolished in the 1960s. The site is surrounded primarily by residential uses in the form of large tenement buildings with commercial uses at the ground floor.

Whilst the proposed provision of two-bedroom residential units does not provide range of accommodation on-site, it will add to the mix of housing stock available in the local area.

The proposal does not provide any significant areas of greenspace. The site is located in a high-density residential environment though it is recognised some provision of greenspace is characteristic of tenement buildings in the area. However, the capacity to provide greenspace is limited by the site characteristics. The footprint of the existing retail unit covers the majority of the site and this building will largely be retained.

A departure from the requirements of LDP Policy Hou 3 is therefore acceptable based on the high-density characteristics of the site.

There is an existing high-density form of development characteristic on Morningside Road through tenement buildings to the north and east of the site. The proposed development will not materially alter the existing density of the area. The site has access to public transport links to the city centre and residential development in this location will help to support local facilities and commercial uses in the wider area.

As such, introducing a development of this density is considered compatible with the density of residential development evident in the area, contributing to the viability of the local area.

Furthermore, the proposal has the potential to contribute to a requirement in the LDP for additional housing within the city. Further, re-use of previously developed land is promoted, and it is recognised the proposal is a gap site within an established area where residential use is established.

As such, introducing a development of this density is considered compatible with the high density of the surrounding townscape and contributing to the viability of the local area.

The continued use of the ground and basement unit for retail purposes will help to sustain the vitality and viability of the town centre.

The proposal complies with LDP Policy Hou 1, Hou 2, Hou 4 and Ret 3.

### c) Design

LDP Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) states that planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area, have been identified, incorporated and enhanced through its design.

LDP Policy Des 4 (Design- impact on Setting) requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape, having regard to its height and form, scale and proportions, including the spaces between the buildings, position of the buildings and other features on the site; and the materials and detailing.

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

LDP Policy Des 13 (Shopfronts) states planning permission will be granted for alterations to shopfronts which are improvements on what already exists and relate sensitively and harmoniously to the building as a whole.

LDP Policy Hou 4 (Housing Density) states that the density of a development on a site will be dependent on its characteristics and those of the surrounding area.

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

The building takes its cues from existing development in the street but achieves a building of a contemporary design and form.

The proposed development will be in keeping with the scale of developments evident on Morningside Road. It aligns with the traditional tenement buildings to the north in terms of its height. Whilst it exceeds the height of the tenement to the south this step-down is an arrangement evident in the surrounding area.

On the east elevation, the window design of regular double and single pane windows takes reference from the arrangement and form of tenement buildings. These windows do not align horizontally with those adjacent, however, the ability to replicate historic floor levels in new buildings is constrained. There are existing examples in the immediate area of this arrangement between old tenement buildings and new development.

It is acknowledged that the rear projection is not characteristic of the area, but the existing form of the site is unusual, and the building has been designed to accommodate adequate internal space standards.

The use of ashlar stone is compatible with the prevalent use of stone in this part of the conservation area. The use of zinc clad is a modern material, however it is of a high-quality and its dark grey colour tone proposed is to relate closely to the traditional slate of surrounding built form. The use of Juliet balconies adds detailing to the east elevation. The extent of glazing at ground floor will help retain an active street frontage. In tandem with the use of stone, this will upgrade the appearance of the shop front unit.

The site layout is constrained by its limited size and footprint of the existing retail unit. This notwithstanding, the access lane to the north will be upgraded to enable use of this space as an exit from the flats and enable convenience access to cycle storage.

Overall, the design is high quality, contemporary architecture and the development will be a positive addition to the street and the area in compliance with LDP design policies.

Overall, the proposal complies with LDP Policies Des 1, Des 3, Des 4, Des 7, Des 13, Hou 4 and the Edinburgh Design Guidance.

#### d) Amenity

LDP Policy Des 5 (Development Design - Amenity) requires development proposals to demonstrate that neighbouring amenity of a development will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook. It further requires new development to offer suitable level of amenity to future residents.

The Edinburgh Design Guidance requires a minimum internal floor area of 66 m<sup>2</sup> for two bedroom dwellings.

LDP Policy Hou 3 (Private Green Space in Housing Development) seeks to ensure adequate provision of green space will be provided to meet the needs of future residents. In flatted developments this is based on a standard of 10 square metres per flat (excluding units with private gardens), a minimum 20% should be useable greenspace.

Supporting paragraph 226 refers to exceptions to these standards may be justified by Policy Hou 4 - Housing Density.

LDP Policy Hou 4 (Housing Density) states, amongst other criteria that an appropriate density of development will be sought having regard to site characteristics and the surrounding area.

#### *Amenity of Future Occupiers*

In terms of daylight, all properties will achieve satisfactory levels by virtue of the scale of windows on the east and west elevations.

These windows are adequately spaced from all neighbouring properties that will ensure acceptable levels of outlook and privacy will be achieved internally.

The two-bedroom dwellings will have internal floor areas between 78 square metres (sqm) to 83 sqm. These floor areas comply with the space standards of the Edinburgh Design Guidance.

As outlined above, the proposal does not meet the greenspace standards due to the footprint of the existing retail unit. The site does have adequate access to large areas of greenspace for future occupiers as identified within the LDP Open Space Action Plan. The Hermitage of Braid and Blackford Hill and Bradburn Valley Park being within 800m walking distance of the site.

The proposal provides an adequate living environment for future occupiers and complies with LDP Policy Des 5 and Hou 4.

#### *Neighbouring Amenity*

LDP Policy Des 2 (Co-ordinated Development) states, amongst other criteria, that planning permission will be granted for development that will not compromise the effective development of adjacent land.

LDP Policy Des 5 (Design-Amenity) supports proposals that have no adverse impact on neighbouring developments in regard to noise, daylight, sunlight, privacy or immediate outlook.

The EDG refers to the following in assessing the potential impact of development on neighbouring residential amenity.

In regard to privacy, the pattern of development in an area will help to define appropriate distances between buildings and privacy distances.

In regard to daylight, this is required for living rooms, kitchens and bedrooms. The amount of daylight reaching an external wall is measured by the Vertical Sky Component (VSC). The Council requires levels of daylight to be more than 27% VSC or 0.8 of its former value. If a proposed development would not meet these requirements, particularly in the more sensitive and densely planned parts of Edinburgh, more detailed information may be required on likely amount of daylight in affected rooms in existing buildings. The EDG refers to the Average Daylight Factor (ADF) in these instances.

In regard to sunlight, reasonable levels should be maintained to existing gardens and spaces. The use of the affected area of garden, and its size will be taken into account when assessing whether any loss of sunlight is adverse.

Furthermore, private views will not be protected, however immediate outlook of the foreground of what can be seen from within a building may be. Unless there are exceptional circumstances, this means that new development that blocks out the immediate outlook of a dwelling must be avoided.

All proposed windows on the principal elevation would face the street side of Morningside Road and raise no privacy issues. Planning application 21/03622/FUL, for a retail unit and 11 residential flats is on the opposite side of the road and it is noted proposed openings could afford some outlook of these windows. However, the distances retained to these properties is in keeping with the spatial pattern of the area therefore would not result in any unreasonable privacy issues for future occupiers.

On the west elevation, proposed windows would face onto the adjacent tenement's gardens. This relationship would result in views of this space however these communal gardens are presently overlooked from the immediate proximity of rear windows of flats in the tenement buildings. Furthermore, proposed habitable windows west-facing orientation do not afford any direct views into neighbouring tenement windows. In this regard, no new privacy issues would occur as a result or any unreasonable loss of privacy to neighbouring occupiers.

Daylight reports have been submitted to assess the level of impact the proposal would have on residential windows of tenement properties at the rear. A number of existing windows fall below the 27 % VSC and are therefore poorly lit with daylighting. It is noted the townscape character is a high-density residential environment where such situations are quite common.

The level of impact on light to most windows would be within 0.8 of their former value, therefore, there is not likely to be a noticeable change within these rooms. The exception to this, are the north-facing tenement windows on Maxwell Street which would fall below this EDG standard.

ADF values submitted indicate three of these openings are likely to fall below the recommended minimum daylight guidelines. One of these windows serves a public house and is therefore not protected in regard to daylight. The other two residential windows sit above this, at the corner of tenement buildings and partly face onto the gap site. This space has been in situ for over 50 years. However, the existing lesser scale of the commercial unit sits at odds with the prevalent high-density urban form.

In light of the historic presence of a tenement building on-site in keeping with the townscape character, there is a reasonable expectation that the principle of a residential building is supportable. These residential properties contain south-facing windows onto Maxwell Street. Therefore, whilst the openings to the rear provide light, this is a secondary source.

In consideration of the above, the degree of impact on these occupiers' amenity is not considered unreasonable in light of the prevalent high-density urban form in the area.

In regard to overshadowing, before and after sunlight analysis diagrams have been submitted on the spring equinox. These diagrams show levels of shade that would be cast from the proposal on tenement gardens at the rear of the site.

The garden immediately north of the site would receive minimal sunlight between 08.00 to 10.00 am and a reduced amount until 11 am. It is therefore recognised that the proposal will impact on the levels of sunlight available in this garden. However, this impact will be limited to these morning hours and the current levels of sunlight in the afternoon will be unaffected. It is therefore considered that the level of impact on these occupier's amenity will not be unreasonable.

The gardens beyond this serving tenement buildings on Maxwell Street will have a reduced level of sunlight in some morning hours of between 1 to 7%. No impact will occur in the afternoon. The amount of additional shade is considered a modest proportion of these gardens and for a limited duration of time. In tandem with the retained levels of sunlight to these gardens during the day, there will be no unreasonable loss of amenity for these occupants.

It is recognised the height and position of the proposed stairwell projection would alter outlook from rear windows of tenement properties, in particular on Maxwell Street. However, the retention of private views reliant on outlook across adjacent land cannot be protected under planning legislation. The stairwell would be mainly set back from the east edge of the retail unit, which would reduce its immediate proximity to these openings.

In regard to noise, the proposed residential use is compatible with the primarily residential character of the area. Noise mitigation measures have been identified in the submitted noise impact assessment including use of acoustic double glazing for openings facing onto Morningside Road.

These measures safeguard the living environment of future occupiers and in turn prevent limitations on the activities or potential re-development of neighbouring sites. A condition has been recommended for the glazing requirements to be installed prior to first use of the development.

Environmental Protection has been consulted on the proposals and have raised no objections. They have recommended additional conditions in regard to the submitted plant and floor specifications to be installed prior to first use of the development. The applicant has demonstrated that noise from the ground floor retail unit and plant can be contained to within acceptable thresholds. These matters are controlled under separate legislation to planning therefore conditions have not been recommended in respect to these matters. An informative has been included in respect to plant noise meeting the NR25 criteria, whilst the floor specifications would be considered as part of any subsequent building warrant application.

Overall, the proposal will not result in an unreasonable impact on neighbour's living environment and will not compromise the effective development of adjacent land.

The proposal complies with LDP Policy Des 2 and Des 5.

#### e) Transport

##### *Cycle Parking*

LDP Policy Tra 3 set out the requirements for private cycle parking as set out in the Edinburgh Design Guidance.

LDP Policy Tra 4 states that cycle parking should be provided near building entrances and of an appropriate design.

The Edinburgh Design Guidance states a minimum of two spaces should be provided for dwellings with two/three habitable rooms. In regard to design, long-stay parking in residential development should be focused on location, security and weather protection.

The revised proposal has increased cycle provision from 12 uncovered cycle racks to 22 secure cycle spaces via 11 double cycle stores. These are accessible at ground level to the north of the site on the altered pedestrian lane to the rear. This proposed provision meets the required standards of the Edinburgh Design Guidance (22).

The location of the cycle parking is accessible as it is located adjacent to the access point to the residential properties.

The full detail of the cycle parking's external appearance and design is required by condition in order to ensure it is suitable for use by long-term residents.

In regard to cycle parking, the proposal complies with LDP policy Tra 3 and Tra 4.

## *Car Parking*

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

LDP Policy Tra 4 states design requirements for private car parking having regard to its location, visibility from street level, inclusion of planting, impact on pedestrian safety and provision of recycling facilities where applicable. Further, that cycle parking should be provided near building entrances and of an appropriate design.

The site is identified within the Edinburgh Design Guidance Parking Standards as being within Zone 2. The standards identify that residential properties within this area should have a maximum car parking provision of 1 space per dwelling. There is no minimum parking provision. Lower provision will be pursued subject to consideration of factors including the site's accessibility to public transport, local amenities, schools and places of employment.

The site is accessible by public transport. Lothian Services are located nearby including on Morningside Road, Balcarres Street and Cluny Gardens. These bus stops are in close walking distance of the site with pedestrian footways along these routes.

The proposal is for a car-park free development. Representations have raised concern in regard to potential traffic congestion, impact on parking and road safety from the proposal.

In regard to the LDP Transport policies, a car-park free development is appropriate in this location as the site is well-served by sustainable modes of transport, well-connected to a range of commercial and other services. There are no specific issues of road or pedestrian safety as a result. In addition, the Roads Authority has been consulted on the proposals and have raised no objection.

In tandem with the provision and design of cycle spaces detailed above, the development encourages reduced reliance on car journeys and increase in travel by a sustainable mode of transport in compliance with the overall objections of LDP Transport Policies.

In regard to car parking, the proposal complies with LDP Policy Tra 2 and broadly with Tra 4.

## f) Trees

LDP Policy Env 12 (Trees) states that development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or any other tree or woodland worthy of retention. Where permission is granted, appropriate replacement planting will be required to offset the loss.

There are existing trees to the north and west of the site in communal gardens of adjacent tenement properties. It is not anticipated that the proposal will impact on these specimens, as in tandem with the separation distances retained the existing footprint of buildings on-site will not materially be altered by the proposal.

Representation has raised concern regarding potential for the proposal to impact on nesting birds to the rear of the site. The site is not located within any designated nature conservation area and having regard to relevant policy of the LDP it is not considered appropriate for a condition to be applied in respect to this.

An informative has been included however, that a nesting bird check should be undertaken on site by a suitably qualified ecologist, in order to prevent impacts on nesting birds and minimise ecological impacts from the proposal.

In light of the above, the proposal will not result in damaging impacts to trees worthy of retention and therefore complies with LDP Policy Env 12.

#### g) Other Matters

##### *Flood Risk and Surface Water Management*

LDP Policy Env 21 (Flood Prevention) states that planning permission will not be granted for development that would increase a flood risk or be at a risk of flooding itself, impeded the flow of flood water or be prejudice to existing or planned flood defence systems.

The site is located adjacent to an area containing a high risk of surface water flooding, with no specific river or coastal flood risk as identified by the Scottish Environment Protection Agency (SEPA) online maps.

The applicant has submitted a drainage report and flood risk assessment which have been assessed by the Council's Flood Prevention team.

No objections have been raised. However, a condition is recommended that prior to construction the applicant should clear the blockage from the Jordan Burn and confirm that the condition of the culvert is sufficient to accommodate the development.

An informative has been applied that a Controlled Activities Regulations (CAR) License may be required for works to and in the vicinity of the culvert. It is recommended the applicant contacts Scottish Environment Protection Agency for guidance on this matter.

Scottish Environment Protection Agency have been consulted on the proposal and raise no objection.

Subject to the submission and approval of this information as required by condition, the proposal has been designed to mitigate potential flood risk and accords with LDP Policy Env 21.

##### *Archaeology*

LDP Policy Env 9 (Development of Sites of Archaeological Significance) states, amongst other criteria, that planning permission will be granted for development on sites of archaeological significance if it can be concluded that no significant archaeological features are likely to be affected by the development.

The objective of policy is to protect and enhance archaeological remains, where possible by preservation in situ in an appropriate setting. The City Archaeologist has been consulted on the proposal and has commented as per the following.

*Historically the site occurs on the southern bank of the Jordan Burn, now canalised and running under the small ally-way across the northern boundary of the site. The site was developed in the 19th century, though only the cellar occupies half the site and a stub of the former tenement's façade survive.*

*Although the surviving Victorian façade will be removed its loss is not considered significant, similarly given the scale of previous development on this site it is considered that a new scheme would not have a significant impact upon earlier remains in particular paleo-environmental evidence relating to the Jordan Burn.*

*As the Victorian cellar will be retained, it has been concluded that this scheme would not have a significant archaeological impact and that there are no known, significant archaeological implications.*

It is not anticipated that the proposal will have any adverse archaeological implications and therefore complies with LDP Policy Env 9.

### *Sustainability*

LDP Policy Des 6 (Sustainable Buildings) states permission will only be granted for development which meets carbon dioxide emission targets and incorporates features that reduce or minimise environmental resource use and impact. The supporting text clarifies that Scottish Building Standards set carbon dioxide emissions reduction targets. To meet this criterion proposals for new development must accord with the current carbon dioxide emissions reduction target (as set out by Scottish Building Standards) and also demonstrate that at least half of this reduction will be met through low and zero carbon technologies. This aspect will therefore be assessed during the building warrant process.

The applicant submitted a sustainability statement in support of the application.

The site is located in an urban area with good public transport links, allowing a reduced reliance upon the car. Sustainable modes of transport are encouraged through cycle storage provision for residents.

The development incorporates low and zero carbon technologies: solar photovoltaic panels and integrated flue gas heat recovery.

Environmental Protection have raised no objection on environmental grounds.

The proposal complies with LDP Policy Des 6 (Sustainable Buildings).

## *Waste*

The applicant has been in contact with Waste Planning who will look at incorporating the proposed waste requirement into the new on-street bin provision as part of the communal bin review.

## *Scottish Water*

The applicant will be required to submit a pre-development enquiry to Scottish Water in order for confirmation they accept the surface water discharge rate. An informative has been included in respect to this.

## h) Other Material Planning Considerations

### *Scottish Planning Policy (SPP)*

Scottish Planning Policy (SPP) presumption in favour of sustainable development is a significant material consideration due to the development plan being over 5 years old. It sets out 13 principles to guide policy and decisions:

- giving due weight to net economic benefit;
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
- supporting delivery of accessible housing, business, retailing and leisure development;
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- supporting climate change mitigation and adaptation including taking account of flood risk;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to cultural heritage, including the historic environment;
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- reducing waste, facilitating its management and promoting resource recovery; and
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

The development proposes an appropriate and sustainable land use which will support the local economy and protect the historic environment. The scheme makes good use of the land available, and the design is high-quality that will help create a sense of place.

The site is within walking distance of a public park and within walking distance or a short bus journey of another public park with sports facilities. The proposals include measures to assist with climate change mitigation including its location near to sustainable transport links, incorporation of sustainable technologies including use of solar panels, no car parking provision and appropriately designed cycle parking provision.

The proposed development therefore complies with the SPP sustainability principles.

### *Emerging Policy Context*

NPF 4 - Draft National Planning Framework 4 is being consulted on at present. As such, it has not yet been adopted. Therefore, little weight can be attached to it as a material consideration in the determination of this application.

City Plan 2030 - While the proposed City Plan is the settled will of the Council, it has not yet been submitted to Scottish Ministers for examination. As such, little weight can be attached to it as a material consideration in the determination of this application.

### i) Equalities and Human Rights

The Local Planning Authority has a legal obligation to have due regard to persons with protected characteristics under Section 149 - Public Sector Equality Duty of the Equality Act 2010.

Under Section 149 - Public Sector Equality Duty of the Equality Act 2010, a public authority must have due regard to the need to advance equality of opportunity between persons who share a protected characteristic and persons who do not. Protected characteristics include disability and age.

The proposed design of the building is accessible for a range of future occupiers. The proposal includes a lift to the western side of the building, to comply with building regulations. This will provide convenient access to all floors without the requirement to use stairs.

In regard to the Public Sector Equality Duty prescribed by the Equalities Act 2010, the internal design of the scheme provides potential benefit in advancing equality of opportunity in suitable housing stock between those with share certain protected characteristics and those who do not. The proposal complies with the provisions of the Equality Act 2010.

### i) Representations

#### **Material Comments- Objections**

- Adverse impact of proposals on the character and appearance of the Conservation Area - Addressed in section 3.3 b) and c);
- Impact on daylight to neighbouring windows and gardens - Addressed in section 3.3 d);
- Impact on neighbour's privacy - Addressed in section 3.3 d);

- Impact on neighbouring properties through noise disturbance - Addressed in section 3.3 d) ;
- No amenity space proposed for new occupiers - Addressed in section 3.3 a) and d) ;
- Impact on car parking, traffic, congestion, road safety - Addressed in section 3.3 e);
- Impact on trees - Addressed in section 3.3 f);
- Impact on biodiversity - Addressed in section 3.3 f). The proposal is not considered to have any adverse impact on protected species as identified with the LDP. The site is not under any specific nature conservation designation therefore relevant LDP Environment policies (Env 13 to Env 15) are not applicable to the assessment of this application ;
- Environmental impact - Addressed in section 3.3 g);
- Drainage issues - Addressed in section 3.3 g);
- Impact on waste use of shared provision - Addressed in section 3.3 g).

### **Non-Material Comments - Objections**

- Impact on structural instability, integrity of buildings, and subsidence- These matters would be controlled under separate legislation to planning.;
- Potential to put pressure on existing gardens through use by new residents - This matter cannot materially be assessed under this application;
- Affordable Housing requirements due to two developments proposed - The adjacent development is separate to this planning application and cannot be considered as part of any affordable housing requirement ;
- Potential noise pollution and disruption to nearby uses through construction works - This matter cannot materially be assessed under this application.

### **Material Comments- Support**

- Positive impact on area through appropriate scale, design, materials and mix of uses;
- Supports new housing requirements;
- Positive impact on economy, creation of new jobs and service.

### Conclusion

The proposal complies with the Edinburgh Local Development Plan.

The proposal has the potential to contribute to the housing land supply through re-use of brownfield land for residential development.

The proposals will preserve the character and appearance of the Morningside Conservation Area.

A satisfactory residential environment will be created and overall there will be no unreasonable impact on the amenity of neighbouring residents. Non-compliance with the private green space standards is acceptable given the footprint of the existing development on-site.

A reduced reliance on car usage is encouraged and promotion of sustainable modes of transport through appropriately designed cycle provision is supported. No specific road or pedestrian safety issues will occur as a result. The proposal minimises environmental resource use and incorporates sustainable features.

A condition is required for the submission and implementation of a culvert survey in order to ensure no increase in flood risk will occur.

The proposal complies with the policy principles of sustainable development set out in Scottish Planning Policy (SPP) and the policies contained within the Edinburgh Local Development Plan. There are no other material considerations which outweigh this conclusion.

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

### **3.4 Conditions/reasons/informatives**

#### **Conditions :-**

1. Prior to occupation of the residential units hereby approved, the glazing requirements detailed on the approved drawing reference 12A shall be installed.
2. No development shall take place until the blockage in the culvert identified in Appendix 2 of the submitted Drainage Strategy reference P1470, dated September 2021, is removed and a full CCTV culvert survey completed and submitted for the written approval of the planning authority.

The survey shall ascertain whether additional repairs and maintenance are required. The condition must be adequate as to not reduce the capacity of the culvert and to allow flow and not pose a flood risk as a result of the proposed surface water discharge rate. The CCTV survey will also identify structural defects and confirm whether repairs are required.

In the event works are required, the construction of the building shall not take place until those works have been carried out.

3. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site. This should include details of the stone coursing on the front (east) elevation of the building hereby approved. Note: samples of the materials may be required.
4. Prior to the commencement of development details of fully enclosed secure cycle stores shall be submitted to and approved in writing by the Planning Authority. The cycle stores shall thereafter be implemented prior to the first occupation of the residential units.

## Reasons:-

1. In order to safeguard the amenity of future occupiers.
2. In order to ensure the proposal does not result in an increased flood risk.
3. In order to enable the planning authority to consider these matters in detail and to safeguard the character of the conservation area.
4. In order to provide appropriately designed cycle storage for future residents.

## Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. a. 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.  
b. The applicant should consider the provision of a car club space in the area. A contribution of £7,000 (£1,500 per order plus £5,500 per car) would be required but this does not require to be subject to a legal agreement.  
c. The applicant should be advised that as the development is located in the extended Controlled Parking Zone, they will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013.

See

[https://democracy.edinburgh.gov.uk/Data/Transport%20and%20Environment%20Committee/20130604/Agenda/item\\_77\\_-\\_controlled\\_parking\\_zone\\_amendments\\_to\\_residents\\_permits\\_eligibility.pdf](https://democracy.edinburgh.gov.uk/Data/Transport%20and%20Environment%20Committee/20130604/Agenda/item_77_-_controlled_parking_zone_amendments_to_residents_permits_eligibility.pdf) (Category D - New Build);

- d. Any doors or gates must open inwards onto the property
5. The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.
6. The applicant is required to submit a pre-development enquiry to Scottish Water for approval.
7. There is potential that a Controlled Activities Regulations (CAR) License for works to / within the vicinity of the culvert is required. It is therefore recommended that the applicant contacts SEPA for guidance on this matter at [planningsoutheast@sepa.org.uk](mailto:planningsoutheast@sepa.org.uk) and also refers to [https://www.sepa.org.uk/media/34761/car\\_a\\_practical\\_guide.pdf](https://www.sepa.org.uk/media/34761/car_a_practical_guide.pdf).

It should be noted that the guidance it states, 'removal of structures is a controlled activity'. Section 6 of the guidance covers Engineering Activities, and Table 5 from page 49 gives the level of authorisation that is applicable.

## **Financial impact**

---

### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

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

---

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

## **Equalities impact**

---

### **6.1 The equalities impact has been assessed as follows:**

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

## **Sustainability impact**

---

### **7.1 The sustainability impact has been assessed as follows:**

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

## **Consultation and engagement**

---

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

Pre-application discussions took place on this application.

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

76 representations have been received (41 objections, 33 supporting comments and 2 neutral comments)

### **Background reading/external references**

---

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

**Statutory Development  
Plan Provision**

Edinburgh Local Development Plan - Urban Area

**Date registered**

5 July 2021

**Drawing numbers/Scheme**

01-05, 06A, 07, 08, 09A, 10A, 11B, 12A, 13B,,

Scheme 2

**David Givan**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lewis McWilliam, Planning Officer

E-mail:lewis.mcwilliam@edinburgh.gov.uk

**Links - Policies**

---

**Relevant Policies:**

**Relevant policies of the Local Development Plan.**

LDP Policy 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 Env 5 (Conservation Areas - Demolition of Buildings) sets out criteria for assessing proposals involving the demolition of buildings within a conservation area.

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

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

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

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

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

LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

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

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

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

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

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

LDP Policy Des 13 (Shopfronts) sets criteria for assessing shopfront alterations and advertising proposals.

LDP Policy Ret 3 (Town Centres) sets criteria for assessing retail development in or on the edge of town centres.

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

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

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

## **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

**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.

Scottish Planning Policy (SPP) - The SPP sets out Scottish Government policy on nationally important land use matters and includes subject specific policies on: economic development, town centres and retailing, housing, rural development, coastal planning, fish farming, historic environment, landscape and natural heritage, open space and physical activity, green belts, transport, renewable energy, flooding and drainage, waste management, minerals, on-shore oil and gas, surface coal mining and communications infrastructure.

### **Other Relevant policy guidance**

The Morningside Conservation Area Character Appraisal emphasises that the architectural character of the conservation area is largely composed of Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of private open space. The villa streets are complemented by the profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas which are in variety of architectural styles are unified by the use of local building materials.

# Appendix 1

## **Application for Planning Permission 21/03620/FUL At 358 - 364 Morningside Road, Edinburgh, EH10 4QN Partial demolition of existing ground floor retail unit, alterations and extension to form replacement ground floor and basement retail unit (class 1) and erection of 10 flats in the upper floors, with associated cycle parking and infrastructure (as amended).**

### **Consultations**

---

#### **Environmental Protection:**

The application proposes the erection of 10 flats above a replacement retail premises. A cafe/restaurant with residential flats above is situated to the south with a bank with residential flats above to the north.

A noise impact assessment (NIA) has been provided in support of the application which recommends a glazing and ventilation specification to ensure that road traffic noise will be within acceptable internal levels. A condition is recommended below to that effect. The NIA has also recommended maximum plant noise and separating floor specifications which have been recommended within conditions below.

Morningside Road can be very congested with road traffic and is a major thoroughfare route into and out of south Edinburgh to the city centre. The applicant therefore proposes a car free development which is supported by Environmental Protection. However, in contrast, the application proposes to utilise gas as a means of water and spatial heating for the units. Gas only serves to increase background NO<sub>2</sub> levels within an area already affected by high levels of the pollutant and so it is disappointing to see gas boilers being proposed within this new city development. Environmental Protection therefore does not support this aspect of the development.

However, on balance, Environmental Protection does not object to the application subject to the following conditions:

Glazing requirements as shown on drawing 2931 (PL) 10 B and dated Jun 2021 should be installed prior to occupation of the development.

The maximum plant specification details as measured from 1 metre and shown on drawing 2931 (PL) 14 and dated October 2021 shall be implemented for proposed plant prior to the use hereby approved being taken up.

The separating floor specification as shown on drawing 2931 (PL) 14 and dated October 2021 shall be implemented prior to the use hereby approved being taken up.

**Flooding:**

The applicant started a CCTV survey to determine the condition of the culvert. The outputs of this survey are in Appendix 2 of the Surface Water Management Plan on the portal. The applicant was unable to complete the survey due to a blockage (believed to be a tree branch) approximately 8m downstream of manhole reference 5003, approximately at south-west corner of the existing post office building.

The applicant must clear the blockage and complete the CCTV survey to assess the condition and determine whether additional repairs and maintenance are required. The condition must be adequate as to not reduce the capacity of the culvert and to allow flow and not pose a flood risk as a result of the proposed surface water discharge rate. The CCTV survey will also identify structural defects and confirm whether repairs are required.

**Scottish Environment Protection Agency:**

We have no objection to this application on the grounds of flood risk.

The site is outwith, albeit adjacent to the SEPA surface water flood map extent. You can view the SEPA Flood Maps and find out more about them at Flood Maps.

A small, culverted watercourse (the 'Jordan Burn') flows along the north of the site boundary. The SEPA Flood Maps do not cover small watercourses (catchments <3km<sup>2</sup>) but they can still cause flooding. We do not hold information on observed flooding in this location and we are pleased that contact has been made with CEC Flood Risk Management Team for further advice on flood risk in this area, we note no records of flooding have been observed.

We welcome the provision of a Flood Risk Assessment for the site (ref: P14790, Goodson Associates Revised FRA, August 2021). We are satisfied that the recommendations from the FRA have been taken into account in the design of the site and development has been limited to land which is unlikely to flood based on all information we hold.

Through a comparison of the existing versus proposed plans, we note that there are no proposed changes to land use vulnerability on the basement and ground floor levels. A pedestrian access way will remain over the location of the culverted watercourse on the ground level. The residential flatted development is located on the stories above ground floor level and we are satisfied that the proposal will not introduce highly vulnerable receptors immediately on top of the culverted watercourse that is to remain active. We would not support highly vulnerable (residential) development on the basement or ground floor level due to the increased susceptibility of such site users in the event of a flood. The proposal may however restrict future access to this small reach of the culverted watercourse, though we note from the culvert survey that no manholes have been identified within the site boundary so we are not aware of access currently being available at the site.

For information, safe access/egress by emergency vehicles and surface water management are matters under the remit of the local Flood Risk Management Authority

at City of Edinburgh Council. It is therefore for City of Edinburgh Council to comment on the acceptability of the proposed flood mitigation measures.

### **Transport:**

1. 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;
2. The applicant should consider the applicant should consider the provision of a car club space in the area. A contribution of £7,000 (£1,500 per order plus £5,500 per car) would be required but this does not require to be subject to a legal agreement;
3. The applicant should be advised that as the development is located in the extended Controlled Parking Zone, they will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013.

See

[https://democracy.edinburgh.gov.uk/Data/Transport%20and%20Environmen%20Com%20mittee/20130604/Agenda/item\\_77\\_\\_controlled\\_parking\\_zone\\_amendments\\_to\\_residents\\_permits\\_eligibility.pdf](https://democracy.edinburgh.gov.uk/Data/Transport%20and%20Environmen%20Com%20mittee/20130604/Agenda/item_77__controlled_parking_zone_amendments_to_residents_permits_eligibility.pdf) (Category D -New Build);

4. Any doors or gates must open inwards onto the property.

Zero car parking and 22 cycle parking spaces is considered acceptable.

### **Archaeology:**

Historically the site occurs on the southern bank of the Jordan Burn, now canalised and running under the small ally-way across the northern boundary of the site. The site was developed in the 19th century, though only the cellar occupies half the site and a stub of the former tenement's façade survive.

Although the surviving Victorian façade will be removed its loss is not considered significant, similarly given the scale of previous development on this site it is considered that a new scheme would not have a significant impact upon earlier remains in particular Palaeo-environmental evidence relating to the Jordan Burn.

As the Victorian cellar will be retained, it has been concluded that this scheme would not have a significant archaeological impact and that there are no known, significant archaeological implications.

### **Scottish Water:**

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

There is currently sufficient capacity for a foul only connection in the Edinburgh PFI Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

### Location Plan

