

Development Management Sub Committee

Wednesday 12 January 2022

**Application for Planning Permission 21/04413/FUL
at land 175 metres north of 22, Haymarket Yards,
Edinburgh.**

**Student accommodation with associated ancillary
development, landscaping and access.**

Item number

Report number

Wards

B11 - City Centre

Summary

This site is an acceptable location for student accommodation and will not have a negative cumulative impact on the established character of this area, in compliance with LDP Policies Del 2 and Hou 8.

The proposal will preserve the Outstanding Universal Value of the World Heritage Site, and the setting of the New Town Conservation Area, in compliance with LDP Policies Env 1 and Env 6.

The design, scale and materials are appropriate to the location and the proposal is compatible with the spatial character of this urban area.

The proposal provides an acceptable level of amenity for the future occupiers, and will not adversely affect neighbouring residential amenity, in compliance with LDP Policy Des 5.

The proposal accords with the relevant transport policies and promotes sustainable transport modes.

The proposal therefore complies with the development plan and is acceptable, subject to conditions and a legal agreement.

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

Outcome of previous Committee

This application was previously considered by Committee on 08.12.2021

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDEL02, CRPWHS, LDES01, LDES03, LDES04, LDES05, LDES06, LHOU08, LTRA02, LTRA03, LTRA04, LEN22, LEN21, LHOU04, LDES11, LEN01, LEN06, CRPNEW, LDES02, NSG, NSGD02, NSGSTU, SPP,

Report

Application for Planning Permission 21/04413/FUL at land 175 metres north of 22, Haymarket Yards, Edinburgh. Student accommodation with associated ancillary development, landscaping and access.

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 an area of vacant land located between Haymarket Terrace, Haymarket Yards and Devon Place.

To the north of the site is Apex House, which is a purpose built office building. This building has a stepped profile up to 8 storeys. To the south is two modern office developments- Interpoint building and the three storey Elgin House. Five storey residential properties lie to the north east of the site.

The topography of the site is relatively flat. There is approximately 3 metres of a difference in level between Devon Place and the south west corner of the application site.

Within 200 metres of the site is Haymarket railway station, the tram stop as well as bus stops and taxi ranks.

The UNESCO Edinburgh World Heritage Site is located to the north separated by Apex House and Haymarket Terrace.

2.2 Site History

08 Feb 2018 Granted planning permission for the erection of student housing with associated ancillary development including landscaping and access works (as amended) (planning reference 16/04400/FUL).

Main report

3.1 Description Of The Proposal

The application is for a 153-bed student accommodation block.

Accommodation comprises of 153 studio rooms with the following breakdown:-

- 118 x 19.7 sq.m studio;
- 22 x 20 sq.m studio;
- 6 x 21 sq.m studio and
- 7 x 24.6 sq.m studio.

The facility will also provide an entrance lounge area, cinema, study spaces, dining room and gym, with 324 sq.m of internal amenity space.

External amenity space is proposed, including a 467 sq.m undercroft courtyard on the eastern side with flexible seating and hard and soft landscaping. A 177 sq.m roof terrace is proposed on the fourth-floor roof with seating, a pergola and planting. There will be a private garden measuring 70 sq.m at ground level on the western side of the building which is predominantly screened from neighbouring properties and accessed by a pedestrian path that runs along the southern boundary.

The proposed block is a linear shape varying from one to eight storeys in height, with the highest portion to the lowest section running east to west.

The proposed material palette includes light and dark facing brick, dark curtain walling and glass panels, contrasting metal coping, metal cladding, dark framed windows and glass balustrades. The sub-station and cycle store will be dark coloured facing brick and light metal cladding.

The main access to the site will be from Haymarket Yards where the main entrance to the building can be accessed. There is no access to the site from Devon Place.

The applicant proposes a zero car parking development and proposes cycle parking for 154 bikes in three locations within the site. This includes provision for 106 (two-tier rack) spaces within an integrated storage room at the main entrance, accessed via a path to the south of the building. A further 30 (two tier rack) spaces are provided within a secure cycle store next to the vehicular entrance and footway into the site. A further nine Sheffield stands will accommodate 18 cycles. These will be covered and located within the undercroft area to the front of the building.

Waste storage will be integrated centrally in development and can be accessed by a path that runs along the northern boundary. Waste/refuse is proposed to be delivered to the service area to front of the building (east), where refuse vehicles can collect/pickup.

Supporting Statements

The following information was submitted in support of the application:

- PAC Report;
- Planning Statement;
- Design and Access Statement;
- Noise Impact Assessment;
- Daylight, Sunlight and Privacy Report;
- Drainage Strategy;
- Phase 2 Site Investigation;
- Sustainability Statement;
- Student Management Plan;
- Transport Statement and
- Travel Plan.

These documents are available to view on the Planning and Building Standards online services.

3.2 Determining Issues

This report will 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 consideration 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 proposed development is acceptable in principle in this location;
- b) the proposed development will have a harmful impact upon the UNESCO World Heritage Site and the New Town Conservation Area;
- c) the scale, design and materials are acceptable;
- d) the proposal will provide satisfactory amenity for future residents and if the proposal will adversely affect neighbouring amenity;

- e) the proposal will have any road safety implications;
- f) the necessary infrastructure to support the development is secured;
- g) the proposal will have an adverse impact upon air quality;
- h) any flooding and surface water management issues have been addressed;
- i) the proposal will have any archaeological implications;
- j) the proposal is sustainable;
- k) any other material considerations are considered;
- l) the proposal has any implications on equalities and human rights and
- m) any issues raised in public comments are have been addressed.

a) Principle of Development

The site is located in the City Centre and Urban Area as designated under Edinburgh Local Development Plan (LDP).

Policy Del 2 (City Centre), supports proposals for comprehensive development schemes which accord with the provisions of the relevant site development brief or guidance, and that the use should be suitable for the site, its characteristics, and level of accessibility.

The proposed development is an appropriate use for the site. It maximises the potential of the site by providing a high-density development where both local and national transport links are easily accessible, and is within close proximity to local amenities and services.

The wider Haymarket area is undergoing significant redevelopment; with major office and commercial developments currently under construction in the locality. Student accommodation in this mixed use area will contribute to a sustainable community.

Student Housing

LDP Policy Hou 8 (Student Housing) has two requirements for assessing student accommodation. Part a) specifies that proposals must be in a suitable location in relation to university and college facilities, and be well connected by means of walking, cycling or public transport. Part b) states that development must not lead to an excessive concentration of student accommodation or transient population in the locality to an extent that would adversely affect the area and its established residential amenity or character.

The Council's Non-Statutory Student Housing Guidance re-enforces and expands upon the requirements of policy Hou 8 and identifies that student accommodation needs should be met in well managed and regulated schemes where possible.

Location of student housing

The application site does not share a boundary with a university or college campus and the application site is not greater than 0.25 hectares.

The site is located 200 metres from the Haymarket Public Transport Interchange. Although it is not adjacent to (immediately next to) a main university campus, it is within easy walking or cycling distance to the University of Edinburgh's George Square (approximately 1.1 miles), Edinburgh College of Art (0.8 miles) and Napier at Merchiston (1.3 miles).

The principle of the site as a suitable location for student accommodation has already been established, and the use is suitable for the site, its characteristics, and level of accessibility in line with LDP policies Del 2 and Hou 8 part (a).

Concentration of student housing

Criteria (b) of policy Hou 8 of the LDP limits concentration of student housing where it would have an adverse impact on the maintenance of balanced communities or the established character and residential amenity on a locality. The Student Housing Guidance provides further guidance in this respect.

The wider area has seen an increase in the number of purpose-built student accommodation but within the immediate context of Haymarket Terrace the established character of this area is a mix of residential and commercial uses.

The census data on full time student numbers illustrated within the supplementary guidance shows there is not a high concentration of students within this area. The 2020 student figures are calculated by assuming all PBSA built since the 2011 Census is operating at full capacity. Considering existing and approved PBSA schemes in the area, the addition of this proposal would result equate to a 39% student population. This would not constitute an excessive concentration.

The additional student accommodation provided on this small site will not result in a negative cumulative impact on the established character of this area. As such, the development will continue to deliver accommodation in keeping with its surrounds and will not lead to a transient population in this part of the city, satisfying part b) of the policy.

Overall, the erection of student accommodation would not result in an excessive concentration of student housing in the area and is accessible to the university and college facilities.

LDP 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 provides for high-density development on this site which will occupy much of the constrained site.

Its density is compatible with the higher densities being achieved on brownfield sites in the immediate area. It is also appropriate to consider that this is a site located within the urban area, close to the city centre with good public transport accessibility. As such, the principle of high-density development is supported and in compliance with Policy Hou 4.

b) UNESCO World Heritage Site and New Town Conservation Area

Old and New Town World Heritage Site

The Old and New Town World Heritage site lies to the north of the site. Haymarket Terrace and existing development including Apex House separate the application site from the heritage site's boundary.

LDP Policy Env 1 (World Heritage Sites) states development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh as World Heritage Sites or would have a detrimental impact on a Site's setting will not be permitted. This policy requires development to respect and protect the outstanding universal values of the World Heritage Sites and their settings. Setting may include sites in the immediate vicinity, viewpoints identified in the key views study and prominent landscape features throughout the city.

The inscription reasons are set out in the Edinburgh World Heritage Site Management Plan as follows:

The Old and New Towns of Edinburgh World Heritage Site (WHS) met two criteria -

Criterion (ii) - Have exerted great influence, over a span of time or within a cultural area of the world, on developments in architecture, monumental arts, or town planning and landscape design. The successive planned extensions of the New Town, and the high quality of its architecture, set standards for Scotland and beyond, and exerted a major influence on the development of urban architecture and town planning throughout Europe, in the 18th and 19th centuries.

Criterion (iv) - Be an outstanding example of a type of building or architectural ensemble or landscape which illustrates (a) significant stage(s) in human history.

Due to the scale and siting within the context of surrounding existing modern development, the proposal will not adversely impact on the setting of the World Heritage Site. Key view analysis is addressed in the design section of this report. The proposal will preserve the Old and New Town World Heritage Site's outstanding universal value, in compliance with Policy Env 1.

New Town Conservation Area

The New Town Conservation Area boundary falls to the north of the site, separated by existing development along Haymarket Terrace.

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

LDP Policy Env 6 (Conservation Areas - Development) states development within a conservation area or affecting its setting will be permitted which:

- a) preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal;
- b) preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character of the area; and
- c) demonstrates high standards of design and utilises materials appropriate to the historic environment. Planning applications should be submitted in a sufficiently detailed form for the effect of the development proposal on the character and appearance of the area to be assessed.

Given its distance to the conservation area boundary, along with its siting within the context of existing modern development, the proposal will not adversely impact on the conservation area. The proposal provides for a high quality contemporary design that is in keeping with the character of the immediate and wider Haymarket area, and preserves the setting of the nearby conservation area. The proposed material palette aims to respect the industrial heritage of the site through the inclusion of brick.

The proposal preserves the setting of the New Town Conservation Area, in compliance with LDP Policy Env 6.

c) Scale, design and materials

LDP Policy Des 1 (Design Quality and Context) supports new development where the design reflects the positive characteristics of the area. LDP Policy Des 3 (Development Design) requires that existing characteristics worthy of retention have been identified and enhanced through its development design. LDP Des 4 (Design- impact on Setting) requires new development proposals to have similar characteristics to the surrounding urban grain, paying close attention to scale, height and positioning of buildings, materials and detailing.

The Edinburgh Design Guidance (EDG) sets out key aims for new development to have a positive impact to the immediate surroundings, through its height and form; scale and proportions; positioning of the buildings and site materials and detailing.

The surrounding area is of mixed character which varies in style and material palette with no prominent architectural style in the area. There is a mix of modern and post war in the area.

Height and Massing

Following pre-application discussions, the height of the proposed building was reduced. The scale and massing of the proposed building has been designed to respond to the immediate context of the site, and this has been achieved by splitting the building's mass. The proposed building will rise to eight storeys, sitting in between the eight storey Apex House to the north and the three storey Elgin House to the south.

The highest part of the building is over the main entrance which is located to the east via a double height cantilevered entrance space. This portion of the building rises to eight storeys with a vertical emphasis to the elevation. The alignment of this height is situated to respond to the neighbouring Apex House, which sits 4 metres above the proposed development, and by letting the building blend into the commercial massing of Haymarket Terrace /Haymarket Yards.

Running east to west, the central portion of the building drops down to four storeys with the upper floors of the south and western elevation creating a more horizontal elevational emphasis. The building then drops to one storey on the western boundary where there is lower massing to the western edge that faces on to Devon Place. This responds to the context at this location, where properties are generally two to three storeys. The building's edge has also been set back at level's 1-3 and 4-6 to mitigate the impact upon these residential properties.

The proposed scale responds to high buildings along Haymarket Terrace stepping down towards the south and the railway line.

A study of long views was submitted as part of the application and confirm that the proposal will not impact upon any protected views in line with LDP Des 11 (Tall Buildings). Furthermore, local view illustrations have been submitted to show the proposed development in the context of its surrounds, and the development will not appear visually incongruous within the streetscene.

Overall, the development provides a transition between Apex House and Elgin House. This approach contributes to the urban form by filling the existing void. Whilst high, the positioning and approach to massing ensures the proposed building will fit in with the existing and future context of the area.

Design, form and materials

The proposal is an appropriate design solution to a challenging site. The architectural style of the building is contemporary and allows this building to sit comfortably within its context against other modern buildings.

Gable ends created by the changes in massing provide glazed areas which will allow for framed views to the west and east. The application of a vertical rhythm to the main facade informs the location of openings.

In terms of materials, the application proposes a palette of high quality contemporary materials which is appropriate for the design and form of the building, and sits within the context of adjacent buildings. The use of brick is in keeping with neighbouring buildings and local context, drawing reference upon to the industrial heritage of the site.

The articulation of materials on the elevations is successful in creating texture and visually reducing the overall massing of the elevations.

Landscaping and Amenity Space

The proposal provides for high quality external amenity space. The courtyard design defines a clear connection to the building main entrance, through planting, use of moveable furniture and paving.

The western garden provides amenity spaces which is south-facing, maximising sunlight and is screened from view of most neighbouring developments.

The roof terrace on the fourth floor will have outdoor seating and planting, along with sheltered seating areas and a pergola to cover the central portion, providing a sense of enclosure within the amenity space.

Overall, the design respects the surrounding urban pattern, scale and height. The proposal achieves high quality landscaping and amenity space within the space, given site given narrow constrained site, in compliance with policies Des 1, Des 4 and Des 3.

LDP Policy Des 2 (Co-ordinated Development) states permission will be granted for development that will not compromise the effective development of adjacent land or the comprehensive development and regeneration of the wider area.

Permission has been granted for the development of the site as student accommodation. The proposal will not compromise any potential future redevelopment of the adjacent land. Redevelopment is taking place within the wider area and the development of this site will continue to ensure the area is well defined, with cohesive streets and a mix of uses.

d) Amenity

Creation of a Satisfactory Living Environment

Policy Des 5 (Development Design- Amenity) states that development will be permitted where future occupiers have acceptable levels of amenity.

Size Standards

There are no minimum room size standards for student accommodation in the Edinburgh Design Guidance. However, the proposed room sizes are in line with other student accommodation developments in the city. Internal communal rooms/amenity space is provided for the residents of the student accommodation building.

Daylight and Sunlight

Sunlight and Daylight Analysis has been submitted in support of the application.

In order to ascertain the levels of daylight within the scheme, a representative sample of habitable rooms have been assessed for both Average Daylight Factor (ADF) and No Sky-Line (NSL).

The report confirms that the 100% of rooms in the proposed development will fully accord with the BRE criteria for ADF daylight.

However, only 70% of rooms will comply with No Sky-Line- a method of assessment to establish where within the proposed room the sky will be visible through the windows, taking into account external obstructions.

Notwithstanding this shortfall, these rooms are bedrooms, which are considered by the BRE to have a lesser requirement for daylight. The use of the building as student accommodation is also a material consideration. Student occupiers are typically more transient given that they will generally be in occupation in term time only. Separate study space, living and amenity space is provided on site offering alternative habitable space within the building. The applicant has confirmed that the bedrooms are designed with a desk adjacent to the main window, which means they will receive adequate daylight to this area. This shortfall should therefore not be to the detriment of occupier amenity.

A departure from the Edinburgh Design Guidance (EDG) is therefore acceptable in this instance.

Privacy and Outlook

The pattern of development in an area will determine appropriate distances between buildings. It's unreasonable to expect the development to achieve distances similar of that found in suburban areas on this tightly constrained site within the city centre.

The proposal achieves a minimum window-to-window distance of 10 metres to 14 metres with the buildings to the south. A minimum distance of approximately 7.5 metres to approximately 14 metres is achieved in relation to Apex House to the north. These distances fall short of the distances stipulated within Edinburgh Design Guidance. However, they are acceptable within this site's context. The shortest distance is at ground level given the stepped profile of Apex House. Screening is proposed along the southern and northern boundaries to protect the privacy of the lower level rooms.

The outdoor spaces have been designed to maximise privacy. The pergola on the fourth floor will act as screening for the roof terrace from nearby residential and office buildings. Within the roof terrace, the user's gaze is directed inwards towards an inner courtyard and a green wall helps to provide this sense of enclosure.

Overall, adequate privacy can be achieved on the site.

Noise

A noise impact assessment has been submitted by the applicant.

The Chief Planner in his letter dated February 2018 advised that the Agent of Change Principle clearly places the responsibility for mitigating any detrimental impact from noise on neighbours with those carrying out the new development or operations. The Planning Advice Note on Noise advocates a pragmatic approach to the location of new development within the vicinity of existing noise generating uses.

The Agent of Change Principle is now enshrined in section 41A of the 1997 Act where "a development that is the subject of an application for planning permission is a noise sensitive development if residents or occupiers of the development are likely to be affected by significant noise from existing activity in the vicinity of the development" and requires that the planning authority "must, when considering under section 37 whether to grant planning permission for a noise sensitive development subject to conditions, take proper account of whether the development includes sufficient measures to mitigate, minimise or manage the effect of noise between the development and any existing cultural venues or facilities including in particular, but not limited to live music venues or dwellings or businesses in the vicinity of the development".

In discharging this duty the planning authority cannot impose conditions on the noise sensitive source. An updated representation has been received from the occupier of the office development that is positioned to the north of the application site. This updated correspondence includes commentary on the submitted Noise Impact Assessment. These comments have been fully considered and addressed as part of the assessment of the application as detailed below.

Environmental Protection has raised concern with regards to noise from the rail line to the south. However, it should be noted neighbouring residential uses within the area are located far closer to the railway and tram line and it is considered that this development will not be affected to any greater a degree than those existing properties.

Environmental Protection has also raised concern with regards to the potential noise disturbance because of plant installation on the southern elevation of Apex House, including recent installations along the elevation.

It also appears that sound levels have increased since the original NIA was undertaken in January 2017 for the previous application, where at the time there was also only one plant area of concern. Plant noise levels were further measured on-site in July 2021, and reported in the updated NIA for this application. There are now two points of potential impact.

Rooms along the northern side of the application site may be impacted by these installations and could experience daytime plant noise levels significantly in excess of Environmental Protections noise criteria of NR25 allowing for the windows to be open. One of the main mitigation measures include mitigating the noise at the source. As the source of the noise is beyond the site boundary it will not be possible to condition such mitigation measures.

Notwithstanding this, it should be acknowledged that the principle of student accommodation has previously been accepted on the site and the additional plant has been installed since the time that the previous permission was granted. As such, given the extant permission in place could be implemented without the noise mitigations it would be unreasonable for the proposed development of this site to be impeded on the basis of the new office ventilation. It is recommended that in this instance an alternative approach be adopted to achieve suitable internal noise levels and mitigate the impact of any additional noise as a result of the change of circumstances.

Whilst most windows will meet the required standards with open windows, a number may only be able to achieve internal ambient noise levels with a closed window approach. Information submitted by the applicant indicates that these windows have been identified as being located on the main northwest and smaller northeast and southwest facing facades closest to the Apex façade.

To not exceed an internal ambient noise level of NR 25 these windows would need to be normally closed and ventilation provided by an alternative means, e.g. mechanical ventilation. It is therefore recommended that a condition be attached requiring details of suitable mechanically ventilated windows, included identification of all affected windows to be submitted and approved by the Planning Authority.

Overall, on the proviso of the above recommended condition, potential noise could be mitigated to ensure satisfactory occupier amenity.

Amenity Space

A total of 324 square metres of amenity space is provided, as well as external space in the form of an entrance courtyard, roof terrace and garden equating to 714 sq.m.

Sunlight analysis demonstrates that the external areas will receive sunlight during daylight hours and at least half of the garden area will receive sunlight for more than 2 hours and accords with the Edinburgh Design Guidance.

Given the dense urban location, it is accepted that will be subject to varying levels of overshadowing throughout the day. However, given the mix of amenity space in various locations throughout the development and its accessibility to public greenspace, this is acceptable.

In terms of waste collection and storage, the proposal does not raise any issues and is in compliance with LDP Policy Des 5.

The previous use of the site as a railway requires the need for site investigation and contamination survey to be carried out. A condition is attached in respect of this.

Overall, the proposal will result in the creation of a satisfactory environment and complies with LDP Policy Des 5 and Edinburgh Design Guidance subject to the recommended conditions.

Neighbouring Amenity

LDP Policy Des 5 (Design-Amenity) supports proposals that have no adverse impact on neighbouring developments.

The proposed window to window distances with any neighbouring residential properties comply with the Edinburgh Design Guidance.

In terms of daylight and sunlight, no residential properties will be adversely affected by the proposal. All surrounding properties will fully accord with the BRE target criteria with the proposed development in place.

A letter of representation has raised concerns with regards to the impact of the proposed development upon daylight and privacy to the office building to the north, Apex House. Edinburgh Design Guidance does not protect the amenity of commercial buildings.

A Student Management Plan has been submitted with the proposal which includes management of the outdoor spaces and roof top terrace including curfew times. Given the distance to neighbouring properties, there will be no impact upon residential amenity as a result of potential noise from the proposed terrace.

Overall, the proposal is compliant with LDP Policy Des 5 and the Edinburgh Design Guidance and will not be to the detriment of neighbouring residential amenity.

e) Road Safety

A transport statement has been submitted in support of the application. This has been assessed by transport officers and is 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.

LDP Policy Tra 2 (Private Car Parking) requires proposed car parking levels to not exceed the maximum levels stipulated in Council's guidance. Developers are encouraged to pursue lower levels of parking.

The site is a car-parking free development. The site is accessible to a number of public transport routes and would not require any additional parking to be provided on site. There is also the dedicated cycling 'Quiet Route' that passes by and is part of the National Cycle Network route NCN76 which connects to Cramond, Granton & Leith.

An Interim Travel Plan has been submitted. The proposed zero car parking and 100% cycle parking is considered acceptable.

LDP Policy Tra 3 (Private Cycle Parking) and LDP Policy Tra 4 (Design of Off-Street Car Parking and Cycle Parking) require proposed cycle and storage provision to comply with the standards set out in council guidance.

To support the active travel plan, over 100% bicycle storage has been provided in a combination of secure enclosed bike stores and a covered bike rack with Sheffield bike stands.

Together, these provide a total of 154 spaces. One bike store (Bike Store A) has been integrated within the ground floor of the main building, along with a separate enclosure shed adjacent to the main gate entrance, that houses 30 bikes (Bike Store B). Sheffield stand options will be available within the undercroft allowing storage of a range of bike sizes.

The provision and design of the cycle parking accords with the objectives of the Edinburgh Design Guidance, providing a suitable range of parking options, that are secure and undercover, within both integrated and standalone facilities.

Storage is easily accessible to the footway and access road, and storage arrangements ensure there is no loss of quality amenity space.

The proposal is in compliance with Tra 3 and Tra 4 in terms of cycle parking. Overall, the proposal promotes sustainable transport modes and accords with the transport policies of the local development plan.

f) Developer Contributions

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) states that proposals will be required to contribute towards infrastructure provision where relevant and necessary to mitigate any negative additional impact (either on an individual or cumulative basis) and where commensurate to the scale of the proposed development.

The applicant is required to contribute the sum of £162,677 (based on 5,322sqm student accommodation in Zone 1) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. This will be subject to a legal agreement.

The proposal complies with Policy Del 1 (Developer Contributions).

g) Air Quality

The site is located adjacent to the existing City Centre Air Quality Management Area.

LDP Policy Env 22 (Air Quality) aims to ensure that no development will result in significant adverse effects for health, environment or air quality and appropriate mitigation measures can be provided to minimise the adverse impacts. Reducing the need to travel and promoting the use of sustainable modes of transport are key principles identified in the local development plan.

Environmental Protection was consulted on the proposal.

The site is a car free development which is good practice. The applicant will also provide over 100% bicycle storage for any future residents which is supported by Environmental Protection. The site is well served by local amenities and is within a existing transport hub.

Overall, the proposal accords with of LDP Env 22 and will not be to the detriment of air quality in the area.

h) Flooding

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 does not lie in a flood risk area.

The proposal has been designed to mitigate potential flood risk and accords with LDP Policy Env 21. Flood Prevention has no objections to the application.

i) Archaeology

The City Archaeologist was consulted on the proposal and confirmed the proposal will have no archaeological implications.

j) Sustainability

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

The site utilises a brownfield vacant site located in an urban area with excellent public transport links, allowing a reduced reliance upon the car. The applicant proposes a zero-car development and 100% on-site cycle storage further encourages sustainable modes of transport to the residents.

The development intends to follow the energy hierarchy by minimising energy demand through specification of a high performance and airtight building fabric, developing low energy solutions and utilising electric air source heat pumps as the primary heat source for domestic hot water generation.

The applicant has advised that the project will adopt an all-electric fuel source to ensure the development reaches net zero carbon (operation).

The development will be built to passive design requirements. There is no fossil fuel use proposed on site, again from a local air quality perspective this is approach for special heating and energy is supported by Environmental Protection.

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

k) Scottish Planning Policy (SPP)

The SPP introduces a presumption in favour of development that contributes to sustainable development and 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 will create a sense of place, including landscaped amenity space.

The site is in proximity to 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 zero car parking, ample cycle parking, a low and zero carbon heating/hot water system and recycling facilities.

The proposed development therefore complies with the 13 SPP principles.

l) Equalities and Human Rights

The application was assessed in terms of equalities and human rights and will not have implications.

m) Public Comments

Material Considerations

- Development height and massing- assessed in 3.3(c);
- Overdevelopment - assessed in 3.3(a and c);
- Loss of daylight/sunlight - assessed in 3.3(d);
- Noise - assessed in 3.3(d);
- Outlook from adjacent offices - assessed in 3.3(d);
- No parking on site - assessed in 3.3(e);
- Lack of affordable housing in area- assessed in 3.3(a). There is no requirement to include housing on the site.
- Overprovision of student accommodation in Edinburgh- assessed in 3.3(a);
- Increase in traffic- assessed in 3.3(e);
- Cooking Odours- use already established and commercial amenity is not protected.

Non- material Considerations

- Impact on property values.

West End Community Council

The neutral letter commented on the following:-

- The impact upon the World Heritage Site- addressed in 3.3(b);
- The design and mass- addressed in 3.3(c);
- Step back on west side welcomed;
- Materials- addressed in 3.3(c);
- Potential noise impact of roof terrace - assessed in 3.3(d); and
- Parking - assessed in 3.3(e).

Conclusion

This site is an acceptable location for student accommodation and will not have a negative cumulative impact on the established character of this area, in compliance with Policies Del 2 and Hou 8.

The proposal will preserve the outstanding universal value of the World Heritage Site, and the setting of the New Town Conservation Area, in compliance with Policy Env 1 and Env 6.

The design, scale and materials are appropriate to the location and the proposal and is compatible with the spatial character of this urban area.

The proposal provides an acceptable level of amenity for the future occupiers, and will not adversely affect neighbouring residential amenity, in compliance with Des 5.

The proposal accords with the relevant transport policies and promotes sustainable transport modes.

The proposal therefore complies with the development plan and is acceptable, subject to conditions and a legal agreement. The proposal complies with the 13 policy principles of sustainable development set out in Scottish Planning Policy (SPP) and there are no other material considerations which outweigh this conclusion.

Addendum to Assessment

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

3.4 Conditions/reasons/informatives

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. Prior to commencement of work, 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. Thereafter sample panels of the materials are to be erected and maintained on site as agreed by the Council.
 3. Prior to the commencement of development full details and spec of suitable mechanically ventilated windows that are NR25 noise standard compliant, including identification of all affected windows, shall be submitted in writing to be approved by the Council, as Planning Authority. The approved details shall be implemented prior to occupation of the affected rooms.

Reasons:-

1. In the interests of public safety.
2. In order to enable the Head of Planning to consider this/these matter/s in detail.
3. In the interest of occupier amenity.

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. Legal Agreement

Consent shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation all of those matters identified in the proposed Heads of Terms. -

These matters are:

The applicant will be required to contribute the sum of £162,677 (based on 5,322m² student accommodation in Zone 1) 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.

A legal agreement will be required to secure these funds.

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.

5. Transport Informatives

The applicant should consider the provision of car club spaces in the area. A contribution of £1,500 per order plus £5,500 per car would be required.

The applicant should be advised that as the development is student housing, they will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013.

The proposed site is on or adjacent to the operational / proposed Edinburgh Tram.

If permission is granted, it would be desirable for the applicant to consult with the tram team regarding construction timing. This is due to the potential access implications of construction / delivery vehicles and likely traffic implications as a result of diversions in the area which could impact delivery to, and works at, the site.

Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained.

Authorisation is needed for any of the following works either on or near the tramway:

- Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;
- Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;
- Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;
- Any excavation within 3m of any pole supporting overhead lines; and

- Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use.

6. Scottish Water Informatives

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.

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.

7. Flood Risk Informative

The applicant should submit in writing confirmation of Scottish Water's acceptance of the proposed surface water discharge rate and build over the Scottish Water network to the Planning Authority.

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

Twelve letters of representation have been received in relation to the proposal.

10 of these are in objection to the development, whilst one letter is in support and one raises 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.

Date registered

19 August 2021

Drawing numbers/Scheme

01-26,

Scheme 1

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Sonia Macdonald, Planning Officer

E-mail:sonia.macdonald@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Del 2 (City Centre) sets criteria for assessing development in the city centre.

World Heritage Site

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

The organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town together with the outstanding historic buildings are fundamental characteristics of the World Heritage Site. All proposals affecting the plan

form or historic buildings, including their setting, will be considered for their impact on their design integrity.

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

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

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

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

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

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

LDP Policy Des 11 (Tall Buildings - Skyline and Key Views) sets out criteria for assessing proposals for tall buildings.

LDP Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its setting.

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

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an

overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

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.

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.

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.

Appendix 1

Application for Planning Permission 21/04413/FUL At Land 175 Metres North Of 22, Haymarket Yards, Edinburgh Student accommodation with associated ancillary development, landscaping and access.

Consultations

Scottish Water response

Audit of Proposal

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 Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

There is currently sufficient capacity in 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.

Waste Water Capacity Assessment

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.

Please Note

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.

Asset Impact Assessment

According to our records, the development proposals impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via our Customer Portal to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

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.

Next Steps:

All Proposed Developments

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.

Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

Trade Effluent Discharge from Non Dom Property:

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com.

Archaeology response

The application lies across the former 19th and 20th century marshalling yards for Haymarket Station constructed around 1840, an area previously associated with the medieval settlement of Coates. Although with in area of archaeological potential the site occurs away from the focus of the railway yards and appears to have been significantly affected by modern (late 20th century) redevelopment.

Accordingly it has been concluded that there are no, known, significant archaeological impacts nor implications in relation to this application.

Environmental Protection response

The site already has consent for planning permission for student accommodation. This is for a 91-student bed development, the application (reference 16/04400/FUL) was approved by the Council on 8 February 2018. Although it should be noted that Environmental Health recommended refusal due to concerns with the potential noise impacts from existing plant on the proposed student accommodation. The latest proposals now include plans to significantly increase the density of the development to 153 proposed studio bedrooms.

The site is located next to the existing City Centre Air Quality Management Area, therefore local air quality impacts must be considered. The site is a car free development which is positive. The applicant will also provide 100% bicycle storage for any future residents which is supported by Environmental Protection. The site is well served by local amenities and is within a existing transport hub. Therefore, we have no concerns with regards transport impacts on Local Air Quality.

The development intends to follow the energy hierarchy by minimising energy demand through specification of a high performance and airtight building fabric, developing low energy solutions and utilising electric air source heat pumps as the primary heat source for domestic hot water generation. The applicant has advised that the project will adopt an all-electric fuel source to ensure the development reaches net zero carbon (operation). The development will be built to passive design requirements. There is no fossil fuel use proposed on site, again from a local air quality perspective this is approach for special heating and energy is supported.

The main issue Environmental Protection had regarding the previous application was the level of amenity it would provide for future residents. This issue remains and is made worse with this proposal as it will be introducing further sensitive receptors to elevated noise levels due to the proposed increased density. The level of plant may have also increased since the last application was consented. Again, it should be highlighted that Environmental Protection did not support that application.

The applicant has submitted a fresh noise impact assessment. Environmental Protections initial concerns with regards noise was from the rail line to the south and the adjacent office buildings. The applicants noise impact assessment has highlighted that the proposed apartments closest to the Plant at the Apex House will experience daytime plant noise levels significantly in excess of Environmental Protections noise criteria of NR25 allowing for the windows to be open. One of the main mitigation measures include dealing mitigating the noise at the source. As the source of the noise is beyond the site

boundary it will not be possible to condition such mitigation measures. It is noted that an objection has been raised from this neighbouring building manager highlighting this issue amongst others.

Ground conditions relating to potential contaminants in, on or under the soil as affecting the site would 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 & 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). The previous scheme had provided site investigation reports, these will need to be updated and submitted taking into consideration the proposed changes.

Therefore, Environmental Protection continues to recommend the application is refused, if consented the following condition will need to be included.

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.

Flood Prevention response

I have reviewed the documents on the portal and have the following comments to be addressed by the applicant:

1. Please provide a completed copy of the Surface Water Management Plan checklist. A copy of the checklist can be found at the link below. The checklist provides a summary of the information provided to support this application.

o <https://www.edinburgh.gov.uk/downloads/file/22712/surface-water-management-checklist>

2. Please confirm that Scottish Water accept the partial build over the surface water and combined network at the site and that they accept the proposed discharge rate.

3. Please identify existing and proposed ground level surface water flow paths on drawings. This can be achieved by taking the existing site survey and over-marking

arrows to denote falls and then completing the same with the post-development arrangement. This should include runoff from outside of the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system. The purpose of these drawings is twofold. First, to understand if there is any significant re-direction of surface flows to surrounding land. Second, to identify if surface water will flow towards property entrances and sensitive receptors.

4. The online indicative SEPA flood maps identify some surface water flooding at the site. Please confirm whether additional mitigation measures are required to manage this potential flood risk.

5. We recommend the applicant consider above ground surface water attenuation and treatment features. Above ground features that are integrated into the landscape, allow for easier maintenance and identification of potential reduction in storage capacity or blockages. SuDS features that encourage evapotranspiration and infiltration also have the potential to reduce the volume of surface water discharging from the site. Has the option for rainwater harvesting been considered? We are also keen to see SuDS features that encourage wider benefits such as biodiversity and placemaking improvements.

Flood Prevention response updated

We have no major concerns about this application. We would however recommend that prior to construction, the applicant confirm that Scottish Water accept the proposed surface water discharge rate and build over the Scottish Water network. We are happy for you to advise whether this should be added as a condition / informative.

Roads Authority Issues

Summary Response

No objections subject to appropriate conditions and informatives.

Full Response

No objections to the proposed application subject to the following being included as conditions or informatives as appropriate:

- 1. The applicant will be required to contribute the sum of £162,677 (based on 5,322m² student accommodation in Zone 1) 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. The applicant should consider the provision of car club spaces in the area. A contribution of £1,500 per order plus £5,500 per car would be required. Please note that this does not require to be included in any legal agreement;*
- 3. The applicant should be advised that as the development is student housing, they will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See*

https://democracy.edinburgh.gov.uk/Data/Transport%20and%20Environment%20Committee/20130604/Agenda/item_77_-_controlled_parking_zone_amendments_to_residents_permits_eligibility.pdf (Category F - All student housing).

Note:

- o An Interim Travel Plan has been submitted;
- o The proposed zero car parking and 100% cycle parking is considered acceptable;

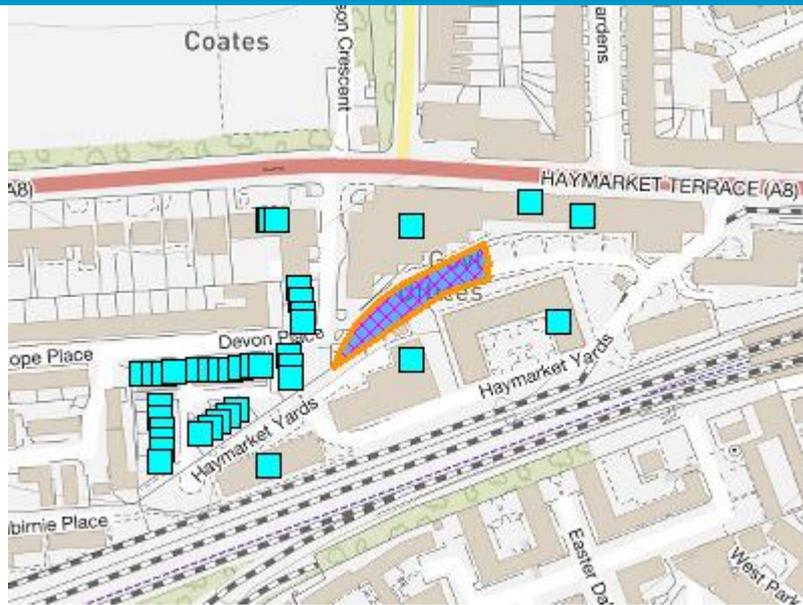
TRAMS - Important Note:

The proposed site is on or adjacent to the operational / proposed Edinburgh Tram. An advisory note should be added to the decision notice, if permission is granted, noting that it would be desirable for the applicant to consult with the tram team regarding construction timing. This is due to the potential access implications of construction / delivery vehicles and likely traffic implications as a result of diversions in the area which could impact delivery to, and works at, the site. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:

- o *Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;*
- o *Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;*
- o *Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;*
- o *Any excavation within 3m of any pole supporting overhead lines;*
- o *Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use.*

The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line. See our full guidance on how to get permission to work near a tram way <http://edinburghtrams.com/community/working-around-trams>

Location Plan



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