

# Development Management Sub Committee

**Wednesday 20 November 2019**

**Application for Planning Permission 19/01795/FUL  
At 543 Gorgie Road, Edinburgh, EH11 3AR.  
Erection of purpose built student accommodation, ancillary  
uses and associated landscaping and infrastructure.**

**Item number**

**Report number**

**Wards**

B09 - Fountainbridge/Craiglockhart

## **Summary**

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The proposal accords with LDP policy Emp 9 and the broad objectives of LDP policy Hou 8. However, the proposal is contrary to Local Development Plan policy Hou 1 and the Council's non-statutory Student Housing Guidance (February 2016) which expands upon the objectives of LDP policy Hou 8, as it does not deliver housing at the site.

The proposal gives special regard to the adjacent listed church and its setting and complies with the requirements of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 and the objectives of LDP policy Env 3 Listed Buildings - Setting.

The proposed student accommodation at this site is of an appropriate design and appearance in compliance with LDP policies Des 1, Des 4 and Des 10. The objectives of LDP policy Des 5 are achieved; privacy and amenity of neighbouring properties is maintained to an acceptable level and future residents will experience a good quality of internal and external amenity.

Taking a balanced view of development plan and associated guidance objectives, the proposal is not considered acceptable in principle as general housing is not included as a proportion of development at the site in combination with the student accommodation. There are no material considerations that outweigh this conclusion.

## Links

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[Policies and guidance for this application](#)

LDPP, LDES01, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES10, LEN03, LEN08, LEN09, LEN12, LEN15, LEN16, LEN18, LEN21, LEN22, LEMP09, LHOU01, LHOU08, LTRA02, LTRA03, LTRA04, NSG, NSGSTU, NSGD02, LDES02,

# Report

## **Application for Planning Permission 19/01795/FUL At 543 Gorgie Road, Edinburgh, EH11 3AR Erection of purpose built student accommodation, ancillary uses and associated landscaping and infrastructure.**

### **Recommendations**

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1.1 It is recommended that this application be Refused for the reasons below.

### **Background**

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#### **2.1 Site description**

The site is within the Gorgie/Chesser area of Edinburgh, approximately five kilometres west of the City Centre. Gorgie Road itself forms a main arterial route with the site lying on the southern side just beyond its junction with Chesser Avenue. The site, which is previously developed and now vacant, covers approximately 0.52 hectares and is a former yard/commercial premises. The site is constrained by the presence of an underground Scottish Water sewer that bisects the site.

The surrounding area is mixed use in nature with the site being immediately west of the Category B listed Stenhouse-Saughton Parish Church and garden spaces for adjacent residential properties. The site is bounded to the west by the Water of Leith, beyond which lies ELS House comprising a five storey, flat roofed, brick built office on a sloping site where the ground floor is used as a car showroom and some of the upper floors are partially used for student accommodation. An existing single storey building currently used as a gym is located along Gorgie Road at a section of the north of the site's north boundary, and a four storey residential development lies opposite to the northern side of Gorgie Road. The south of the site is bounded by residential properties at Chesser Grove.

#### **2.2 Site History**

12 November 2018 - a proposal of application notice was submitted for the erection of a mixed-use development comprising student accommodation and ancillary uses, commercial uses and associated landscaping and infrastructure (reference: 18/09808/PAN); and

30 April 2019 - following a minded to grant decision notice, an application for 'Demolition of Existing Buildings and Erection of 23 residential properties, with Associated Access Roads, Landscaping and Boundary Treatments (as amended)' was withdrawn (reference: 17/00392/FUL).

# Main report

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## 3.1 Description of The Proposal

### Scheme 2

The applicant seeks full planning permission to erect student accommodation, ancillary uses and associated landscape and infrastructure at the application site.

The accommodation is provided in two separate buildings at the site, Block A and Block B. The student accommodation across both buildings comprises 248 bed spaces, consisting of 34 studio rooms and a mixture of clusters in groups of 6, 8, 9 and 10 bedrooms around communal corridors and living/dining spaces. Of the 248 bed spaces, 25 will be accessible rooms and three will be accessible studios.

The site's main access is taken from Gorgie Road at the north of the site and would be used by pedestrians, cyclists, motorists and service vehicles. An access-controlled and gated pedestrian path is located at the south of the site which provides access to Chesser Grove.

Due to the presence of an underground sewer running through the centre of the site, the proposal includes two distinct blocks at the east and west of the site. Block A sits at the eastern side of the site adjacent to residential properties at Chesser Grove and includes two, three and four storey elements in places. The two and three storey elements of Block A include designed roofs which are articulated with partial pitch features. Block B is located at the site's west boundary and with the inclusion of set-back features at upper levels appears as a five, six and seven storey building.

The applicant proposes 254 secure external cycle parking spaces at five different locations within the site. Vehicular parking within the site will be limited to four disabled parking spaces provided in the north east of the site, close to the site's entrance from Gorgie Road. Twelve motorcycle spaces are provided.

External amenity space is provided within the site comprising a courtyard and landscaped areas which are shown on an indicative landscape plan. Internal amenity includes a common area, cinema room and gym at the ground floor of Block A that would be accessible to residents of both blocks.

A substation, plant and refuse storage rooms are located to the northern end of Block A to allow service access close to the site's entrance.

Proposed materials for both buildings include buff brick, bronze aluminium panels, bronze aluminium framed glazing and bronze framed doors.

## Scheme 1

The first iteration of the proposed design included 269 bed spaces. Block A was five storeys in the central section and subsequently reduced to four storeys. Block B was larger in its form and was amended to a reduced height at the north and south elevations, whilst the lift shaft which was visible at the east elevation was moved to the west elevation which is in a less prominent location beside the Water of Leith. Materials in Scheme 1 included grey brick, glazing, aluminium framed grey panels, render and precast concrete coursing.

### *Supporting Statement*

The applicant submitted a suite of supporting documents and studies in support of the application and these are available on the Planning and Building Standards Public Access facility:

- Design and access statement;
- Planning supporting statement and pre-application consultation report;
- Transport statement and information;
- Daylight and sunlight report;
- Drainage strategy and checklists;
- Flood risk assessment;
- Geo-environmental desk study;
- Heritage Statement;
- Archaeological evaluation;
- Air quality impact assessment;
- Noise impact assessment;
- Sustainability statement and Form S1;
- Concept landscape plan;
- Landscape view cone assessment;
- Economic Impact Assessment;
- Arboricultural Impact Assessment and tree survey report; and
- Ecology survey and bat survey.

### **3.2 Determining Issues**

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Do the proposals comply with the development plan?

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

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

### **3.3 Assessment**

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

- a) the principle of development is acceptable in this location;
- b) the proposed design, scale, layout and materials are acceptable;
- c) the proposal adversely affects the setting of the adjacent listed building;
- d) the proposal raises any issues relating to amenity;
- e) the proposal is acceptable in terms of transport, traffic or road safety;
- f) there are any impacts on air quality;
- g) there are any other material considerations;
- h) the proposal meets sustainability criteria;
- i) there are any impacts on equalities or human rights and
- j) issues raised in material representations have been addressed.

#### a) Principle

The application site is located in the urban area as designated in the Local Development Plan (LDP). Proposals in the urban area must accord with relevant policies in the LDP and guidance.

Local Development Plan policies Hou 1, Hou 8 and Emp 9 must be considered as well as the Council's non-statutory Student Housing Guidance (February 2016).

#### **Housing**

Policy Hou 1 d) prioritises the delivery of housing on sites identified in the LDP, but also 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 on sites suitable for housing should give consideration to how they might deliver housing as part of any proposals. This policy is intended to apply to all suitable sites in the urban area, including the application site which is vacant and relatively unconstrained for development. Housing is not proposed on any part of the site. The application does not accord with LDP policy Hou 1 d) representing a missed opportunity to deliver housing.

#### **Student Accommodation**

LDP Policy Hou 8 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 supporting text for LDP policy Hou 8 also directs applicants towards the Council's Non-statutory Student Housing Guidance which re-enforces and expands upon the objectives of policy Hou 8.

#### *Location of student housing*

The application site is in a location with good connections to public transport. The site is located on Gorgie Road which offers high frequency bus connections to the city and west Edinburgh, with a westbound stop at the site's north boundary and an eastbound within 210 metres from the site. Further buses are a short walk away at Chesser Avenue and a train station is located nearby at Slateford (approx. 900m). Campuses can also be accessed by bicycle or in some cases by walking. The application site accords with LDP policy Hou 8 a).

#### *Concentration of student housing*

Criterion b) of LDP policy Hou 8 seeks to limit the concentration of student accommodation where it would have an adverse impact on the maintenance of balanced communities or established character and residential amenity on a locality.

The nearest operational student accommodation development to the site is located at ELS House immediately facing the site to the west which has capacity for 34 students. Prospective operators at ELS House have acquired two further planning permissions for 28 students which have not been implemented at this time. Other notable student accommodation that has been granted planning permission in the nearby area include Pentland House at Robb's Loan which is approximately 400 metres away and at 396 Gorgie Road which is approximately one kilometre away.

The wider area contains a wide range of uses with a limited transient population and a high proportion of housing. The proposal would not be detrimental to the maintenance of a balanced community or diminish the locality's established character. The proposal would not lead to an over-concentration of students in the local area and clause b) of the policy is satisfied.

The proposal accords with LDP policy Hou 8 parts a) and b) however the supporting text of the policy refers applicants to further material considerations in Council guidance that must also be considered.

#### *Student Housing Guidance*

The student housing guidance recognises the value of higher education to the city and sets out the locational and design guidance to be applied for student housing. Part a) accepts student housing in locations within or sharing a boundary with a main university. Part b) states that outwith criteria a), student housing will generally be supported on sites with less than 0.25ha of developable area. The application site is greater than 0.25 hectares. The proposals do not comply with criteria a) or b) of the guidance.

Criterion c) of the guidance requires sites with a developable area of over 0.25 hectares to include 50% of the gross student accommodation floor area as residential housing. The application site measures 0.52 hectares and has a developable area of 0.38 hectares due to the presence of a main sewer traversing the site. No housing is included as part of the application and the proposal does not accord with criteria c).

Criterion d) of the guidance states that student accommodation should comprise a mixture of accommodation types including clusters. The application accords with this requirement.

The LDP, supported by the Council's guidance, seeks to find a balanced approach to delivering general housing and other types of accommodation across the city including purpose-built student accommodation. In seeking to maintain a balanced approach and delivering the objectives of the LDP, large mono-use developments on sites over 0.25 hectares are not encouraged. The application site does not include general housing and does not accord with housing objectives identified in the LDP and guidance.

The applicant has submitted an Impact Statement which examines the implications of delivering a 50/50 (student/residential) development at the application site. The 50/50 split in accommodation was based on the provision of 30 residential units that could possibly house 85 people and a student accommodation building for 83 students.

The Impact Statement argues that the delivery of both student and residential development on an application site of this size would not be viable due to site constraints including an underground sewer and the Water of Leith and the gym building at the north of the site. The applicant further makes the case that such a proportion of general housing at the site would not be viable financially, socially, or from a point of view of management and land use efficiency. It is also argued that the provision of 50% housing on site would reduce the total number of people accommodated on site from 248 students to 83 students and 85 non-students (i.e. 168 people on-site). The applicant considers that the proposed development would make a far greater contribution to meeting housing demand by freeing up general housing stock than a site which was to be split with residential.

The applicant's Impact Statement considers only one alternative development concept that includes housing as a proportion of proposed floorspace and it has not been conclusively established that housing could not be delivered as part of a mixed development at this site.

## **Employment Land**

LDP Policy Emp 9 Employment Sites and Premises applies to sites and premises in the urban area currently or last in use for employment purposes. Proposals to redevelop employment sites or premises in the urban area for uses other than business, industry or storage will be permitted provided:

- a) The introduction of non-employment uses will not prejudice or inhibit the activities of any nearby employment use;
- b) The proposal will contribute to the comprehensive regeneration and improvement of the wider area;
- c) Criteria c) applies to sites larger than one hectare.

The site is surrounded by existing residential properties and other mixed-use development. It is considered that the re-development of this site would comply with criteria a) and b). Criteria c) does not apply in this case.

### **Material Considerations**

1) The applicant highlights that the Scottish Government's Planning and Environmental Appeals Division (DPEA) has issued an appeal decision that considers how the Council's Student Housing Guidance (Ref: PPA-230-2208) should be applied. The appeal application site at Dundee Street measured 0.27 hectares, and was reported as a 'very small exceedance' over the 0.25 hectares specified in clause c) of the Council's guidance. The reporter took a view that in this specific appeal the Council's guidance did not form part of the development plan, and could not override the development plan. The appeal decision also noted that the opening paragraph (paragraph 221) of chapter 5 in the LDP refers to the delivery of all types of housing, including student accommodation within the city.

With reference to the proposed application site, the area exceeds 0.25 hectares by a larger margin than the quoted appeal, in this case measuring 0.52 hectares with 0.38 hectares developable area. Paragraph 221 of the LDP applies to all housing policies in the plan including policy Hou 1 Housing Development, of which part d) prioritises delivery of housing, alongside policy Hou 8 Student Accommodation which supports student accommodation subject to two criteria. The LDP therefore prioritises housing delivery and concurrently lends support to student accommodation. The Council's guidance, which the applicant argues cannot be adhered to in this case, seeks to facilitate the balanced delivery of accommodation types in line with the broad housing objectives of the LDP. The applicant has not included any general housing at a site that clearly benefits from a larger developable area than the quoted appeal site, and the proposal does not meet LDP and guidance objectives to deliver housing in a balanced way in the city.

2) On 9 October 2019 the Council's Development Management Sub-committee considered an application at Westfield Road (Ref: 19/01970/FUL) for student accommodation which exceeded 0.25 hectares, measuring 0.33 hectares, and did not include any housing. A 'minded to grant' decision was approved contrary to officer recommendation following debate and discussion with reference to the Council's policy framework for student housing, which resulted in a finely balanced decision for this specific application.

### **Policy conclusion**

The applicant has demonstrated compliance with LDP policies Emp 9 and Hou 8 parts a) and b). The proposal does not accord with Policy Hou 1 which prioritises delivery of general housing on suitable sites within the urban area, and the Council's non-statutory guidance which requires that this site provides 50% housing to contribute to the balanced delivery of the LDP's housing and accommodation objectives.

The proposal does not comply with the objectives of the LDP and Council guidance to secure balanced delivery of different housing types within the city and is considered to the detriment of housing delivery in the city.

#### b) Design, layout and materials

The application proposes two separate blocks at the site, Block A is situated at the south and east, and Block B sits at the west of the site. The proposal's height varies between two, three, five, six and seven storeys in various places at the site.

Policies Des 1 to Des 8 of the LDP set out the policy framework for the design of developments. The Edinburgh Design Guidance (EDG) provides supplementary design advice. These policies and guidance outline a broad requirement for proposals to be based on an overall design concept which takes influence from positive characteristics of the surrounding area, with the need for high quality design which is appropriate in terms of height, scale and form, layout and materials. Policy Des 10 also considers waterside development.

#### Layout

The site is constrained by the presence of a Scottish Water sewer and its associated easement in the centre of the site. This constraint has influenced the position of buildings at the site and reduced the developable area from 0.52 hectares to 0.38 hectares.

The urban fabric of the area varies with a range of different uses and building types evident, including a church and associated halls, residential properties and commercial buildings. Two separate blocks are proposed, and the approach taken to fragment the development at the site is reflective of the area's spatial pattern. The proposed layout is similar to the footprint of previous buildings at the site and landscaped areas, open spaces and set-back distances from the Water of Leith broadly reflect those seen in the surrounding area.

The position of Block A, despite being three metres from the mutual boundary to the west, reflects the historic urban pattern in respect of the position of buildings on the site, and the distance between buildings as specified in clause c) and part of clause b) in LDP policy Des 4 Development Design - Impact on setting is appropriate in terms of layout.

The designed east elevation of Block B, which is between five to seven storeys in height and introduces living space, is situated approximately 5.5 metres from the neighbouring gym building at the north of the application site. With reference to LDP policy Des 2 Co-ordinated Development clause a) which considers the effective development of adjacent land, the proposal does not prohibit any re-development of the neighbouring gym building as any future proposal must demonstrate how amenity is derived from its own development area. Additionally, the proposed bicycle store that is adjacent to the mutual boundary would not prohibit development at the neighbouring gym building's site.

The development respects the surrounding urban pattern in compliance with LDP policies Des 1 Design Quality and Context, policy Des 4 Development Design - Impact on setting clauses b) and c) and policy Des 2 Co-ordinated Development clause a).

A small segment of the site lies adjacent to the Water of Leith and is designated within the LDP as an area of Open Space (LDP policy Env 18) and a Local Nature Conservation Site (LDP policy Env 15). By reflecting the layout of previous development at the site the proposed buildings, notably Block B, do not encroach on these designated spaces and compliance with the objectives of LDP policies Env 15 and Env 18 has been demonstrated. The site's layout also complies with criterion c) of LDP policy Des 10 Waterside Development by maintaining the river corridor which is broadly 15 metres wide as specified within the EDG.

### *Design and Scale*

#### **Block A**

Block A comprises several distinct design features, with two, three and four storey accommodation proposed. Parts of the proposed building sit in close proximity to surrounding residential properties including bungalows and two storey residential buildings with pitch roofs and gardens to the rear. The Category B listed church is also situated at the boundary to the east.

The two and three storey elements of Block A are appropriate in the context of the suburban area with reference to height, the approach to massing and use of materials which make a positive contribution to the area. Subtle pitch features are included at the roof levels of Block A and these draw on the roof features seen neighbouring residential properties. A limited number of angled windows (x 26) proposed at the east boundary have been designed to avoid impacting neighbouring amenity and as a design solution achieves a good level of privacy and avoids overlooking at the east boundary. Whilst angled windows are not a common feature in the area, in this case they are introduced at the ground, first and second floor levels in a discreet location and offer a limited and suitable design solution.

The four-storey part of Block A, which is approximately one metre lower than apartments at 572-580 Gorgie Road, is positioned within the central area of the site and set-back from neighbouring buildings and the public road. This approach to introducing limited height and mass at the site is acceptable and does not adversely impact upon surrounding properties of buildings.

#### **Block B**

Block B is situated to the west of the application site and faces Gorgie Road to the north, with the Water of Leith situated at the site's west boundary. The building displays three distinct heights, reflecting the variation seen in the surrounding area. The north and south elevations of the building include stepped roof levels at fifth and sixth storeys with a set-back seventh floor.

The use of stepped roof levels reflects the variation in building heights in the surrounding area and the overall height of the block at its tallest point is similar to that of the neighbouring ELS House. The proposed elevation at the north of the building that

engages with Gorgie Road is five storeys and, at approximately 0.5 metres taller than the flat roof level of apartments at the opposite side of the street, is appropriate in terms of height and form. Although the number of floors in Block B contrasts with three and four storey apartments on the opposite side of Gorgie Road, at this location the application site's topography is approximately one metre lower than Gorgie Road and the ground floor of the building will be partially concealed. A gradual transition in height to the sixth and seventh storeys reflects the neighbouring ELS House building to the west, as well as other larger buildings that are characteristic along the Gorgie Road corridor and the nearby Chesser House. A similar design approach with stepped features is utilised at the south elevation. Block B's roof level will be approximately 0.9 metres taller than ELS House; given the top floor's limited size this part of the proposal appears as a well-designed feature at roof level. Fenestration and articulation of the building's elevations introduces a building of visual interest to the local area.

Block B's design draws on design features seen in the surrounding area and accords with LDP design policies Des 1 Design Quality and Context and Des 4 Development Design - Impact on Setting.

### *Materials*

The applicant proposes a narrow range of modern materials for both buildings at the site. Both buildings will be largely composed of brick, with elements of render, glazed panels and bronze coloured aluminium cladding panels. The different materials and their proposed usage assist in providing a good level of articulation to both blocks and helps to reduce the appearance of their massing within the area. The EDG recommends that the number of materials in new development should be kept to a minimum and the proposal accords with this aspect of the guidance. The materials are appropriate within the immediate and surrounding context in the local area and would assist in making a positive contribution to the local area.

### *Conclusion*

The two proposed accommodation buildings are of a form and scale that draws on characteristics evident in the surrounding area. The proposed materials and detailing are appropriate, and the site's layout is suitable, enabling a good quality development to be delivered at the site. The proposal complies with LDP policies Des 1, Des 4 and the Edinburgh Design Guidance.

### c) Impact on listed building

Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states: -

*In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*

Historic Environment Scotland's document 'Managing change in the Historic Environment - Setting' states;

'Setting' is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced.

The document states that where development is proposed it is important to:

- Identify the historic assets that might be affected;
- Define the setting of each historic asset; and
- Assess the impact of any new development on this.

The adjacent church of Stenhouse and Saughton is a category B listed building. Policy Env 3 of the LDP seeks to ensure that any new development does not impact on the setting of a listed building. Historic Environment Scotland's guidance note 'Managing Change in the Historic Environment (Setting)' also provides relevant guidance with reference to considering effects on a listed building's setting.

The applicant submitted a Heritage Statement in support of the application and asserts that the proposal's impact on the urban setting of the church will be minimal.

The proposed development nearest to the church is set-away from the site's north boundary, which helps to retain the listed building's visual prominence along Gorgie Road. The building line of Block A, which lies approximately 19 metres back from Gorgie Road, would introduce a modern three storey building at part of the church's west boundary, in place of recently demolished industrial buildings. Block A is located at a discreet location in the context of views to the church and does not compete with the listed building visually.

Block B is situated further to the west along the street, approximately 55-60 metres away from the mutual boundary with the church and would be two storeys taller than the church tower. The proposed building would introduce a degree of change to some views to and from the church which has traditionally been surrounded by lower buildings or structures including the former industrial buildings on the site that pre-dated its construction.

Whilst the historic setting of the church at this location has previously been within a mix of commercial/industrial and residential buildings, the introduction of student accommodation in the proposed form would not have a detrimental effect on the immediate or wider setting of the church. Visualisations provided by the applicant demonstrate the surrounding townscape will remain urban in context and despite the introduction of two new buildings, the church will retain a prominent position and maintain a strong visual presence along Gorgie Road and at the junction between Chesser Avenue and Gorgie Road.

The boundary between the proposal and the church will include a combination of railings that match the existing railings and native hedge planting. The record for this listed building specifies that 'simple cast-iron railings' at the church's boundary are in place and the applicant confirms that new railings will match existing. Should permission be granted a condition is recommended to ensure this specific boundary feature is retained.

The proposal will not detract from the listed church's architectural character, appearance, historic interest or setting and complies with the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the objectives of LDP policy Env 3 Listed Buildings - Setting.

#### d) Amenity

Amenity must be considered in the context of LDP policy Des 5 - Amenity and the Edinburgh Design Guidance.

##### *Neighbouring amenity*

The proposed student accommodation is compatible with the surrounding area which is a mixture of commercial, business and residential in character.

The applicant provided a daylight and sunlight study in support of the application which demonstrates that there will be minimal impact on neighbouring properties at the east boundary. Block A will be approximately three metres from the mutual boundary to the east, however the proposed height of two and three storeys means Block A complies with Edinburgh Design Guidance (EDG) requirements for sunlight and overshadowing at numbers 2-4 Chesser Grove. A limited number of angled windows (x28) are included in Block A at the east boundary to minimise the impact of overlooking, and the design approach ensures that a good level of privacy is maintained at numbers 2 and 4 Chesser Grove.

The three-storey element of Block A is approximately six metres from the boundary of numbers 6-8 Chesser Grove. The applicant's daylight assessment identifies two windows in these neighbouring properties would fail the vertical sky component test specified in the EDG, however these are gable windows which are generally not protected. The two affected rooms also have an additional west-facing window that means daylight levels will be retained to a good level for these properties. No habitable student rooms are oriented south on the south-facing gable of Block A at this location and there are no concerns regarding neighbouring privacy or overlooking.

Apartment buildings at 572-580 Gorgie Road opposite the site's north boundary opposite Block B at the site's north boundary will continue to receive adequate levels of daylight and sunlight in line with the EDG.

Boundary treatments with neighbouring properties include a mixture of 1.8 metre railing, hedging, brick wall, screen fencing and these solutions are appropriate within the site's context.

Comments included in representations object to increased activity at the site and possible disturbance from taxis and deliveries, however such activities related to student accommodation are unlikely to be at a scale that deviates from activity usually seen within the urban area of the city.

The proposal is acceptable from the perspective of protecting existing neighbouring amenity and complies with LDP Policy Des 5 (Development Design - Amenity) and the EDG.

### *Future residents*

The student accommodation proposes 248 bedrooms in total and comprises a mixture of studios and cluster apartments. The mix of accommodation is consistent with the Council's Student Housing Guidance and room sizes are acceptable. Areas of internal amenity include a common room, gym and cinema. External amenity areas shown on the conceptual landscape plan comprise approximately 10% of the site's overall area and include an area of amenity grass to the south of the site and a landscaped courtyard set within the context of Block A. Other landscaped areas around the Water of Leith will provide a good landscape setting for future residents as well. New external amenity areas will receive adequate daylight in line with the standards set out in the EDG.

The applicant's daylight study confirms that 11 no. bedrooms at the ground floor of the proposed buildings, five in Block A and six in Block B, will not meet the daylight standards set out in the EDG. Despite this minor deviation from the guidance, 95.5% of the development complies with the daylighting methodology outlined in the Council's guidance and overall a good level of internal amenity is provided for future residents.

The applicant submitted a noise impact assessment in support of the application which considers the potential for noise impacts from surrounding roads and the plant and operational activities at the adjacent gym building at the site. Windows of both blocks that are in close proximity to Gorgie Road and the plant for the adjacent gym building will be closed and fitted with appropriate glazing to ensure a suitable level of internal amenity. Environmental Protection is satisfied with this approach and in the event that planning permission is granted a condition is recommended to ensure suitable noise mitigation measures are secured at the site.

Future residents are provided with good quality accommodation despite a small deviation from the EDG daylighting standards at ground level for a low number of bedrooms. The proposal broadly accords with the objectives of LDP policy Des 5 Development Design - Amenity and the Council's guidance.

### e) Transport

Parking Standards allow for a zero-parking approach for student accommodation where justified. With reference to vehicles, the proposal includes four accessible car parking spaces and twelve motorcycle parking spaces. There is no other car parking provision on-site. Following the submission of a parking survey in support of the application which indicates adequate capacity on surrounding streets for any possible parking generated by the proposal, the Roads Authority is satisfied with the level of proposed parking due to the site's location along a well-served road for public transport. The applicant has indicated in the supporting Transport Statement that it will explore the possibility of introducing a car club space with the delivery of the proposal, however this is not a required planning contribution.

Two hundred and fifty-four secure cycle parking spaces are provided on site and this provision accords with the Council's Parking Standards. In compliance with LDP policy Des 7 Layout Design criteria e) and f), a three metre internal path to cater for pedestrians and cyclists wishing to reach the secure gated access and the path/road network at the south of the site is also included. This connection offers a degree of

permeability through the site and offers a safe route for future residents travelling south of the site where many local amenities are located along Chesser Avenue. The site is also well located for walking and cycling due to its proximity to the Water of Leith Walkway which also offers connections to the wider path network in the area.

A swept-path analysis has demonstrated that the proposed development can be safely accessed and serviced by a refuse vehicle via the main site access from Gorgie Road.

The proposal accords with LDP policies Tra 2 Private Car Parking and Tra 3 Private Cycle Parking and the Council's parking standards.

#### f) Air Quality

The site is located along Gorgie Road which forms part of the City Centre Air Quality Management Area (AQMA). The applicant submitted an Air Quality Impact Assessment with the application which establishes that the proposed development will not adversely affect air quality in the local area. The application site is situated in a sustainable location with regard to availability of public transport and 100% cycle parking has been included at the site to encourage active travel. Parking for vehicles is limited to four accessible car spaces and twelve motorcycle spaces which minimises vehicle usage by future residents. The applicant has also demonstrated that emissions from plant and the proposed energy centre within the site will comply with criteria in the Clean Air Act 1993.

Neither SEPA nor the Council's Environmental Protection service object to the proposal and the objectives of LDP policy Env 22 Pollution and Air, Water and Soil Quality are satisfied.

#### g) Other material considerations

##### *Flood risk & drainage*

Comments received in consultation with SEPA and the Council's Flood Prevention service do not raise any concerns. The applicant has maintained a suitable set-back distance from the Water of Leith and finished floor levels for the development are acceptable. Whilst there are no specified plans to implement further flood prevention works at this part of the Water of Leith at the present time the applicant has also demonstrated that the proposal would not be prejudicial to any future flood prevention works at this location.

The proposal accords with LDP policy Env 21 Flood Protection.

##### *Trees*

The applicant has submitted a Tree Survey report in support of the application which identifies trees and root protection areas, and it is confirmed that the development is not inhibited by trees at the site. Twenty two trees of varying ages and condition are situated within the west part of the site adjacent to the Water of Leith, forming part of the Nature Conservation Site. Many of the trees at the site are ivy covered and various management measures are suggested for trees at this part of the site.

A concept landscape plan was submitted by the applicant. The concept landscape plan recognises the principle of the Water of Leith corridor as a Nature Conservation Site and a degree of management is proposed including removal of smaller trees that have been surveyed as being unsuitable for retention in the Tree Survey report. If committee is minded to grant planning permission for this application, it is recommended that a condition requiring a tree protection plan and a detailed landscape scheme including a planting and maintenance plan for the site, is provided by the applicant.

### *Protected Species*

The applicant submitted information in support of the application with reference to species and habitats at the site. The initial walkover survey established that there was no evidence of otter, badger, or water vole at the application site. It was established that Otters use the Water of Leith in the nearby area. A cluster of ivy-clad trees along the western boundary was identified to offer roost potential for summer-roosting bats; a subsequent bat survey established that roosting bats are not a constraint to development at the site. Any clearance works, works to trees or demolition will be required to comply with relevant wildlife legislation and regulations. Should committee grant planning permission it is recommended that an informative relating to nature conservation measures, such as the inclusion of bat boxes along the Water of Leith and the orientation of lighting away from the river, be included.

The proposal has demonstrated compliance with the objectives of LDP policy Env 16 Species Protection.

### *Archaeology*

Policy Env 9 Development of Sites of Archaeological Significance within the LDP sets out the requirements with regard to the city's archaeological resource(s). Following a review of the applicant's Written Scheme of Investigation, the City Archaeologist recommends that a programme of archaeological work is undertaken in the part of the site that would contain Block B. A condition can be attached to a decision notice if the committee decide to approve this application, thereby ensuring the development would comply with LDP policy Env 9.

### h) Sustainability

The applicant submitted a sustainability statement in support of the application which specifies that use of water efficient fittings, suitable waste storage facilities, sourcing of timber and use of non-uPVC windows will be explored. The building will be subject to Scottish Building Regulations with reference to sustainability requirements for the building. The site is also brownfield and well-connected with the city's urban area for active travel and public transport.

The proposal accords with LDP Policy Des 6.

## i) Equalities

The applicant confirms that 25 accessible cluster rooms and three accessible studios will feature as part of the proposal. Matters relating to internal building design such as hand rails and access will be addressed through Scottish Building Regulation requirements and compliance with the provisions of the Equality Act 2010. Four accessible parking spaces are also provided at the site.

There are no impacts relating to equalities.

## j) Issues raised in representations

### **Material objections**

- Opposition to student accommodation rather than providing affordable housing - addressed in Section 3.3 a);
- Impact on daylight and views from height and proximity of buildings - addressed in Section 3.3 d);
- Privacy concerns - addressed in Section 3.3 d);
- Impact on parking in surrounding streets - addressed in Section 3.3 e);
- Over-provision of student accommodation in the area - addressed in Section 3.3 a);
- Scale of buildings proposed excessive - addressed in Section 3.3 b); and
- Disruption from noise and increased activity at the site - addressed in Section 3.3 d).

### **Support**

- Broad satisfaction with the proposal's response to the setting of the listed church, the proposed use of the site and the possibility of positive economic impact in the area - addressed in Sections 3.3 a) and c).

### **Neutral comments**

- Support for re-development of the site - addressed in Section 3.3 a);
- Concern over building height and impact on neighbouring daylight/sunlight - addressed in Sections 3.3 a) and d);
- Efforts to preserve the river bank positive - addressed in Section 3.3 b);
- Negative impact of tall building on setting of the river corridor an impact on species from light disturbance - addressed in Sections 3.3 b) and g); and
- Non-compliance with Edinburgh Design Guidance 15m set-back from Water of Leith at brownfield sites - addressed in Section 3.3 b).

## **Non-material comments**

- Loss of private view to Pentlands from property - private views are not protected in planning legislation;
- Disturbance, litter and anti-social behaviour from students - managed student accommodation is compatible within the urban area; and
- Concern regarding title deeds and access rights - this is a civil matter that is not considered in planning legislation.

## Conclusion

The proposal accords with LDP policy Emp 9 and the broad objectives of LDP policy Hou 8. However, the proposal is contrary to Local Development Plan policy Hou 1 and the Council's non-statutory Student Housing Guidance (February 2016) which expands upon the objectives of LDP policy Hou 8, as it does not deliver housing at the site.

The proposal gives special regard to the adjacent listed church and its setting and complies with the requirements of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 and the objectives of LDP policy Env 3 Listed Buildings - Setting.

The proposed student accommodation at this site is of an appropriate design and appearance in compliance with LDP policies Des 1, Des 4 and Des 10. The objectives of LDP policy Des 5 are achieved; privacy and amenity of neighbouring properties is maintained to an acceptable level and future residents will experience a good quality of internal and external amenity.

Taking a balanced view of development plan and associated guidance objectives, the proposal is not considered acceptable in principle as general housing is not included as a proportion of development at the site in combination with the student accommodation. There are no material considerations that outweigh this conclusion.

It is recommended that this application be Refused for the reasons below.

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

#### **Reasons: -**

1. The proposal is contrary to the broad housing objectives of Local Development Plan Policies including Hou 1 and the Council's non-statutory Student Housing Guidance as no general housing is proposed as part of the development, to the detriment of balanced housing and accommodation delivery in the city.

## **Financial impact**

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

There are no financial implications to the Council.

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

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

## **Equalities impact**

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

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

## **Sustainability impact**

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

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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

Pre-application discussions took place on this application.

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

Neighbours were notified on 17 April 2019 and 21 days were allowed for comments. The application appeared on the weekly list on 23 April 2019 and was advertised on 30 April 2019. Seven representations comprising four objections, two neutral comments and one comment of support were received.

Hutchison/Chesser Community Council did not provide comments on this application.

A full assessment of the representations can be found in the main report in the Assessment section.

## Background reading/external references

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

## **Statutory Development**

### **Plan Provision**

The application site is shown to be in the Urban Area in the adopted Edinburgh Local Development Plan (LDP). A small portion of the site is within an area designated in the LDP as Open Space and a Local Nature Conservation Site.

### **Date registered**

11 April 2019

### **Drawing numbers/Scheme**

01,02,03A-18A,20A,21A,22-24,26,

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Sean Fallon, Planning Officer

E-mail: [sean.fallon@edinburgh.gov.uk](mailto:sean.fallon@edinburgh.gov.uk) Tel: 0131 469 3412

## **Links - Policies**

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### **Relevant Policies:**

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

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

LDP Policy Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

LDP Policy Des 10 (Waterside Development) sets criteria for assessing development on sites on the coastal edge or adjoining a watercourse, including the Union Canal.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

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

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

LDP Policy Env 15 (Sites of Local Importance) identifies the circumstances in which development likely to affect Sites of Local Importance will be permitted.

LDP Policy Env 16 (Species Protection) sets out species protection requirements for new development.

LDP Policy Env 18 (Open Space Protection) sets criteria for assessing the loss of open space.

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

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

LDP Policy Emp 9 (Employment Sites and Premises) sets out criteria for development proposals affecting business and industrial sites and premises.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 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.

### **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** Student Housing Guidance interprets local plan policy, supporting student housing proposals in accessible locations provided that they will not result in an excessive concentration.

**Non-Statutory guidelines** 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.

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.

# Appendix 1

## **Application for Planning Permission 19/01795/FUL At 543 Gorgie Road, Edinburgh, EH11 3AR Erection of purpose built student accommodation, ancillary uses and associated landscaping and infrastructure.**

### **Consultations**

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#### **Archaeology comment**

*The site occurs on the southern bank of the Water of Leith adjacent to a historic crossing point of the medieval road running west of Edinburgh towards West Lothian. As outlined in the application's accompanying Heritage Statement undertaken by AOC Archaeology Group the site was identified as having archaeological interest not only in relation to the historic crossing point but also regarding late-Victorian / early 20th century industrial development.*

*This necessitated the undertaking of an archaeological evaluation in 2019. Although the results had demonstrated that 20th century use, and recent demolition activities had had a potential significant adverse effect, due to the latter not all, of the area was open to investigation*

*Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT) and Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) (2016) and Archaeology Strategy and also CEC's Edinburgh Local Development Plan (2016) Policy ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

*The proposed scheme will also require significant ground-breaking works relating to construction. However given the results of the evaluation such potential impacts are confined to the proposed new riverside block of student flats. The evaluation results indicate that the remainder of the site has no or little potential for archaeological survival. It is therefore recommended that a programme of archaeological work is undertaken prior to/during the development of this riverside block. This is required to fully excavate, record and analysis any significant remains that may be affected by its construction.*

*It is recommended that the following condition is attached to ensure that undertaking of the above archaeological work;*

*'No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, reporting and analysis and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'*

*The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.*

### **Flood Prevention comment**

1. *Planning Committee on 30 March 2017 approved the permanent implementation of the certification procedure in the assessment of the flooding impact of new development during the planning application process.*

2. *The applicant has not completed a self-certification checklist or declaration for this application covering the design of the surface water network. The checklist should be completed to provide a summary of the information submitted in support of the application. As this development is classed as a major development under Planning definition then an independent consultant is required to check the design and submission. They must then sign the required declaration for inclusion with the application prior to issue to CEC Flood Prevention.*

3. *The applicant has not completed a declaration for this application covering the flood risk assessment. As this development is classed as a major development under Planning definition then an independent consultant is required to check the design and submission. They must then sign the required declaration for inclusion with the application prior to issue to CEC Flood Prevention.*

4. *The proposed surface water discharge rate of 4.9l/s is greater than the CEC guidance of 4.5l/s/ha of impermeable area. However on this occasion CEC are willing to accept the proposed discharge rate.*

5. *Please identify existing and proposed 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 outwith 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. Firstly to understand if there is any significant re-direction of surface flows to surrounding land and secondly to identify if surface water will flow towards property entrances.*

### **Flood Prevention further comment**

*Thank you for the additional information. I have reviewed the documents and we are happy for this application to be determined with no further comment from our department.*

### **SEPA comment**

*Advice for the planning authority*

*We have no objection to this planning application, but please note the advice provided below.*

*1. Flood Risk*

*1.1 We have no objection to the proposed development on flood risk grounds. Notwithstanding this, we expect Edinburgh Council to undertake its responsibilities as the Flood Prevention Authority.*

*1.2 The site is shown to lie within the SEPA Flood Map 0.5% annual probability (1 in 200-year) flood extent of the Water of Leith and as such when we were consulted at the pre-application stage we advised that a Flood Risk Assessment (FRA) would be required to determine the flood risk at the site and whether it was suitable for the proposed development. A FRA has now been submitted in support of this application.*

*1.3 The FRA notes that due to the presence of a gauging station downstream of the site at Murrayfield, the FEH Statistical Method is considered a satisfactory method for determining design flows. SEPA would advise that results should be treated with caution because of the catchment's low FARL value. SEPA's flood frequency analysis for the Murrayfield gauging station using Single Site, Enhanced Single Site and Pooling Group are in accordance with those provided within the FRA. However, we would highlight that SEPA is of the opinion that the design flows on the Water of Leith may be underestimated given flood events in 1920 and 1948 have been reported as being of similar magnitude as the April 2000 event. Thus indicating that flood events of this magnitude may occur more frequently than the gauged record would suggest and therefore design flows may be higher than currently estimated.*

*1.4 The Arup model commissioned by City of Edinburgh Council (CEC) has been reviewed and updated for use within this FRA. The model has been calibrated using a flood level approximately 300m downstream of the site at Chesser's House during the April 2000 flood event. The results of the modelling indicates that a small area on the western site boundary lies within the functional floodplain but all areas proposed for development lie outwith this area. However, flood water does inundate the site and flow toward Gorgie Road when considering a 20% allowance for climate change or 25% bridge blockage scenario, both of which raise flood levels at the site by approximately 0.5m. This indicates that the site is relatively marginal in terms of whether it is flooded during the 1 in 200-year flood event and may therefore be considered functional floodplain. We are satisfied that the bridge structure is single span and sufficiently large that there is a low likelihood of a significant blockage, and the information we currently hold on design flows indicate that the proposed development lies adjacent to, but outwith, the functional floodplain.*

*1.5 The site is shown to lie outwith the functional floodplain, finished floor levels are shown on the site sections drawing as 52.7mAOD, which is 0.6m above the predicted 1 in 200-year (including 30% climate change allowance) flood level. Access/egress to Gorgie Road is provided during the 1 in 200-year event. Therefore we have no objection to the proposed development. We would highlight that there remains a residual risk of flooding at the site due to an event with an exceedance of greater than the design flow or as a result of blockage/collapse of the downstream bridge structure.*

1.6 We would note that CEC is currently investigating options to carry out a review of the previous flood study for the Water of Leith and the Flood Prevention Scheme. Should information from any updated report indicate that the site is in fact at risk of flooding then SEPA reserve the right to object to any future applications based on information we hold at that time.

#### *Caveats & Additional Information for Applicant*

1.7 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km<sup>2</sup> using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>

1.8 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

1.9 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to City of Edinburgh Council as Planning Authority in terms of the said Section 72 (1).

## 2. Air Quality

2.1 An air quality impact assessment has been submitted.

2.2 The assessment considers the impact of existing poor air quality on proposed new residential receptors.

2.3 The assessment indicates that PM<sub>10</sub> and NO<sub>2</sub> levels are below the relevant objectives at the location of the most exposed receptor. The only operational emissions from the development will be from the energy centre (small gas boiler <1MW). A stack height assessment has been carried out in accordance with the provisions of the Clean Air Act.

We are satisfied that this assessment provides sufficient information to determine this application in terms of impacts on air quality.

## **Roads Authority Issues response**

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

1. Full height kerb to be installed on existing dropped kerb areas on the southern footway of Gorgie Road fronting the proposed development and provide continues footway/raised access junction to prioritise walking on the footway.

2. A minimum of 3m wide walking and cycling route to be provided from the development to Chesser Grove to connect the site to walking and cycling infrastructure on Chesser Avenue.
3. 269 high quality, secure cycle parking spaces being provided and complies with the Council's minimum cycle parking requirement;
4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), 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;
5. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;
6. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.

Note:

- a) The applicant proposes 4 disabled parking provision for the 269 student accommodation and complies with the Council's current parking standards which could allow a maximum of 45 spaces in Zone 2. The location of the proposed development to the various University Campuses is accessible by walking, cycling and public transport hence most trips are expected to be made by sustainable transport and reduce the need to travel by car.
- b) The applicant has demonstrated by swept path analysis that the proposed development could be serviced by refuse vehicle from within the site via site access from Gorgie Road.
- c) The applicant by means of TRICS trip estimation demonstrated that the proposed development when compared with existing use will generate more people trips but reduction in vehicular trips by 93%. The proposed development is expected to generate 1 vehicular trip during the morning peak hour as opposed to 12 vehicular trips by the existing use.
- d) The applicant should also consider the provision of car club vehicles to support the site. A contribution of £1,500 per order and £5,500 per vehicle would be required. This does not require to be included in any legal agreement. Provision of car club will provide students an alternate travel option for car necessary trips and reduce the impact of the proposed development on nearby on street parking spaces.
- e) Students travel survey by University of Edinburgh shows that 4% of students drive to the University which implies that 11 of the 269 students will own a car. If the 11 vehicles were to park on-street on Chesser Grove, the parking survey data shows that there would be sufficient space to accommodate them; the existing Chesser Grove peak parking demand on Saturday was 23 vehicles at 1730 and a further 11 vehicles would still be below its parking capacity of 35 vehicles.

## **Roads Authority Issues updated comment**

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

1. Full height kerb to be installed on existing dropped kerb areas on the southern footway of Gorgie Road fronting the proposed development and provide continuous footway/raised access junction to prioritise walking on the footway.
2. A minimum of 3m wide walking and cycling route to be provided from the development to Chesser Grove to connect the site to walking and cycling infrastructure on Chesser Avenue.
3. 248 high quality, secure cycle parking spaces being provided and complies with the Council's minimum cycle parking requirement;
4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), 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;
5. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;
6. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.

Note:

- a) The applicant proposes 4 disabled parking provision for the 248 student accommodation and complies with the Council's current parking standards which could allow a maximum of 41 spaces in Zone 2. The location of the proposed development to the various University Campuses is accessible by walking, cycling and public transport hence most trips are expected to be made by sustainable transport and reduce the need to travel by car.
- b) The applicant has demonstrated by swept path analysis that the proposed development could be serviced by refuse vehicle from within the site via access from Gorgie Road.
- c) The applicant by means of TRICS trip estimation demonstrated that the proposed development when compared with existing use will generate more people trips but reduction in vehicular trips by 93%. The proposed development is expected to generate 1 vehicular trip during the morning peak hour as opposed to 12 vehicular trips by the existing use.
- d) The applicant should also consider the provision of car club vehicles to support the site. A contribution of £1,500 per order and £5,500 per vehicle would be required. This does not require to be included in any legal agreement. Provision of car club will provide students an alternate travel option for car necessary trips and reduce the impact of the proposed development on nearby on street parking spaces.
- e) Students travel survey by University of Edinburgh shows that 4% of students drive to the University which implies that 11 of the 248 students will own a car. If the 11 vehicles were to park on-street on Chesser Grove, the parking survey data shows that there would be sufficient space to accommodate them; the existing Chesser Grove peak

parking demand on Saturday was 23 vehicles at 1730 and a further 11 vehicles would still be below its parking capacity of 35 vehicles.

## **Environmental Protection response**

*The site is located on a former industrial site in a mixed commercial, industrial, and residential area. The site is bounded to the north by the busy Gorgie Road and the newly opened 'LIFT Gym' (545-551 Gorgie Road). To the west, the site is bounded by the Water of Leith, beyond which is a mix of commercial and residential properties. To the south of the site are residential properties on Chesser Grove and to the east is the Stenhouse St. Aidan's Church (which has been operating as a homeless shelter and there is an active application to formalise this), residential properties and beyond the busy Chesser Avenue Road.*

*The proposed development is for student accommodation, with a mix of studio flats and cluster bedrooms. The proposed development will also provide common areas as well as outside recreational space.*

*The applicant has submitted a supporting noise and local air quality impact assessment along with initial site investigation reports. Environmental Protection has assessed these reports.*

*The applicants supporting noise impact assessment has investigated possible noise impacts on the proposed development from the neighbouring commercial uses and road traffic noise. The noise impact assessment has identified that acoustic mitigation measures will be required to mitigate the noise from road traffic. This will be in the form of upgraded acoustic glazing on Block A's northern/west and eastern facades that have a line of sight onto Gorgie Road. Environmental Protection shall recommend a condition is attached to any consent to ensure that this mitigation is included.*

*The proposed development may require a licencing for a house in multiple occupation (Housing Scotland Act 2006). It is strongly recommended that the applicant contacts the Housing of Multiple Occupation team to ensure that if the proposed development will require a licence that what is being proposed will meet all the required standards such as the space standards for each unit.*

*The applicants supporting air quality impact assessment has highlighted that the proposed development will include 268 cycle storage space, seven motorcycle spaces, four accessible car parking spaces and one energy centre. The proposed development will not result in an increase in traffic flows when compared to the existing consented use.*

*The proposed development energy centre has a total thermal input of 400 kW, which is above the Clean Air Act 1993 criteria. The applicant has conducted a detailed assessment of the energy centre emissions with reference to the Third Edition of the Clean Air Act Memorandum.*

*The applicant has highlighted that mitigation measures will be required in order to control emissions during the construction phase, an informative will be recommended to address this.*

*The applicant is proposing a low level of parking which is positive. The applicant must be aware of the Edinburgh Design Standards that have been introduced which stipulates that 1 in 6 car parking spaces must have electric vehicle charging points serving them as a minimum. This proposal falls below this criterion although Environmental Protection recommend that 7Kw (type 2 sockets) charging provision be provided for at all space proposed. This is important as the proposal is near to a Air Quality Management Area. Technical information on chargers is detailed in the Edinburgh Design Standards - Technical Information Design Standards.*

*The applicant has submitted a Ground Investigation Report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed.*

*Environmental Protection offer no objections subject to the following conditions;*

*i) Prior to the commencement of construction works on site:*

*a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and*

*b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.*

*ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.*

*2. The following noise protection measures to the proposed student accommodation, as defined in the appendix 9 of the New Acoustics Noise Impact Assessment' report (Ref 6815), dated 25 March 2019:*

*- Glazing units with a minimum insulation value of 10/12/6.4mm double glazing shall be installed for the external doors and windows of the bedrooms and living areas in Block B northern facades highlighted in acoustic report in red.*

*- Glazing units with a minimum insulation value of 10/12/6.4mm double glazing shall be installed for the external doors and windows of the bedrooms and living areas in Block B west/eastern facades highlighted in acoustic report in orange.*

*shall be carried out in full and completed prior to the development being occupied.*

*Informative*

1. *All residential parking spaces shall be served by a minimum 7Kw (32amp) Type 2 electric vehicle charging socket. This shall be installed and operational in full prior to the development being occupied.*
2. *The applicant should make contact with the City of Edinburgh Councils Houses of Multiple Occupation Team on 0131 469 5151*
3. *Construction Mitigation*
  - a) *All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.*
  - b) *The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.*
  - c) *Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.*
  - d) *Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.*
  - e) *All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.*
  - f) *Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.*
  - g) *This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.*
  - h) *No bonfires shall be permitted.*

## Location Plan

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**END**