

# Development Management Sub Committee

Wednesday 19 February 2020

**Application for Planning Permission 19/03380/FUL  
At 35 Lanark Road, Edinburgh, EH14 1TL  
Demolition of existing building and erection of purpose  
built student accommodation and all associated works  
(amendment to planning consent 16/06275/FUL)**

**Item number**

**Report number**

**Wards**

B09 - Fountainbridge/Craiglockhart

## Summary

---

The proposal is acceptable in principle and is of a suitable design, form and scale which will not have an adverse impact on the character and appearance of the surrounding area. The proposal does not raise any issues in respect of parking, road safety, landscaping, biodiversity or flood prevention and will not have a detrimental impact on the setting of any listed buildings, the amenity of neighbouring residents or development of a site of archaeological significance.

## Links

---

[Policies and guidance for this application](#)

LDPP, LDES01, LDES05, LDES09, LDES10, LTRA02, LTRA03, LEN03, LEN11, LEN12, LEN15, LEN16, LEN21, LDES03, LDES04, LHOU03, LHOU04, NSG, NSGSTU, NSGD02, HES, HESSET, HEPS,

# Report

## **Application for Planning Permission 19/03380/FUL At 35 Lanark Road, Edinburgh, EH14 1TL Demolition of existing building and erection of purpose built student accommodation and all associated works (amendment to planning consent 16/06275/FUL)**

### **Recommendations**

---

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

### **Background**

---

#### **2.1 Site description**

The application site comprises a car dealership and motor vehicle garage located on the southern side of Lanark Road. The site covers a total area of 0.17 hectares and is located directly adjacent to the Water of Leith which runs along its southern boundary.

The Union Canal and Towpath are situated directly to the north west of the site on the opposite side of Lanark Road. The canal and the Slateford Aqueduct are scheduled ancient monuments. A group of category B listed buildings including the Cross Keys Inn (listing reference: LB30121, listing date: 12 December 1974), former Slateford Church (listing reference: LB30017, listing date 12 December 1974), and the Old Manse House (listing reference: LB30122, listing date: 12 December 1974) are located immediately to the south west of the site.

The surrounding area has a mixed residential/commercial character, consisting of one and two storey original historic buildings, some of which have been converted into commercial uses, and more modern contemporary style flatted buildings located to the north and west. Commercial uses, including the Longstone Sainsbury's Supermarket and industrial units, are located to the north.

The majority of the site is located adjacent to the Green Belt, Water of Leith Special Landscape Area and Local Nature Conservation Site. A small section on the southern boundary of the site falls within these designations.

#### **2.2 Site History**

20 January 2014 - Planning application for a proposed flatted development of 15 units withdrawn (application reference: 06/02249/FUL).

19 December 2016 - Planning permission refused for a change of use at 27, 35, 37-39 Lanark to purpose built student accommodation and erection of two new high quality, managed student residences. Both blocks were to have office/reception and communal area with associated facilities at ground floor level, landscaping, amenity space and

cycle storage. The proposal was refused due to it primarily being a non-conforming use within the Green Belt, having a damaging impact on the Water of Leith Special Landscape Area, loss of trees and issues relating to design, form, scale, amenity of future occupiers and housing provision on the site (application reference: 15/05401/FUL).

15 August 2018 - Planning permission granted for the demolition of existing buildings and erection of purpose built student accommodation including change of use and all associated works (as amended) (application reference: 16/06275/FUL).

## **Main report**

---

### **3.1 Description Of The Proposal**

The proposal is to demolish the existing buildings and erect 134 bed student accommodation. The units comprise 104 studio, six accessible studio, three two bed apartments and six three bed apartments. There is a main reception, office, communal break out area and gym situated at the ground floor level.

The proposed building comprises a contemporary style, flat roofed structure stepping from five storeys at the east end to three storeys at the west end. The main facing material is a multi tonal buff brick, with Anthra-Zinc standing seam roofing, aluminium framed double glazed windows.

The proposal includes an access pend and internal courtyard accessed form Lanark Road. No car parking is proposed on site. A bike store and two tier bike racks located at the rear of the site will provide 100% cycle parking provision is proposed for the development. Bin stores will be provided internally within the building.

Outdoor amenity space is to be provided at the rear of the site and will be in the form of a tiered seated and planted courtyard.

### **Scheme 1**

The fourth floor projection has been cut back 2 metres and the ground floor terraces have been extended and balconies introduced to the east elevation.

### **Supporting Documents**

The applicant has submitted the following documents in support of the application which are available to view via planning and building standards online services:

Ecology Report  
Landscape and Visual Appraisal  
Design and Access Statement  
S1 Sustainability Statement Form  
Flood Risk Assessment and Drainage Strategy Report  
Visualisation

## 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 proposal is acceptable in principle;
- b) the proposals preserve the character of the listed building;
- c) the proposals adversely affect the landscape quality of the Green Belt;
- d) the scale, form, design and materials are acceptable;
- e) the proposals have an adverse impact on flora or fauna;
- f) the development will impact on residential amenity;
- g) the proposal raises any concerns in relation to transport;
- h) there are any other material considerations and
- i) any material comments made in representations have been addressed;

### a) Principle of the Development

Policy Hou 8 (Student Accommodation) of the adopted Edinburgh Local Development Plan (LDP) states that planning permission for purpose built student housing will be granted where the location is appropriate in terms of access to university and college facilities by walking, cycling and public transport; and provided the proposal would not result in an excessive concentration of student accommodation to an extent that would be detrimental to the maintenance of balanced communities.

In addition to LDP policy Hou 8, the Council's Student Housing Guidance outlines the location and design guidance to be applied to proposals for student housing. Part a) accepts student housing in locations within or sharing a boundary with a main university. For locations outwith criteria a), student housing will generally be supported on sites with less than 0.25 hectares (ha) of developable area. This application site does not share a boundary with a university or college campus but is not greater than 0.25 hectares in area. The nearest university facility is Edinburgh Napier University's Craiglockhart Campus which is located half a mile to the south east.

In terms of access, the site is in very close proximity to both the Water of Leith Walkway and the Union Canal Footpath/Cycle Path. The Water of Leith Walkway can be accessed from Lanark Road directly. The Union Canal Cycle Path is situated close by to the north, with points of access provided from the Water of Leith Walkway at Slateford Aqueduct and the Prince Charlie Aqueduct located to the east of the site on Lanark Road. The Water of Leith Walkway provides pedestrian access to the north of the city, with the Union Canal providing ease of access to Fountainbridge, close to the city centre.

The site is served by four separate Lothian Buses bus routes. Bus numbers 34 and 36 provide direct access to the Heriot Watt campus at Riccarton, the Edinburgh Napier University campus at Sighthill and Edinburgh College. Bus number 36 also provides access to the Edinburgh Napier University Campus on Colinton Road. Numbers 34 and 44 provide access to the city centre with several stops situated within convenient walking distance of Edinburgh University's City Centre Campus.

The surrounding area has a mixed residential/commercial character which encompasses detached and semi-detached residential dwellinghouses, flatted properties and several commercial uses including the Longstone Sainsbury's and several warehouse units located to the north of the site. The site is not identified within the Council's Student Housing Guidance as having a concentration of students comprising more than 20% of the population and is also identified as having a relatively low number of students living in both private accommodation and university managed accommodation. The nearest purpose-built student accommodation building is the Mill House, located at 400 Gorgie Road located one mile to the North East. The introduction of student accommodation in this location will not therefore disrupt the balance of the community.

The site lies in relatively close proximity to Redhall Park and Meggatland Sports Complex, providing students with ease of access to outdoor amenity sites.

The site is not identified within the June 2014 LDP Housing Land Study as having a high probability of delivering housing and is not greater than 0.25 ha in area. Therefore, in accordance with criteria c) of the Student Housing Guidance, there is no requirement to include a portion of housing as part of the proposed development.

Given the lack of purpose-built student accommodation nearby to the site and the existing varied character, it is not considered that the proposal will disrupt the existing community balance or have a detrimental impact on the character and residential amenity of the locality. The site is well served by existing transport links and will result in the creation of a satisfactory living environment.

The proposal complies with policy Hou 8.

#### **b) Setting of listed buildings**

Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

*'In considering whether to grant listed building consent for any works, the 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'.*

The Historic Environment Scotland Policy for Scotland. (HEPS) states:

*HEPS should be taken into account whenever a decision will affect the historic environment. It is also a material consideration for planning proposals that might affect the historic environment, and in relation to listed building consent.*

Historic Environment Scotland's Guidance Note on Managing Change in the Historic Environment: Setting states that *setting can be important to the way in which historic structures or places are understood, appreciated and experienced. It can often be integral to a historic asset's cultural significance.*

*Setting often extends beyond the property boundary or 'curtilage' of an individual historic asset into a broader landscape context. Both tangible and less tangible elements can be important in understanding the setting. Less tangible elements may include function, sensory perceptions or the historical, artistic, literary and scenic associations of places or landscapes.*

LDP policy Env 3 (Listed Buildings - Setting) states that development affecting the setting of a listed building will be permitted only if not detrimental to the setting of the building.

The application site borders three listed buildings situated directly to the west. The Cross Keys Public House, the former Slateford Church and the Old Manse are all category B listed buildings.

The development reduces in height towards the west of the site but does sit half a storey higher than the consented scheme. The development to the rear is stepped back from the boundary with the church and the manse house, ensuring neither will be dominated by the proposal. The height of the block sited closest to the Cross Keys Pub will not extend beyond the highest point of this building and is set back from the street frontage. This ensures its setting is not adversely affected.

The proposal will not be detrimental to the setting of the nearby listed buildings and complies with LDP policy Env 3.

### **c) Landscape Quality of Greenbelt and Special Landscape Area**

A small section of the site along the south eastern and eastern boundary will fall within a Special Landscape Area (SLA) and Green Belt as defined in the LDP. LDP policy Env 10 (Development in the Green Belt and Countryside) provides guidance on appropriate development within the green belt and to ensure that development keeps the landscape quality and/or rural character of the area. LDP policy Env 11 (Trees) states that development should not have a significant adverse impact on the special character or qualities of the Special Landscape Areas.

This area of land which falls within the application site is relatively small and represents a minor and isolated part of the city-wide Green Belt. The land is not publicly accessible and comprises hardstanding with an existing two and single storey building which makes no positive contribution to the landscape character of the area. The footprint of the proposed development does not encroach onto this area and maintains a degree of separation which currently exists between buildings on the site and the Water of Leith. There will be no adverse impact on the overall quality, character or appearance of the Green Belt or the SLA.

The proposals comply with LDP Policy Env 10 and Env 11.

#### **d) Scale, form and design**

LDP policy Des 1 (Design Quality and Context) states that planning permission will not be granted for poor quality or inappropriate design that would be damaging to the character and appearance of the area around it. Policy Des 10 (Waterside Development) states that planning permission will be granted for development on sites adjoining a watercourse where the proposal provides an attractive frontage to the water.

LDP policy Des 4 (Impact on setting) states that planning permission will be granted where it is demonstrated that it will have a positive impact upon its surroundings having regard to height and form, scale and proportion, position of buildings and materials and detailing.

The surrounding area is mixed residential/commercial in character encompassing detached and semi-detached dwelling houses and flatted properties. The recently approved housing development on the adjacent site to the north comprises three adjoining stepped blocks ranging from three to five storeys in height.

Each block of the proposed development ranges from three to five storeys in height and is comparatively lower than the consented scheme. The building sits unobtrusively within the street scene and reflects the evolving denser urban form of this townscape.

In terms of massing, the facade is broken up to give the appearance of a three-block building which responds to the scale of the existing buildings within the streetscape. The set back of the top floor further reduces the visual impact of the building from the street level and when viewed looking east along Lanark Road. The applicant has provided context elevation plans that demonstrate how the proposed height will be a positive feature in the area. The addition of balconies and ground floor terraces to the east elevation provides a more active frontage to the Water of Leith and reflects the design of the proposed neighbouring housing development.

The proposed contemporary design and use of a buff brick for the main elevations is appropriate in this context which harmonises with the materials proposed on the neighbouring housing development.

LDP policy Hou 4 (Housing Density) states that the council will seek an appropriate density of development on each site having regard to the need to create an attractive environment and safeguard living conditions within the development.

The area surrounding the proposal contains a mixture of uses, densities and varying building footprints. In the context of the surrounding area, this would introduce a development of higher density in comparison, but closer to recently consented development and existing apartment buildings along Lanark Road. The proposed density would introduce a high-density development at a sustainable location, while also contributing positively to the character of the area without damaging residential amenity or environmental quality.

LDP policy Hou 3 (Private Green Space in Housing Development) states that planning permission will be granted for development that makes adequate provision for green space to meet the needs of future residents. Green open space will be provided as 36% of the site. This will be in the form of a tiered courtyard, with seating and planting which will lead down to the level of the Water of Leith. The proposed landscaping design is appropriate within the existing context of hardstanding and will improve the current situation and the site's relationship with the Water of Leith.

The overall design will make a positive contribution to the site by replacing existing buildings of no intrinsic architectural merit with an appropriately scaled and designed building with an attractive mix of hard and soft landscaping.

The proposals are therefore acceptable in terms of scale, form, design and materials and will have no adverse effect on the character of the surrounding area, in compliance with LDP Policies Des 1, Des 4, Des 10, Hou 3 and Hou 4.

#### **e) Impact on Biodiversity**

LDP policy Env 16 (Species Protection) states that planning permission will not be granted for development that would have an adverse impact on species protected under European Law. LDP policy Env 15 (Sites of Local Importance) states that development likely to have an adverse impact on flora, fauna, landscape or geological features of a local nature conservation site will not be permitted.

The section of the Water of Leith situated directly to the south of the application site is designated as being a Local Nature Conservation Site in the LDP. An ecology survey has been submitted by the applicant. No bats, otters or badger were identified on site during the survey and are therefore not deemed to be adversely affected by the proposed development. The impact of the proposal is acceptable subject to conditions prohibiting tree works during periods which may affect bird breeding and requiring a method statement for the removal of invasive species which were identified by the survey.

A tree survey has been submitted and nine trees are identified for removal within the site. These individual trees are of poor quality and do not contribute to the landscape setting of the site. The trees located within the south western corner of the site between the boundary wall and river are of fair to poor quality, they are being retained and will be monitored during the construction process. A condition will be attached requiring these trees to be protected during construction works.

The proposal will not have an adverse impact on local biodiversity or species protection by European Law, or the flora, fauna landscape or geological features of the local nature conservation site. The proposal complies with LDP policies Env 15 and Env 16.

#### **f) Amenity of Neighbouring Residents**

LDP policy Des 5 (Development Design - Amenity) states that planning permission will be granted for development where the amenity of neighbouring developments is not adversely affected.

The proposal will not result in any adverse overshadowing or loss of daylight for any nearby residential properties and provides appropriate privacy distances to the properties to the west.

The proposal complies with LDP policy Des 5 and will not have an adverse impact on the amenity of neighbouring residents.

#### **g) Parking, Road Safety**

LDP policy Tra 2- (Private Car Parking) states that planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council Guidance.

LDP policy Tra 3 - (Private Cycle Parking) states that planning permission will be granted for development where the proposed cycle parking and storage facilities comply with the standards set out in Council guidance.

The Roads Authority was consulted as part of the assessment of the application. It has confirmed that it has no objections to the proposals subject to suitable informatives being added to the consent.

The proposal complies with LDP policy Tra 2 and Tra 3.

#### **h) Other Material Considerations**

##### Flood Prevention

LDP policy Env 21 (Flood Protection) states that planning permission will not be granted for development that would increase a flood risk or be at risk of flooding itself.

A Drainage Strategy Report has been submitted with the application. Flood Planning and SEPA have raised no objection to the final scheme in terms of increased or integral flood risk.

The proposal complies with LDP policy Env 21.

##### Development of a Site of Archaeological Significance

The site lies within an area of archaeological importance both in terms of the late-medieval and post-medieval development of Slateford and its associated milling heritage. The associated ground works of the development could disturb archaeological remains in the area. Accordingly, a condition has been applied to ensure that an archaeological investigation is undertaken prior to works commencing.

The proposals will have no adverse impact on significant archaeological remains, in compliance with LDP Policy Env 9 (Development of sites of Archaeological Significance).

## **i) Public Comments**

### **Material Objections**

Massing and scale out of character with the area - this is addressed in section 3.3d

Lack of parking will have an impact locally - this is addressed in section 3.3g

Flood risk for the site - this is addressed in section 3.3h

### **Supporting Comments**

New scheme is improved; and

Design is better than the consented scheme.

### **Community Council**

Craiglockhart Community Council submitted an objection comment. Its comments are in relation to the removal of the parking within the site and that cramming in more flats at the upper levels contributes to over massing on this sensitive site.

### **Conclusion**

In conclusion, the proposal is acceptable in principle and is of a suitable design form and scale which will not have an adverse impact on the character and appearance of the surrounding area. The proposal does not raise any issues in respect of parking, road safety, landscaping, biodiversity, flood prevention and will not have a detrimental impact on the setting of any listed buildings, the amenity of neighbouring residents or development of a site of archaeological significance.

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

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

### **Conditions**

1. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with BS 5837:2012 " Trees in relation to design, demolition and construction".
2. No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (historic building survey, conservation, 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

3. Clearance of vegetation shall be carried out outside the bird nesting season March - August (inclusive). Should it be necessary to clear ground during the bird nesting season the land should be surveyed by a suitably qualified ecologist and declared clear of nesting birds before vegetation clearance starts.

**Reasons:-**

1. In order to safeguard protected trees.
2. In order to safeguard the interests of archaeological heritage.
3. In order to safeguard the interests of nature conservation.

**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. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £18,000 (£1,500 per order plus £5,500 per car) towards the provision of 3 car club vehicles in the area. This is required to mitigate the overspill impacts of the proposed development;
5. Continues footway is required on all the existing access junctions. All dropped kerbs must be replaced as full height kerb;
6. Applicant to provide 134 cycle parking spaces and complies with the Council's minimum cycle parking requirement;
7. A minimum of 5 motorcycle parking spaces is required.
8. Any gate or doors must open inwards onto the property;

9. Any works to the footway must be carried out under permit and in accordance with the specifications. See Road Occupation Permits [http://www.edinburgh.gov.uk/downloads/file/1263/apply\\_for\\_permission\\_to\\_create\\_or\\_alter\\_a\\_driveway\\_or\\_other\\_access\\_point](http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point)
- 10 A welcome pack should be provided for each resident containing a high quality map of the neighbourhood, showing cycling, walking and public transport routes to key local facilities, plus timetables for local buses and trains. The applicant should consider providing at least a month's bus or rail travel vouchers for each resident.

Note:

- Current Council parking standards could permit a maximum of 22 car parking spaces for the development of 134 student rooms. The applicant proposes zero parking provision. Given the restricted nature of the site, the proximity to public transport, the on-road parking restrictions( limited parking in the area) and the proposed travel plan, and requirement of 3 car club provision to mitigate the overspill parking impacts, zero parking is considered acceptable;
- On street parking spaces on Lanark Road adjacent the Army Reserve Centre a potential location of Car club bays.
- There are 'Greenway' restrictions on Lanark Road which prevent parking and loading at certain times. There is no intention to amend these restrictions in connection with this development and the applicant should ensure that the proposed development does not require amendments to the
- T/DC/Response to Planning 4Aug19
- restrictions or layout of the road. It is noted that the submitted drawings do not accurately reflect the existing road layout.
- Refuse collection to be undertaken from Lanark Road.
- No parking survey and parking provision justification submitted by the applicant and this is normally a requirement.

## **Financial impact**

---

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

There are no financial implications to the Council.

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

---

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

## **Equalities impact**

---

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

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

## **Sustainability impact**

---

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

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

## **Consultation and engagement**

---

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

There is no pre-application process history.

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

Four representations were received to the application. Two objection comments and two support comments. Objections were received from Craiglockhart Community Council. A full summary of the matters raised by the objectors can be found in section 3.3 of the main report.

## **Background reading/external references**

---

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

## **Statutory Development**

### **Plan Provision**

The site is designated as being within the urban area in the adopted Edinburgh Local Development Plan.

### **Date registered**

19 August 2019

### **Drawing numbers/Scheme**

01,02,03A-13A,14,15A,16A,17-18,

Scheme 2

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

E-mail:lynsey.townsend@edinburgh.gov.uk Tel:0131 529 3905

## **Links - Policies**

---

### **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 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Des 9 (Urban Edge Development) sets criteria for assessing development on sites at the Green Belt boundary.

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 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 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 11 (Special Landscape Areas) establishes a presumption against development that would adversely affect Special Landscape Areas.

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

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 Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

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

### **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.

### **Relevant Government Guidance on Historic Environment.**

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

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



# Appendix 1

## **Application for Planning Permission 19/03380/FUL At 35 Lanark Road, Edinburgh, EH14 1TL Demolition of existing building and erection of purpose built student accommodation and all associated works (amendment to planning consent 16/06275/FUL)**

### **Consultations**

---

#### **Roads Authority**

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

- 1. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £18,000 (£1,500 per order plus £5,500 per car) towards the provision of 3 car club vehicles in the area. This is required to mitigate the overspill impacts of the proposed development;*
- 2. Continues footway is required on all the existing access junctions. All dropped kerbs must be replaced as full height kerb;*
- 3. Applicant to provide 134 cycle parking spaces and complies with the Council's minimum cycle parking requirement;*
- 4. A minimum of 5 motorcycle parking spaces is required.*
- 5. Any gate or doors must open inwards onto the property;*
- 6. Any works to the footway must be carried out under permit and in accordance with the specifications. See Road Occupation Permits  
[http://www.edinburgh.gov.uk/downloads/file/1263/apply\\_for\\_permission\\_to\\_create\\_or\\_alter\\_a\\_driveway\\_or\\_other\\_access\\_point](http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point)*
- 7. A welcome pack should be provided for each resident containing a high quality map of the neighbourhood, showing cycling, walking and public transport routes to key local facilities, plus timetables for local buses and trains. The applicant should consider providing at least a month's bus or rail travel vouchers for each resident.*

*Note:*

- o Current Council parking standards could permit a maximum of 22 car parking spaces for the development of 134 student rooms. The applicant proposes zero parking provision. Given the restricted nature of the site, the proximity to public transport, the on-road parking restrictions( limited parking in the area) and the proposed travel plan, and requirement of 3 car club provision to mitigate the overspill parking impacts, zero parking is considered acceptable;*
- o On street parking spaces on Lanark Road adjacent the Army Reserve Centre a potential location of Car club bays.*
- o There are 'Greenway' restrictions on Lanark Road which prevent parking and loading at certain times. There is no intention to amend these restrictions in connection with this development and the applicant should ensure that the proposed development does not require amendments to the*

*T/DC/Response to Planning 4Aug19*

restrictions or layout of the road. It is noted that the submitted drawings do not accurately reflect the existing road layout.

o Refuse collection to be undertaken from Lanark Road.

o No parking survey and parking provision justification submitted by the applicant and this is normally a requirement.

## **Archaeology response**

*The site occupies the eastern half of the historic village of Slateford which, as the name suggests, grew up around the historic ford across the Water of Leith at this point. Occupation around such an important ford is likely to have occurred prior to the first reference to the settlement here in the mid-17th century (Stuart Harris Place Names of Edinburgh, 1996) with the road forming main medieval route between Edinburgh & Lanark. Little is accurately known about the pre 19th century layout of Slateford, though the 17th and 18th century maps suggest that its main focus was split between the site of its mill on Inglis Green Road and on the eastern bank of Water of Leith (the site of the current public house). By the mid-19th century settlement on the western bank had developed with a range of buildings shown occupying this application site on the 1st edition OS map (the remains of which are still seen in the surviving boundary wall fronting Lanark Rd)*

*Mills have existed on the Water of Leith at Slateford from probably the medieval period, with Slateford Waulk Mill first recorded in 1659. This 17th century mill stood on the opposite side of the Lanark Road, too the south of the Union Canal Aqueduct. The development site is known to overly the remains of the mill-lade associated with this 17th-20th century Mill. Furthermore, it is recorded that a sluice gate once stood on the river boundary of the site before disappearing under a development of the car park by late 1980's. The date of the current stone weir is unknown however it is likely to date at least in part to the 17th century given its association with Slateford Mill.*

*The site is regarded as occurring within an area of archaeological significance relating both to the historic settlement of Slateford and its post-medieval milling industry. This application must be considered therefore under terms the Historic Environment Scotland's Policy Statement (HESPS) & Archaeology Strategy, Scottish Planning Policy (SPP), PAN 02/2011 and Edinburgh Local Development Plan (2016) Policies ENV8, 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.*

### *Historic Buildings*

*The current site is occupied by a range of buildings and boundary walls which appear to date back in part to the 19th century. The proposed scheme will see the demolition of these structures and walls considered to be local archaeological interest, as such their loss is considered as having a significant but acceptable impact subject to their recording. Accordingly, if permission is granted it is essential that prior to and during demolition that a detailed historic building survey is undertaken. This will require the production of surveyed phased plans and elevation (interior and exterior) along with detailed descriptions and photographic analysis /survey.*

### *Buried Archaeology*

*As stated this site is regarded as being of archaeological significance primarily in terms of its post-medieval industrial and settlement archaeology associated with Slateford. The proposed development will require extensive excavations in terms of demolition, construction, landscaping, utilities etc. Accordingly, it is recommended that a programme of archaeological excavation is undertaken post-demolition and prior to development.*

*In essence, this will see a phased archaeological programme of works, the initial phase being an archaeological evaluation up to a maximum of 10% of the site. The results of which would allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection of the surviving mill dams/lade and the full excavation, recording and analysis of any further surviving archaeological remains.*

### *Archaeological Public Engagement*

*Further given the potential importance of these remains in terms of the local Slateford Area and the Water of Leith, it is recommended that the programme of archaeological works contain a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) the scope of which will be agreed with CECAS.*

*Accordingly, it is essential that the following condition is attached to this consent to ensure that undertaking of the above elements of archaeological work are undertaken.*

*'No demolition/development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (historic building recording, preservation, excavation, public engagement, reporting & 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.*

### **SEPA**

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

### *Technical Report*

1. *In October 2019, we queried the flood levels provided in drawings and the versions of the Kaya Flood Risk Assessments (FRAs) that were used to derive those flood levels. To be clear, no detailed FRA has been submitted in support of the current application. It is reliant on FRAs from previous applications. The council should be satisfied with this approach and its auditability.*

2. A flood level of 60.4mAOD is identified on the Post Development Overland Flow Paths drawing. Through review of historic cases, this level is based on an FRA dated July 2017, which was based on a 1:200 year flow of 73.1m<sup>3</sup>/s. Again, through review of historic cases, we subsequently removed our objection to this application in April 2018 as a peak 1:200 year flow of 79.5m<sup>3</sup>/s had been agreed.

3. This led to us querying the provision of an outdated flood level that was not supported by a detailed FRA for the current application. An update has been provided by Kaya Consulting Ltd (dated 27 September 2019 - although as we only queried this in late October we assume the date is wrong). To be clear, this is not a detailed FRA and cannot be read in isolation.

4. Review of the Pre-Development Directional Flow Plan drawing and the Post Development Overland Flow Paths drawing, there does appear to be minor changes to ground levels within the functional floodplain. The information provided by Kaya Consulting in their update does state that land-raising and the provision of compensatory storage was removed from the final design. The council may wish to explore this further to ensure they are reviewing the latest information.

5. The Kaya Consulting update has produced updated flood levels based on a climate change allowance of 40% in line with current guidance. Finished floor levels are 61.8mAOD and the modelled flood levels for the 1:200 year event including a 40% allowance for climate change range between 60.64mAOD and 59.08mAOD. Therefore, finished floor levels are elevated above 1:200 year flood level including an allowance for climate change.

6. We would recommend that flood resistant and resilient materials are considered during building design and construction as the Post Development Overland Flow Paths drawing has floodwater touching one of the proposed buildings.

7. In summary, the council should be satisfied with the information submitted in this application is sufficient. We would welcome re-consultation should changes be made to the drawings or a detailed FRA is submitted in support of the application.

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

*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/>*

*We refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>. Please note that this document should be read in conjunction Policy 41 (Part 2).*

*Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which*

may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process. It can be downloaded from <https://www.sepa.org.uk/media/159170/flood-risk-assessment-checklist.xlsx>

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.

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 Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>.

## **SEPA updated response**

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

### *Technical Report*

1. In October 2019, we queried the flood levels provided in drawings and the versions of the Kaya Flood Risk Assessments (FRAs) that were used to derive those flood levels. To be clear, no detailed FRA has been submitted in support of the current application. It is reliant on FRAs from previous applications. The council should be satisfied with this approach and its auditability.
2. A flood level of 60.4mAOD is identified on the Post Development Overland Flow Paths drawing. Through review of historic cases, this level is based on an FRA dated July 2017, which was based on a 1:200 year flow of 73.1m<sup>3</sup>/s. Again, through review of historic cases, we subsequently removed our objection to this application in April 2018 as a peak 1:200 year flow of 79.5m<sup>3</sup>/s had been agreed.
3. This led to us querying the provision of an outdated flood level that was not supported by a detailed FRA for the current application. An update has been provided by Kaya Consulting Ltd (dated 27 September 2019 - although as we only queried this in late October we assume the date is wrong). To be clear, this is not a detailed FRA and cannot be read in isolation.
4. Review of the Pre-Development Directional Flow Plan drawing and the Post Development Overland Flow Paths drawing, there does appear to be minor changes to ground levels within the functional floodplain. The information provided by Kaya Consulting in their update does state that land-raising and the provision of compensatory storage was removed from the final design. The council may wish to explore this further to ensure they are reviewing the latest information.

5. The Kaya Consulting update has produced updated flood levels based on a climate change allowance of 40% in line with current guidance. Finished floor levels are 61.8mAOD and the modelled flood levels for the 1:200 year event including a 40% allowance for climate change range between 60.64mAOD and 59.08mAOD. Therefore, finished floor levels are elevated above 1:200 year flood level including an allowance for climate change.

6. We would recommend that flood resistant and resilient materials are considered during building design and construction as the Post Development Overland Flow Paths drawing has floodwater touching one of the proposed buildings.

7. In summary, the council should be satisfied with the information submitted in this application is sufficient. We would welcome re-consultation should changes be made to the drawings or a detailed FRA is submitted in support of the application.

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

*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/>*

*We refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>. Please note that this document should be read in conjunction Policy 41 (Part 2).*

*Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process. It can be downloaded from <https://www.sepa.org.uk/media/159170/flood-risk-assessment-checklist.xlsx>*

*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.*

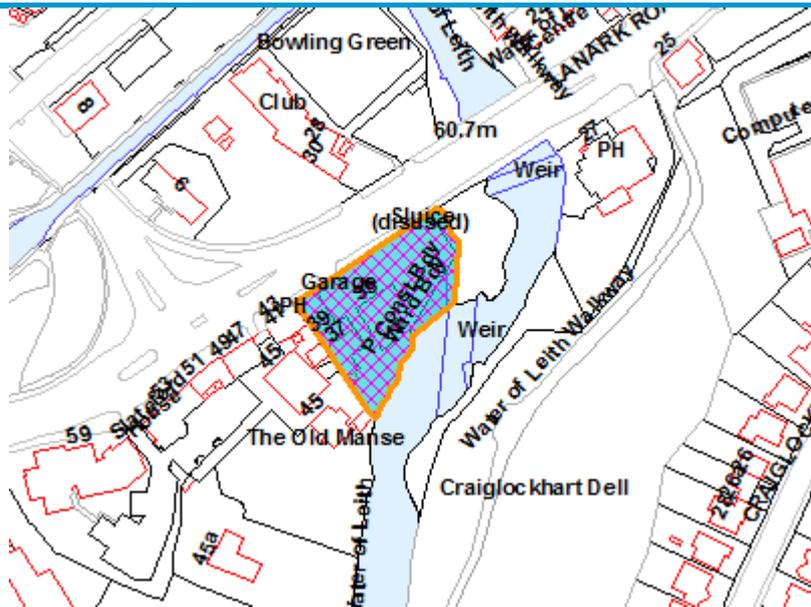
*The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>.*

#### **Flood Planning comment**

We are happy for this application to be determined with no further comments from our department.

## Location Plan

---



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420  
**END**