

# Development Management Sub Committee

Wednesday 25 November 2020

**Application for Planning Permission 20/02827/FUL  
at 2 Abbey Lane, Edinburgh.  
Residential 66 flats and student accommodation  
development, with commercial/community unit (Use Class 1,  
2, 3, 4 and/or 10), associated ancillary uses, landscaping,  
parking and infrastructure.**

**Item number**

**Report number**

**Wards**

B14 - Craigentinny/Duddingston

## Summary

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The proposal complies with the development plan. The development is acceptable in this location and will not lead to an overconcentration of the area's student population. The overall design concept draws upon the positive characteristics of the area and is acceptable in terms of its scale, form and design. There will be no unacceptable impact on residential amenity, road safety or air quality. The proposal is acceptable and there are no material considerations that outweigh this conclusion.

## Links

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[Policies and guidance for this application](#)

LDPP, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU08, LEN03, LEN08, LEN12, LEN16, LEMP09, LTRA02, LTRA03, NSG, NSGD02, NSGSTU, NSHAFF,

# Report

## **Application for Planning Permission 20/02827/FUL at 2 Abbey Lane, Edinburgh. Residential 66 flats and student accommodation development, with commercial/community unit (Use Class 1, 2, 3, 4 and/or 10), associated ancillary uses, landscaping, parking and infrastructure.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The development site is a 0.51 hectare area of land forming part of Abbeyhill Industrial Estate. The site is currently accessed from the north and is occupied by a multi-ridged building most recently comprising six commercial premises and an area of car parking. To the east is a recent residential development by Bellway Homes comprising flatted blocks of four to six-storeys. To the north is a wide road junction onto Abbey Lane with the seven-storey Arc building beyond. Abbey Lane bounds the site to the west and slopes downward at this point providing vehicular and pedestrian access along Abbey Hill toward the city centre heading west and beneath the railway to Spring Gardens to the east. To the south is the East Coast Mainline with residential properties on Spring Gardens beyond.

The site was formerly part of a goods yard associated with the adjacent railway, and as a result its topography is relatively flat.

#### **2.2 Site History**

There is no relevant planning history for this site.

#### **Adjacent Sites**

28 June 2016 - Planning permission was granted for the demolition of existing units and erection of 139 new apartments at 4 Abbey Lane (application number: 16/00770/FUL).

## Main report

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### 3.1 Description of the Proposal

The application includes the demolition of the existing buildings on site and the construction of student accommodation, residential dwellings, a commercial unit and associated access, open space and landscaping works. The development will comprise three new buildings arranged around a central landscaped courtyard. The student accommodation will front Abbey Lane and the two residential buildings will be located to the east and south sides of the courtyard.

The student accommodation will be seven storeys on its northern corner, with one element rising to eight as it begins to step down Abbey Lane. Adjacent to the site, there is approximately a 3.5m difference in levels from the top of Abbey Lane to the bottom. This change is reflected in the building's facade and roof line. The highest part of the building will be 57m AOD with the south corner being 51.65m AOD.

The student accommodation will contain 298 bedrooms with a 51 week offer. They will be provided in the following formats:

- 277 bedrooms arranged in cluster flats and
- 21 within studio flats.

The primary material for the PBSA will be a buff coloured brick, with metal cladding panels and areas of glazed curtain walling, some of which will include protective louvres. The rooftop terraces will be enclosed with glazed balustrades.

The remainder of the site is relatively flat and will comprise the two residential blocks, amenity courtyard and access and car parking. The two residential blocks will be generally five storeys in height (49.3m AOD), each with a six-storey element (52.6 AOD).

The 66 residential flats will comprise the following unit types:

- 11 one-bed flats;
- 41 two-bed flats and
- 14 three-bed flats.

A total of 17 units will be affordable housing (26%). These homes will be tenure blind and will be provided in Block A. The affordable housing will include a mix of one to three-bedroom properties. Affordable housing will be delivered in partnership with a registered social landlord.

The primary material for the residential properties will be a buff coloured brick, with grey cladding for the recessed sections at the entrances and upper storeys. The kitchen/living rooms will each have full-height double windows with either a Juliet balcony or a projecting external balcony. The bedrooms will have full-height single leaf windows with Juliet balconies.

Vehicular access will be taken from the north of the site. The PBSA and commercial unit will each be provided with additional pedestrian accesses directly onto Abbey Lane.

Car parking will be provided along the eastern boundary of the site with 20 spaces provided for the residential accommodation only. The parking includes four spaces for disabled users, one for Car Club and 10 with e/v chargers (including three for disabled users). In addition, three spaces will be provided for motorcycles.

The PBSA will contain 300 cycle spaces, while the residential element will be provided with 155. An additional 20 visitor spaces will also be provided.

A landscaping scheme has been with the application and provides a range of hard and soft landscape proposals and street furniture. The landscaped central courtyard will be for the use of the residential units, with a further roof terrace provided for residents of Block B. The central courtyard will cover approximately 26% of the overall residential area. The PBSA will also be provided with a 513 sq/m roof terrace.

### **Supporting Documents**

The following documents have been submitted in support of this application;

- Air Quality Assessment;
- Affordable Housing Statement;
- Design & Access Statement;
- Archaeological Assessment;
- Flooding, Drainage and Surface Water Management Plan;
- Daylight and Sunlight Assessment;
- Wind Assessment;
- Noise and Vibration Impact Assessment;
- Ecological Assessment;
- Planning Statement;
- Site Investigation Report;
- S1 Sustainability Statement;
- Student and Residential Building Energy Statements;
- Student Supply and Demand Report;
- Student Management Plan;
- Transport Assessment and Travel Plan and
- Tree 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.

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 the proposal is acceptable in this location;
- (b) the proposal is acceptable in terms of its scale, form, design and materials;
- (c) the proposal will result in any impact on residential amenity;
- (d) the proposal will give rise to any transport or air quality issues;
- (e) there are any issues in relation to flood prevention;
- (f) there are any issues in relation to archaeology;
- (g) there are any other infrastructure requirements and
- (h) any public comments have been addressed.

#### **(a) Principle**

##### **Housing Development**

The application site is located within the Urban Area in the Edinburgh Local Development Plan (LDP). Policy Hou 1 (Housing Development) of the LDP permits housing development on sites within the Urban Area subject to the proposal being compatible with the other relevant policies.

The LDP Housing Land Study (June 2014) indicates that the whole of the Abbeyhill Industrial Estate, including the site of the Bellway development to the east, could potentially accommodate 129 residential units. It also notes that the site has a low probability of being developed for housing in the short term. Therefore, residential development on this site will contribute towards meeting the Council's windfall housing assumptions. The proposed development will provide housing on an urban infill site and will contribute toward meeting housing need.

The proposal is acceptable in principle subject to compliance with other LDP policies.

##### **Student Housing**

LDP policy Hou 8 has two requirements for assessing student accommodation. Firstly, 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. Secondly, it must not lead to an excessive concentration of student accommodation or transient population in the locality to an extent that would adversely affect the area and its established residential amenity or character.

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

## Location of Student Housing

In terms of criterion a) of policy Hou 8, the application site is in a central location near London Road with good connections to public transport, offering high frequency bus services to all parts of the city. Higher education campuses can also be accessed by bicycle and in some cases by walking.

The SHG sets out additional locational and design guidance to be applied for student housing. Criterion a) accepts student housing in locations within or sharing a boundary with a main university or college campus, or outwith criterion a) student housing will generally be supported on sites with less than 0.25ha of developable area. Where the site area is larger than 0.25ha then the proposal should comprise an element of housing as part of the development.

The site does not share a boundary with a university or college campus and the total site area is 0.51ha. However, it is proposed to provide housing as part of the development.

It is recommended that the residential gross floor area should represent 50% of the total new build housing and student accommodation gross floor area. The total gross floor area of the proposed residential development is 6,509sqm, while the floor area of the student accommodation is 8,045sqm. This equates to a 45:55 ratio of residential to student floorspace.

A ground floor commercial/community use is also proposed within the student building. The eventual operator of the unit will be determined via a selection process run by the applicant post consent.

## Concentration of Student Housing

Criterion b) of 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 to the established character and residential amenity of the locality. The SHG advises that where the student population is dominant, exceeding 50% of the population, there will be a greater potential imbalance within the community.

The area is calculated using datazones from the 2011 census. As the individual datazones are tightly drawn, considering them in isolation does not give an accurate reflection of the population demographic within the local area. While there is no definition of what constitutes an 'area' for the purposes of calculating student population, it is normal procedure to use the proposed development's datazone and those that surround it. Using this method considers a wider catchment and provides a more accurate representation of the local population.

The student population within the area is based on 2011 census data and the National Records of Scotland's Special Area population Estimates 2018. This data is then adjusted to include consented developments in the area to provide a 2020 figure. The 2020 figure assumes that all pending and consented applications for PBSA have been granted and are fully occupied. However, it should be noted that the Meadowbank Stadium site, which proposes 596 residential properties, is within the area but is not included in the calculation.

While there will be no PBSA on the site, the properties may be attractive to students wishing to live in private lets. However, there is no way of establishing accurate data on future population demographics within the development at this stage.

The student population figure in the calculated area is approximately 40% at present, rising to 42% if the proposed development is included.

This proportion, as proposed, would not lead to an over-concentrated student population in the area and meets criterion b) of policy Hou 8 and criterion b) of the SHG.

Overall, the proposal complies with policy Hou 8. Whilst the SHG suggests the gross floorspace ratio between the PBSA and residential should be 50:50, having established that the proposed development will not result in an excessive concentration of student accommodation in the locality, the minor shortfall in the housing provision required by the SHG is acceptable in this instance.

### Existing and Proposed Business Premises

The SHG recommends that development should be designed to positively contribute to place through the location of alternative ground floor uses where this is characteristic of the street or area. With the exception of London Road, alternative ground floor uses are not characteristic of the area. However, as business units will be lost as a result of the development, it is proposed to provide new commercial space at ground floor level of the student accommodation on the corner facing London Road. The specific use of the premises has not been confirmed but will be class 1, 2, 3, 4 or 10 which are acceptable operations to be provided in a mixed-use area with neighbouring residential properties. The provision of a ground floor commercial use complies with the advice contained in the SHG and is acceptable.

Policy Emp 9 (Employment Sites and Premises) of the LDP advises that proposals to redevelop employment sites or premises in the urban area will be permitted provided that they meet three criteria: 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; and c) if the site is larger than one hectare, the proposal includes floorspace designed for a range of business users.

The surrounding area is predominantly residential and there are no nearby employment uses that would be inhibited by the redevelopment of the site for residential use. Therefore, the proposal complies with criteria a) of Emp 9.

Over a number of years, the Abbeyhill area has undergone significant change in terms of redevelopment and regeneration. What was previously an industrial area is now predominantly residential. The site forms part of the Abbeyhill Industrial Estate of which the eastern half has now been redeveloped for residential use. The buildings currently occupying the site are of a functional design with limited architectural merit and no longer relate to their surroundings. The redevelopment of the site is an opportunity to introduce a more legible urban form into this space in compliance with criterion b).

In terms of criterion c), the site is less than one hectare in size and criterion c) is not applicable. However, the proposal includes a ground floor unit on the corner of the PBSA block facing towards London Road. The proposed uses of the new unit fall within classes that are acceptable to be provided in a residential area. Appropriate conditions or informatives will protect residential amenity.

Overall, the loss of the existing business units and the site's redevelopment for residential use is acceptable. The provision of an appropriate employment use within a site where commercial premises will be lost is welcomed.

### **b) Scale, Form, Design and Materials**

Policies Des 1 to Des 8 of the LDP outline a requirement for proposals to be based on an overall design concept which draws on the positive characteristics of the surrounding area, with the need for high quality design which is appropriate in terms of scale, form, design and layout.

The site is a brownfield urban infill site which represents the final piece of the redevelopment of the once wider Abbeyhill Industrial Estate. Its redevelopment will knit together the wider townscape which has developed in a piecemeal fashion over a number of years. The proposed layout on the site is for three new development blocks to be formed around a central courtyard. The largest of the blocks will be situated directly onto Abbey Lane with fully accessible entrances onto the street frontage. This form of development will strengthen and improve the existing street form along this edge, which is currently compromised by the difference in levels from the site to the adjacent road necessitating a high retaining wall along the site boundary. The creation of a direct building frontage onto the street be in keeping with the traditional built form in the area and is appropriate in this context. The façade of the building will be set back from the site boundary to allow the footpath to be widened by 30 - 50% on this side of Abbey Lane. The active frontage and widened pavement will provide an improved pedestrian environment along the street.

At present, the scale, massing and urban grain of the surrounding area is varied. In the wider context, there is a predominance of three and four storey traditional tenemental form alongside more modern developments of a similar scale. The Bellway development to the east is also largely four storeys with six storey corner blocks on its northern section to address the height of the Arc building. The Arc building is seven storeys on its northern edge, but the architectural detailing of the roof profile increases its height further.

The scale and massing of the scheme have been carefully considered through the planning process. The relationship between the site and the surrounding context, particularly the adjacent developments to the north and east, has informed the scale of the proposal.

Similar to the Arc, the height of the PBSA building generally steps up towards the north of the site. However, the tallest element of the Arc building will be over three metres higher than that of the PBSA. As the PBSA building curves on its northern edge to address the Bellway development, the northernmost corner element steps back down. This creates a subtle transition in height between the neighbouring developments where they cluster around the junction of Abbey Lane.



The six-storey element of residential Block A will be tucked in behind the PBSA but will be visible in some views of the site. At this point Block A will match the height of the northern section of the Bellway development. The corner of the PBSA building will in turn be approximately 2.5 metres above Block A but will sit below the ridge line of the Arc at this point. Overall, the proposed buildings will provide a reasonable stepping down of height on the northern corner when viewed in the context of the Arc and the Bellway development.

Residential Block A is set back into the site, and with a general height of five storeys stepping up to six toward the north of the site, is of a similar scale to the neighbouring Bellway development. Block B which sits along the south of the site will be of a similar height and mass. The provision of five storey buildings with six storey elements relates to the height of the existing development to the east and the PBSA block and helps the proposal to achieve a sustainable urban density while remaining sympathetic to its surroundings.

The design of the main elevation of the PBSA will utilise a variety of materials and different sized solid to void openings to break up the façade. The finished floor levels of the building at the bottom of Abbey Lane are approximately 3.5 metres lower than those at the top. Level changes to this extent can present problems for buildings addressing the street, particularly if constructed with single floor plates and rhythmic fenestration. The variation created in the façade allows the building to step down the hill while maintaining an even frontage to the street.

The glazed curtain walling at ground floor level will allow views through the building to the central courtyard landscaping and will provide passive surveillance to the street. The feature corner on the north elevation, with the ground floor commercial unit, will provide a welcoming aspect to the development when viewed from London Road.

The residential development will be on a level part of the site and will feature rhythmic fenestration across the blocks. Brick will be the predominant material with dark grey cladding utilised to break up some of the facades. The upper floors of the residential blocks have been designed to provide a visual break in materials, with the upper storey of each block including an element of cladding, which contrasts with the character of the predominant brick material on the lower levels. This provides variety in the elevation which will reduce the visual impact of the buildings on the streetscape, particularly where they are viewed from the south across the railway.

The design and access statement submitted in support of the application, assesses the impact of the proposed development on city and local views. The site lies on the periphery of the view cone of key view E8 London Road - Calton Hill. However, it does not alter the character of the key view or impinge on the visibility of Calton Hill.

The development will impact on some local views, in particular views down Abbey Lane from London Road to Salisbury Crags and views of Arthur's Seat from Abbey Lane. At a local level, it is recognised that the proposals will change the character of Abbey Lane, creating a greater sense of enclosure to the street where there is currently a low-level development.

However, the proposal provides the opportunity to create a strong street frontage to Abbey Lane, and the setback of the residential block from the neighbouring site allows glimpsed views through the site to Arthur's Seat.

While Salisbury Crags will also be visible when viewed down Abbey Lane adjacent to the PBSA block.

This part of Abbeyhill is characterised by a range of building materials, including sandstone, brick, render and copper cladding. While the façade designs of the PBSA and residential buildings differ, the primary material for both developments will be a buff coloured brick. The PBSA will include metal cladding panels and areas of glazed curtain walling and louvres. The residential blocks include grey cladding for the recessed sections at the entrances and upper storeys. The full-height double windows will have either Juliet balconies or projecting external balcony. The full-height single leaf windows will include Juliet balconies.

The proposed mix of materials is acceptable in principle, subject to a pre-commencement condition requiring the submission of a detailed specification.

A total of 66 flats are proposed including a mix of 11 one-bed units (17%), 41 two-bed units (62%) and 14 three-bed units (21%). This exceeds the 20% recommendation for family housing provision as set out in the EDG.

In summary, a clear layout has been provided that helps to integrate this site into the surrounding area. It is considered that the building heights and massing responds effectively to the surrounding context. The proposed height and massing are therefore considered to be appropriate for the setting and are acceptable. The proposal is a contemporary design that is appropriate to its location. The site is appropriate for higher density development due to its accessibility to public transport and local services and relationship to existing neighbouring developments. The impact of the development on its setting has been assessed and the redevelopment of the site will not have a detrimental impact on the setting and wider townscape. The proposed development is an acceptable form of development in this location.

### **c) Amenity**

LDP policy Des 5 (Development Design - Amenity) states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

#### **Amenity of Neighbours**

A Daylight and Sunlight Report (DSR) has been submitted in support of the application. The DSR measured the impact of the development on the level of Vertical Sky Component (VSC) for the neighbouring developments. Of the neighbouring buildings evaluated, there were some windows to Bellway Homes Block One, 22-30 Abbey Lane and 9-11 Abbey Lane that did not meet the VSC target criteria. These were then subject to the more detailed No Skyline Assessment (NSL), which takes account of all windows that provide daylight to a room as well as window and room dimensions.

Following the VSC and NSL daylight assessments, there are seven rooms to surrounding buildings that do not meet threshold criteria. In the Bellway development, there are four bedrooms at ground floor level and one bedroom at first floor level that do not meet the threshold target. Daylight penetration to these rooms is very close to threshold target of 50% of the room area. The figures for these rooms are 42%, 44%, 45%, 48% and 49%. For 22-30 Abbey Lane, there are two bedrooms at ground floor level that do not meet the threshold target. Daylight penetration to these rooms is also very close to threshold target, with the figures for these rooms at 45% and 47%. Despite the failure to meet the threshold target for some neighbouring properties, the site layout is an appropriate urban form in this location and the marginal failure will ensure that impact on neighbouring amenity is limited.

In terms of neighbouring external amenity spaces, sun path diagrams demonstrate that the garden area for Bellway Homes Block One will be affected by overshadowing from the proposal in the late afternoon during the spring equinox. However, this area is almost identically impacted by overshadowing from the existing low-rise commercial units due to their proximity to the boundary. Nevertheless, more than half of the neighbouring external amenity area will still achieve more than two hours of sunlight on 21 March in compliance with EDG recommendations.

In terms of privacy, at its closest point, the development will be approximately 14 metres from the Arc building. The location of the PBSA block addressing Abbey Lane at this point is an appropriate layout for development on an urban infill site in a location such as this. This distance between the two buildings is acceptable in this instance. An adequate distance of 24 metres will be provided between the residential block and the Bellway development. There will be no significant impact on the privacy of neighbouring residential properties.

### Amenity of Future Occupiers

In terms of the amenity of future residents within the proposed development, a daylight assessment has been undertaken to the three buildings that comprise the proposed development.

The results indicate that, while majority of rooms within the development (93%) will meet the EDG standards for daylight to new development. However, there were 38 windows that did not meet the threshold criteria. These rooms affect nine flats in Block A, three in Block B and 17 rooms in the student accommodation. These rooms face onto the central courtyard and are mainly located to the centre of the elevations. Their location means that it is challenging to achieve the threshold criteria.

The results are comparable with other schemes of similar density in urban locations. The BRE advise that the daylight targets should be used flexibly, particularly in city centre locations and gap sites such as this, where full compliance with the standards may be challenging to achieve due the existing topography and context.

Open space for the flats is provided in a central courtyard which extends south and wraps around Block B. Approximately 26% of the residential site area will be provided as amenity space. For those without private gardens this equates to 15.8 sq/m per flat, which is in excess of 10 sq/m per flat and the minimum requirement for 20% open space across the development as specified in policy Hou 3.

In addition, the residents of Block B will have a roof terrace providing those residents with an additional 114 sq/m of external amenity space. Seven of the ground floor flats will be provided with small garden areas and 50 of the upper floor flats will have balconies.

While there is no requirement to provide amenity space for PBSA, the proposal includes a 513 sq/m external roof terrace. Alongside the internal games room, common rooms and study areas, residents will be provided with a number of areas for social interaction.

The EDG advises that half the area of new garden spaces should be capable of receiving potential sunlight for more than two hours during the spring equinox. The DSR shows that on 21 March, 49% of the communal amenity space will receive sunlight for the recommended time. This is a marginal infringement of the guideline and the residents will not suffer from a lack of amenity as a result.

The EDG also includes recommended internal floor areas for flat sizes. All the units meet the minimum internal floor area requirements.

A Noise Impact Assessment (NIA) has been submitted in support of the application. The NIA makes a number of recommendations on façade construction and ventilation provisions to ensure that residential amenity will be protected. Environmental Protection has confirmed that the noise mitigation proposals are acceptable, subject to a suitable condition.

The NIA also considers the potential impact of the commercial premises on the student residences above. While no operator has been confirmed for the commercial unit, some operations within the use classes proposed have the potential to impact on neighbouring premises, particularly in terms of noise and odours. Proposed mitigation measures have been submitted, and Environmental Protection has confirmed that the proposals are suitable subject to appropriate conditions.

While there are some instances where the proposal does not fully comply with the requirements of the EDG, overall, the development is an appropriate urban form on a constrained infill site. High density development is encouraged on urban brownfield sites in sustainable locations and the height and layout of the development has been informed by the neighbouring context. Therefore, the marginal infringement of the EDG is acceptable.

#### **(d) Transport and Air Quality**

##### **Transport**

The vehicular access to the site will be from the north. There will be a total of 20 car parking spaces provided on site, of which 50% will be provided with e/v chargers. Four of the spaces for disabled users, with a further three spaces allocated for motorcycle parking.

The access and parking bays are to be retained privately, with future maintenance responsibilities lying with the developer, residents or a factor.

It is proposed that the parking bays will be allocated to the residential units and split on a pro rata basis between the market and affordable housing. No parking is provided for the PBSA, although students can join the car club for occasional car use.

Policy Tra 2 (Private Car Parking) advises that lower provision will be pursued subject to a number of factors, including the site's accessibility and proximity to local amenities. The site is within walking and cycling distance of local amenities, the city centre and some university campuses. The site also benefits from being near a main arterial route into the city and is well served by public transport, with bus stops on London Road offering services from large parts of Edinburgh and the wider region. Therefore, the level of car parking provided is adequate for a development of this nature and complies with Tra 2.

It should be noted that the area is not currently covered by a Controlled Parking Zone (CPZ), and as a result experiences high levels of commuter parking during week days. There is a proposal in place to introduce a CPZ covering this area by mid-2021, which would be in advance of the completion of construction.

A total of 475 cycle parking spaces will be provided for the development comprising:

- 300 student cycle parking spaces (both within the building and stores within the courtyard);
- 155 residential cycle parking spaces (both within the buildings and external stores);
- 8 visitor cycle parking spaces and
- 12 visitor cycle spaces for the proposed commercial/community use.

The level of cycle parking provision is in compliance with policy Tra 3 (Cycle Parking) and the EDG.

Overall, the transport measures are acceptable and in accordance with LDP policy and guidance. The development is well connected and will not detrimentally impact on traffic, road safety or parking.

### Air Quality

The site is located approximately 45m out with the City Centre Air Quality Management Area (AQMA). However, vehicles accessing the city centre from the site are likely to use the route through the AQMA.

The site is in a central location and will provide residents with opportunities to travel by sustainable methods. The proposal reduces the number of car parking spaces on site from 46 to 20, of which 50% will have e/v chargers.

An Air Quality Impact Assessment (AQIA) has been submitted in support of the application. The AQIA concludes that the potential for significant effects on air quality from increased traffic emissions would be negligible.

### **e) Flood Prevention**

A Flood Risk Assessment and a Surface Water Management Plan have been submitted in support of the application. The Council's Flood Prevention Team has confirmed that the proposed drainage and surface water management arrangements for the site are acceptable and will ensure compliance with policy Env 21 (Flood Protection).

### **(f) Archaeology**

The site has been identified as occurring within an area of archaeological significance. Therefore, a condition will be required to ensure that no development takes place on site prior to a programme of archaeological works being undertaken.

### **(g) Infrastructure Requirements**

#### **Affordable Housing**

A total of 17 affordable units are to be provided on site and located in block A and will comprise a mix of nine one-bed units (53%), six two-bed units (35%) and two three-bed units (12%). Affordable housing has confirmed that this provision is satisfactory. The affordable housing units will be subject to a legal agreement.

#### **Communities and Families**

Communities and Families has advised that proposed development is required to contribute towards the delivery of education infrastructure.

The required contribution should be based on the established contribution figures of £856 per flat (indexed to the date of payment). This equates to a total education contribution of £46,224 for the proposed 54 flats (discounting studios and 1 beds). The contributions will be sought via a legal agreement.

### **(h) Public Comments**

- The height of the proposal is too high - addressed in section 3.3(b);
- No need for more student housing in the area - addressed in section 3.3(a);
- Loss of sunlight and overshadowing of existing properties - addressed in section 3.3(c);
- Loss of privacy of existing properties - addressed in section 3.3(c);
- Parking in the area is currently difficult and the development will exacerbate this issue - addressed in section 3.3(d);
- Lack of green spaces and commercial uses in the proposal - addressed in section 3.3(a and c);
- Insufficient family sized homes - addressed in section 3.3(b) and
- Impact on GP surgery infrastructure - not identified as a requirement in the Finalised Supplementary Guidance.

## **CONCLUSION**

The proposal complies with the development plan. The development is acceptable in this location and will not lead to an overconcentration of the area's student population. The overall design concept draws upon the positive characteristics of the area and is acceptable in terms of its scale, form and design. There will be no unacceptable impact on residential amenity, road safety or air quality. The proposal is acceptable and there are no material considerations that outweigh this conclusion.

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

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

#### **Conditions:-**

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, recording and analysis, public engagement publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

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.
3. Prior to the occupation of the development, the glazing measures as defined in the Abbeyhill, Edinburgh Noise and Vibration Impact Assessment Report (No. 1620007755 dated 24th June 2020): paragraph 6.1.1. (figure 6) and shown on drawing ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20 should be installed to the satisfaction of the planning authority. The following are specified as required in figure 6 and the referenced drawing:

## Figure 6

- a. Acoustic trickle vents and enhanced double glazing with acoustic performance requirements given in Table 11 will be required on facades as shown in orange on drawing reference ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20.
- b. The southern façades will require mechanical ventilation and enhanced glazing with acoustic performance requirements given in Table 11 and shown in red on drawing reference ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20.

### **Reasons: -**

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
3. In order to protect the amenity of the occupiers of the development.

### **Informatives**

It should be noted that:

1. **LEGAL AGREEMENT:** Permission shall not be issued until a suitable legal agreement has been concluded to ensure relevant financial contributions are made toward local schools and affordable housing provision.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. 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.
4. 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.



5. A minimum of ten 7Kw electric vehicle charging outlet (wall or ground mounted) shall be installed and operational prior to occupation as shown on drawing reference ALE-CDA-SW-GF-DR-A-02000 and dated 30/6/20.
6. Operating plant noise emission limits (including corrections for tonality and other feature characteristics) must not exceed 37 dB LAr at the nearest residential premises in the day or 30dB LAr at night. In addition, the specific level must not exceed 45 dB LAeq at this same location so as to meet NR25 internally.
7. The detailed design of the separating floor between the ground floor commercial premises and the first floor residences should achieve the following sound insulation performance ratings as a minimum across all separating floors above or below any residential property:

Airborne Sound Insulation Performance:  $D_{nT,w} + C_{tr} \geq 45$ dB. Impact Sound Transmission Performance:  $L'_{nT,w} \leq 62$ dB achieved through a building frame of cast in-situ concrete and therefore the separating floors comprise minimum 225 mm thick concrete slabs, installation of a resilient foam-backed acoustic vinyl with a standard MF grid ceiling below (minimum 125 mm void with 1 x 12.5mm standard plasterboard). The details are shown on drawing ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20.

8. Cooking operations in the ground floor commercial premises shall be restricted to the use of a toaster, soup kettle and one microwave only; no other forms of cooking, heating or reheating shall take place within the application commercial premises.
9. During construction, it will be necessary to apply a package of mitigation measures to minimise dust emissions. All mitigation measures are specified within paragraph 6.3 (Table 6.4: Recommended Dust Mitigation for Medium Risk Sites) of the ABBEYHILL, EDINBURGH AIR QUALITY ASSESSMENT Report No. 1620007755 and dated June 2020.
10. Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Engineer before development can commence.

All construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

- Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site.

Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, see contact details below:

Network Rail Asset Protection Engineer  
151 St. Vincent Street, GLASGOW, G2 5NW  
Tel: 0141 555 4352  
E-mail: AssetProtectionScotland@networkrail.co.uk

11. The applicant will be required to contribute the sum of £23,500 (£1,500 per order plus £5,500 per car) towards the provision of 4 car club vehicles in the area.
12. 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. An outline Travel Plan is set out in the submitted Transport Assessment.
13. 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 but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.
14. It has been agreed that the proposed access does not require to be a 'road' under the meaning of the Roads (Scotland) Act 1984 and road construction consent is therefore not required.
15. The applicant should consider sub-dividing the proposed cycle stores into smaller secure units to improve security.
16. The applicant should be aware that the Council is progressing the introduction of on-street parking controls, including residents permits, the area.

## **Financial impact**

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

The application is subject to a legal agreement for developer contributions.

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

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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 assessed 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**

A total of 56 representations have been received. Of the representations 51 objected to the proposal, four were neutral and one was in support.

A summary of the comments is contained in the assessment section of the report.

## **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**

Edinburgh Local Development Plan - Urban Area

**Date registered**

13 July 2020

**Drawing numbers/Scheme**

01-02, 03A, 04-05, 06A, 07, 08A, 09-10, 11A, 12-15,  
16A,  
17-23, 24A-30A,31,32A,33,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Alex Gudgeon, Planning Officer

E-mail:alexander.gudgeon@edinburgh.gov.uk

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

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

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

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

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

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

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

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

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

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

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

LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

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

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 Scheduled Ancient Monument or archaeological remains of national importance.

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

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

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

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.

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

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

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

**Non-statutory guidelines** - on affordable housing gives guidance on the situations where developers will be required to provide affordable housing.

# Appendix 1

## **Application for Planning Permission 20/02827/FUL at 2 Abbey Lane, Edinburgh. Residential 66 flats and student accommodation development, with commercial/community unit (Use Class 1, 2, 3, 4 and/or 10), associated ancillary uses, landscaping, parking and infrastructure.**

### **Consultations**

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#### **Affordable Housing**

*I refer to the consultation request from the Planning service about this planning application.*

*Housing Management and Development are the statutory consultee for Affordable Housing. Housing provision is assessed to ensure it meets the requirements of the city's Affordable Housing Policy (AHP).*

- o Policy Hou 6 Affordable Housing in the Edinburgh Local Development Plan states that planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing.*
- o 25% of the total number of units proposed should be affordable housing.*
- o The Council has published Affordable Housing Guidance which sets out the requirements of the AHP, and the guidance can be downloaded here:*

*<https://www.edinburgh.gov.uk/affordable-homes/affordable-housing-policy/1>*

#### **2. Affordable Housing Provision**

*This application is for a development comprising 66 residential flats alongside purpose-built student accommodation. There is an AHP requirement for a minimum of 25% (17) homes of approved affordable tenures.*

*The applicant has submitted an 'Affordable Housing Statement' which confirms that the 17 affordable homes that are required will be provided on-site. In the interests of delivering mixed, sustainable communities, the affordable homes will be integrated in a central part of the site "tenure blind" in appearance. It is adjacent to London Road which has extensive public transport links and is easy walking distance.*

*The applicant has confirmed the intention that all the affordable homes will be available for social rent, the Council's highest priority tenure type. This is welcome and exceeds the Council's aim for a minimum of 70% of affordable homes to be available for social*

rent. The applicant has engaged with Hillcrest Housing Association (HHA), a Registered Social Landlord. HHA have written a letter of support and confirmed that it plans to work in conjunction with the applicant to deliver the affordable housing on site. However, it should be noted that the applicant has not yet entered into contract with the RSL and has not confirmed that the homes would be sold to the RSL at price that would enable social rent.

The design of affordable housing should be informed by guidance such as Housing for Varying Needs and relevant Housing Association Design Guides. An equitable and fair share of cycle and vehicle parking, consistent with the relevant parking guidance, should be provided for the affordable homes.

The original proposal for the affordable homes was for a mix of one (7), two (9), and three (1) bedroom flats. However, we asked the applicant to look at providing more three bedroom properties as the original mix of affordable homes does not comply with the Council's planning guidance on 'Affordable Housing'. The proportion of affordable housing suitable for families with children did not match the proportion of such housing on the wider site.

The applicant engaged positively with the department and came up with a solution which proposes the following mix of housing, which on balance we support, as the revised scheme now includes an additional ground floor three bed and will deliver 100% social rent. Although the proportion of three beds does not match the proportion in the market homes, (due to site constraints), 100% of the affordable homes are for social rent, and the applicant has improved the scheme by adding an additional ground floor three-bed in response to our original comments. We have no objections to the revised proposals.

Affordable homes		
Social Rent	no of homes	% of homes
1 bed	6	35%
2 bed	9	53%
3 bed	2	12%
	17	100%

The applicant has stated that the affordable units will be contained in one block and accessed from a single stair core to allow effective management. The applicant has stated that the units will meet the CEC's guidance on minimum unit sizes, as set out in the Edinburgh Design Guidance. The units will be co-located within residential building A, alongside market homes and will be tenure blind. The units will be designed and built to the RSL standards and requirements.

We welcome the provision of 17 onsite affordable homes for social rent, and that the applicant has discussed the proposals with Hillcrest HA, who support the new plans.

### 3. Summary

The applicant has submitted an "Affordable Housing Statement" which sets out the proposed approach for delivering affordable housing. It commits to providing 17 (25%) on-site affordable homes for social rent which complies with Affordable Housing Policy



*and will assist in the delivery of a mixed sustainable community. This should be secured by a Section 75 Legal Agreement.*

*The proposal that all affordable homes will be available for social rent is welcomed. The applicant has identified a Registered Social Landlord (RSL) to deliver the affordable housing units. The design of the units will be informed by guidance such as Housing for Varying Needs units and built to the RSL design standards.*

- o 25% of affordable housing is delivered onsite*
- o The applicant is to enter an agreement with Hillcrest HA to deliver 17 homes for social rent.*
- o The affordable housing will include an integrated variety of house sizes to reflect the provision across the wider site of approved affordable tenures*
- o The applicant is required to enter into a S75 legal agreement to secure the affordable housing*
- o An equitable and fair share of cycle and vehicle parking, consistent with the relevant parking guidance, should be provided for the affordable homes.*

## **Archaeology**

*Further to your consultation request I would like to make the following comments and recommendations concerning this application for residential 66 flats and student accommodation development, with commercial/community unit (Use Class 1, 2, 3, 4, 10 and/or 11), associated ancillary uses, landscaping, parking and infrastructure.*

*The site has a complex history as outlined in AOC Archaeology Group Desk-based Assessment (DBA) which accompanies this application (AOC report 23652). In summary, prior to the late 18th century, the site occurred on the northern side of the royal hunting park of Holyrood Park and the lands associated with the 12th century Holyrood Abbey. The park most notably Arthur's Seat was a focus for prehistoric activity with the current flat parkland at its base being the site of a post-glacial loch and bog, which was finally drained by the 18th century. The site's location on higher ground on the edge of this area may have suited it to prehistoric settlement.*

*The main development of the site starts in the latter Georgian period with the construction of Abbeyhill Hill House and Comely Green House, the latter occurring on this site. In 1849 the site was largely subsumed by the construction and operation of the Rose Lane railway Goods station and coal depot.*

*Accordingly, this site has been identified as occurring within an area of archaeological potential and this application must be considered therefore under terms of Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), PAN 02/2011, HES's Historic Environment Policy for Scotland (HEPS) 2019 and CEC's 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.*

*The proposed scheme will require significant ground-breaking works relating to the construction of the new development and related works (e.g. landscaping, new services/infrastructure). Such works are likely to disturb significant remains associated*

*with Edinburgh's early railway heritage and importantly the remains of the Georgian Comely Green House. Accordingly, it is essential that programme of archaeological works is undertaken prior to development in order to fully excavate and recording any surviving archaeological remains.*

*It is recommended that the following condition is attached in order fully record these important industrial buildings but also any associated buried remains as follows;*

*'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, recording and analysis, public engagement 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.*

## **Communities and Families**

*The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (August 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.*

*In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2019).*

*Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the finalised Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (August 2018).*

### **Assessment and Contribution Requirements**

*Assessment based on:*

*54 residential flats (12 one bedroom/studio flats excluded)*

*This site falls within Sub-Area D-1 of the 'Drummond Education Contribution Zone'.*

*The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.*

*The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed.*

*The proposed development is therefore required to make a contribution towards the delivery of these actions based on the established 'per house' and 'per flat' rates for the appropriate part of the Zone.*

*If the appropriate infrastructure contribution is provided by the developer, as set out below, Communities and Families does not object to the application.*

*Total infrastructure contribution required:*

*£46,224*

*Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.*

### **Craigentenny/Meadowbank Community Council**

*This letter offers comments on the application following participation in several consultations held by the prospective developer prior to the covid crisis with local communities.*

*The community council recognises the efforts carried out by the developers to reach out to local residents which led them to make amendments to their plans following comments which were fed back to them by the local community.*

*The community council also appreciates the efforts made by the developer team to attend many community council meetings to listen and answer any questions which arose from the meetings.*

*We were unable to carry out our own public consultation due to Covid restrictions and the relative short turn around of 21 days between the date of registration and the time this letter needs to be passed to the council.*

*We have however few points which have risen from our previous community council meetings:*

*o The community feels strongly that there are too many student accommodation builds in this area*

*o The community doubts that the provision for car parking will be enough thus resulting on increased pressure on an already car full area*

*o The community has reservation, especially after the Covid crisis, about the business model surrounding student accommodation given that courses are now mostly available online.*

### **Environmental Protection**

*I refer to the above and would advise that Environmental Protection has no objections to the development.*

*Air Quality*

*PAN 51 states that air quality is capable of being a material planning consideration, in so far as it affects land use. The impact on ambient air quality is likely to be particularly important where the proposed development is inside or adjacent to an AQMA. The City Centre Air Quality Management Area is situated around 45 metres from this development and therefore has the potential to be detrimentally affected should large levels of car parking be introduced at this site. The applicant has therefore provided an air quality assessment to consider the impacts of the development.*

*When compared with the application site current use, the increase in traffic brought about by the proposed development is predicted to be 19 two-way vehicles during a 12-hour period, which will be distributed across the local road network. It is likely that traffic in the remaining 12 hour night period would be lower, however, even with a worst case assumption that daily traffic movements (24 hour) would be double the daytime 12 hour period, the net additional traffic of the proposed development would be well below the indicative criteria of an additional 100 daily vehicles which is set out in Delivering Cleaner Air for Scotland: Development Planning & Development Management for sites within or adjacent to an AQMA to indicate where a detailed quantitative assessment of air quality is required. Where the traffic increase is below this criterion it is considered that the potential for significant effects on air quality from increase traffic emissions would be negligible.*

*However, the site is excellently placed to offer sustainable modes of transport (bus and train) for residents and employees based/living at the site so it is expected that the developer will keep car parking to as low a level as possible. In this regard, the applicant proposes 22 spaces (existing on site are 46 spaces) for 66 residential units and 289 student beds. In an attempt to provide mitigation measures designed to reduce the impact of those parking spaces, the applicant has included 10 electric vehicle charging points and 1 Car Club space. In addition to this, the student residence will have lease clauses prohibiting car ownership at the site, whilst the private residential development will feature reduced parking within the site below the CEC standards. Both these measures along with a Student Travel Plan and a Residential Travel Pack will encourage the use of active and public transport, rather than reliance on the private car. Moreover, to reduce private car reliance a total of 205 cycle parking spaces is to be provided in secure areas, exceeding the Council's standards by 49 spaces. With regard to the electric vehicle infrastructure proposed, a condition is recommended below to ensure ten spaces are included within the development.*

*Gas and biomass boilers have also been ruled out by the applicant which is supported by Environmental Protection as they can increase the background NO2 levels in the local area. The development includes no proposed centralised heat plant or boilers and instead air source heat pumps and heat recovery units are proposed for hot water and heating along with electric panel heaters.*

*The development will include considerable building and demolition works and so the air quality impact assessment has recommended dust mitigation measures in the form of a Construction Environmental Management Plan (CEMP). This has been recommended by way of an informative.*

Noise

*A noise impact assessment has been provided which considered noise and vibration from the adjacent railway and road traffic, plant and commercial operating noise.*

*Maximum plant noise specifications have been recommended to ensure plant noise will not impact on any student residences or residential properties and separating floor insulation has been recommended to ensure that the commercial premises do not impact upon the residences above by way of noise.*

*Enhanced glazing and mechanical ventilation have been recommended to address train noise affecting the southern facades and enhanced glazing and trickle vents have been recommended on perimeter facades affected by road traffic noise. A condition is recommended below to ensure the noise mitigation measures are included within the development prior to occupation of the development.*

*An internal courtyard has been provided as external amenity space and the NIA advises that noise levels below that of the World Health Organisation target threshold of 50 dB Leq,T can be achieved in this area.*

*The railway vibration levels measured at the site are described as 'low probability of adverse comment' and so no mitigation measures are deemed necessary or been recommended in this regard.*

#### *Site Contamination*

*Any future applications should be supported with information which demonstrates that the site is safe for the proposed end use. A condition is recommended below to that effect.*

#### *General*

*The application states that development will include a commercial/community unit (Use Class 1, 2, 3, 4, 10 and/or 11) associated ancillary uses, landscaping, parking and infrastructure. Environmental Protection has advised that it could not support a Class 11 premises below residences due to the likely impacts that Class 11 has on residential amenity. In this regard, the agent has confirmed that there is no intention to utilise the Class 11 use on site. Environmental Protection has therefore recommended a condition below to this effect.*

*The proposed commercial unit has no proposed method of ventilation which could suitably remove cooking odours. Therefore a condition is recommended below to ensure that, should the premises operate as Class 3, cooking odours will not impact upon the residences above.*

*Environmental Protection would therefore offer no objections to the application subject to the following conditions being applied:*

*1. 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. A minimum of ten 7Kw electric vehicle charging outlet (wall or ground mounted) shall be installed and operational prior to occupation as shown on drawing reference ALE-CDA-SW-GF-DR-A-02000 and dated 30/6/20.*

*3. The glazing measures for the buildings, as defined in the ABBEYHILL, EDINBURGH NOISE AND VIBRATION IMPACT ASSESSMENT Report (No. 1620007755 dated 24th June 2020): paragraph 6.1.1. (figure 6) and shown on drawing ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20 should be installed prior to occupation of the development (to mitigate transportation noise). The following are specified as required in figure 6 and the referenced drawing:*

*Figure 6*

*a. Acoustic trickle vents and enhanced double glazing with acoustic performance requirements given in Table 11 will be required on facades as shown in orange on drawing reference ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20.*

*b. The southern façades will require mechanical ventilation and enhanced glazing with acoustic performance requirements given in Table 11 and shown in red on drawing reference ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20.*

*4. Operating plant noise emission limits (including corrections for tonality and other feature characteristics) must not exceed 37 dB LAr at the nearest residential premises in the day or 30dB LAr at night. In addition, the specific level must not exceed 45 dB LAeq at this same location so as to meet NR25 internally.*

*5. The detailed design of the separating floor between the ground floor commercial premises and the first floor residences should achieve the following sound insulation performance ratings as a minimum across all separating floors above or below any residential property:*

*Airborne Sound Insulation Performance:  $D_{nT,w} + C_{tr} \geq 45$ dB. Impact Sound Transmission Performance:  $L'_{nT,w} \leq 62$ dB achieved through a building frame of cast in-situ concrete and therefore the separating floors comprise minimum 225 mm thick concrete slabs, installation of a resilient foam-backed acoustic vinyl with a standard MF grid ceiling below (minimum 125 mm void with 1 x 12.5mm standard plasterboard). The details are shown on drawing ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20.*

6. *Cooking operations in the ground floor commercial premises shall be restricted to the use of a toaster, soup kettle and one microwave only; no other forms of cooking, heating or reheating shall take place within the application commercial premises.*

7. *The commercial premises proposed below noise sensitive properties must not include Class 11.*

#### *Informative*

1. *During construction, it will be necessary to apply a package of mitigation measures to minimise dust emissions. All mitigation measures are specified within paragraph 6.3 (Table 6.4: Recommended Dust Mitigation for Medium Risk Sites) of the ABBEYHILL, EDINBURGH AIR QUALITY ASSESSMENT Report No. 1620007755 and dated June 2020.*

#### **Flood Prevention**

*Thank you for the consultation request. CEC Flood Prevention have no concerns over this application. This application can proceed to determination, with no further comments from our department.*

#### **Historic Environment Scotland**

*Thank you for your consultation which we received on 21 July 2020. We have assessed it for our historic environment interests and consider that the proposals have the potential to affect the following:*

*Ref*

*Name*

*Designation Type*

*SM13032*

*Holyrood Park*

*Scheduled Monument*

*You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.*

*Our Advice*

*We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.*

*Further Information*

*This response applies to the application currently proposed. An amended scheme may require another consultation with us.*

*Historic Environment Scotland - Longmore House, Salisbury Place, Edinburgh, EH9 1SH*

*Scottish Charity No. SC045925*

*VAT No. GB 221 8680 15*

*Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at [www.historicenvironment.scot/advice-and-](http://www.historicenvironment.scot/advice-and-)*

*support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at [www.enginshed.org](http://www.enginshed.org).*

## **Network Rail**

*Thank you for consulting Network Rail regarding the above development.*

*Whilst Network Rail has no objections in principle to the development, due to its close proximity to the operational railway, we would request that the following matters are taken into account, and if necessary and appropriate included as advisory notes, if granting the application:*

*Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Engineer before development can commence.*

*All construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.*

*o Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.*

*The developer must contact our Asset Protection Engineers regarding the above matters, see contact details below:*

*Network Rail Asset Protection Engineer  
151 St. Vincent Street, GLASGOW, G2 5NW  
Tel: 0141 555 4352  
E-mail: [AssetProtectionScotland@networkrail.co.uk](mailto:AssetProtectionScotland@networkrail.co.uk)*

*We trust full cognisance will be taken of these comments. We would be grateful if Local Planning Authorities would provide a copy of the Decision Notice.*

## **Transport**

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

*1. The applicant will be required to contribute the sum of £23,500 (£1,500 per order plus £5,500 per car) towards the provision of 4 car club vehicles in the area;*



2. 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. An outline Travel Plan is set out in the submitted Transport Assessment;

3. 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 but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;

4. It has been agreed that the proposed access does not require to be a 'road' under the meaning of the Roads (Scotland) Act 1984 and road construction consent is therefore not required;

5. The applicant should consider sub-dividing the proposed cycle stores into smaller secure units to improve security;

6. The applicant should be aware that the Council is progressing the introduction of on-street parking controls, including residents permits, the area.

Note:

The proposed parking provision is considered acceptable and consists of:

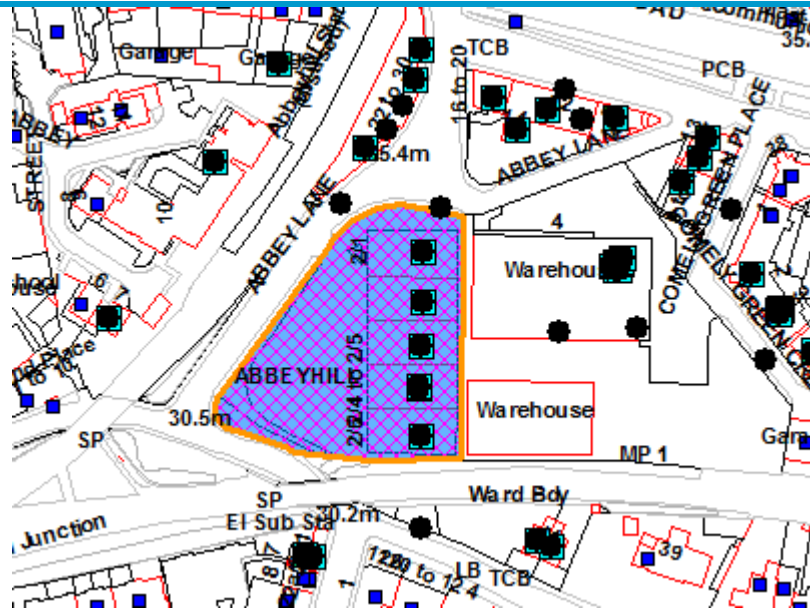
- o 298 bed student accommodation: 320 cycle spaces, zero car parking
- o 66 residential units: 155 cycle spaces, 22 car spaces (including 4 car club, 4 disabled and 10 electric charging points), 3 motorcycle spaces.

Note on Transport Statement / Assessments (include where applicable)

A transport assessment has been submitted in support of the application. This has been assessed by transport officers and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The submitted document is generally in line with the published guidelines on transport assessments.

## Location Plan

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**END**