

Development Management Sub Committee

Wednesday 17 February 2021

Application for Planning Permission 20/03034/FUL

at 34 Fettes Row, Edinburgh, EH3 6RH.

Demolition of existing buildings and erection of mixed-use development comprising residential, hotel, office and other commercial uses, with associated landscaping/public realm, car parking and access arrangements.

Item number

Report number

Wards

B05 - Inverleith

Summary

The proposal is for a mixed-use development incorporating residential, hotel, office and other ancillary uses.

Compliance with the Listed Buildings & Conservation Areas Requirements

The historical assets within the area have been assessed against the relevant legislation, guidance and LDP Policies.

Historic Environment Scotland does not object to the application but has concerns with some elements of the scheme, such as the relationship of the proposals with some listed buildings. However, when viewed in the urban context of the site, coupled with the benefits of redeveloping the site with a more sympathetic design taking cognisance of the listed buildings, and the retention of the trees, the character and setting of the listed buildings is preserved. The proposals are in accordance with LDP Policy Env 3 (Listed Buildings - setting). The proposals preserve the setting of surrounding listed buildings in accordance with Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

With regards to the Conservation Area, on balance, and taking the range of proposed uses into consideration, the development does not remove or detract from key characteristic components of the Conservation Area that gives the area its special interest. It will contribute to the architectural quality of the area with contemporary high quality buildings, designed to respond to its historic and modern urban environment. The different responses to the various edges of the site, including along Dundas Street and Fettes Row/Royal Crescent and towards the park are acceptable. In this regard, the special character and appearance of the New Town Conservation Area will be preserved, in compliance with the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and LDP Policy Env 6 (Conservation Areas - Development).

Compliance with the Development Plan

The mix of uses are acceptable at this location and are supported by Local Development Plan policies Hou 1 (Housing Development), Emp 10 (Hotel Development) and Emp 9 (Employment Space), the ancillary uses proposed add to the sustainable re-use of this predominately previously developed site which is in an accessible location. The principle of developing the area of open space within the site has already been established by the granting of a recent separate planning permission.

The King George V Park is not contemporary to the creation of the New Town. The proposals will alter the boundary treatments and introduce new built forms on the adjacent ground. The impacts of the development on these views is acceptable.

There will be some adverse impacts from the proposals on the World Heritage site, but these are largely limited to a view down Dundonald Street which is more impacted upon in the closer views. There are differing views from HES and Edinburgh World Heritage on the perceived impact of the proposals.

The design makes a positive contribution to the area and will add to its sense of place. The layout addressed the surrounding areas, such as reinforcing the existing pattern of perimeter blocks, connecting Dundas Street through to the park and the crescent blocks reinforce the symmetry of Dundonald Street. The height of the buildings are appropriate for the site, whilst the elevations and materials proposed generally respond to the context of the area.

There is some loss of trees proposed, with a number already accepted through a recent permission. The trees along Fettes Row and Dundas Street are, in the main, being retained. The loss of trees along Dundas Street is justified in design terms. Conditions are recommended to ensure that trees are protected during the construction phase.

Potential impacts on the amenity of future residents in terms of noise can be addressed through conditions. There are some infringements in relation to daylighting and the open space provision. As the type and quality of some of the private open space within the development infringes the requirements of Policy Hou 3 (Private Green Space In Housing Development) contributions towards the adjacent park are sought through a legal agreement. Some impacts on daylighting are expected in within a development within the urban area that establishes an appropriate density.

The proposal is acceptable in transport grounds with suitable access to the site and the proposed car and cycle parking meets the Council's standards as set out in the Edinburgh Design Guidance.

In all other respects the proposed development is acceptable, subject to conditions and a legal agreement. The proposal therefore complies with the development plan. There are no other material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES11, LEN01, LEN03, LEN06, LEN07, LEN09, LEN12, LEN16, LEN18, LEN20, LEN21, LEN22, LEMP01, LEMP09, LEMP10, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU10, LRET06, LRET08, LTRA01, LTRA02, LTRA03, LTRA04, LTRA09, LRS01, LRS06, SGDC, HES, HESCAC, HESSET, NSG, NSGD02, NSESBB, NSHAFF, OSS1, CRPNEW,

Report

Application for Planning Permission 20/03034/FUL at 34 Fettes Row, Edinburgh, EH3 6RH. Demolition of existing buildings and erection of mixed-use development comprising residential, hotel, office and other commercial uses, with associated landscaping/public realm, car parking and access arrangements.

Recommendations

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

Background

2.1 Site description

The site is approximately 2.44 hectares in area. It lies to the north of Edinburgh New Town.

To the north of the site are residential and commercial properties on Eyre Place. To the south, the site is bound by Fettes Row and Royal Crescent which comprise predominantly residential properties. To the east and northeast is King George V Park. To the west of the site is Dundas Street, which comprises a mix of residential and commercial properties.

The site has two existing large office buildings which front Dundas Street and Fettes Row. These are linked by another smaller building and are all formerly occupied by The Royal Bank of Scotland. The Scotsman building to the north east of the site is accessed off Eyre Terrace and is used for related storage purposes.

Within the eastern part of the site, and bound to the north by King George V park, is a building used for parking. South of this is a shed building and a large hardstanding area, formerly used for car parking. This area provided parking for up to 100 cars and the shed provides spaces for 30 cars and spaces for cycle parking. These are accessed off Eyre Terrace.

There is an existing water main which runs directly through the site in a north-south direction directly to the north of Dundonald Street.

Broadleaved trees are located within the southern, part of the eastern and most of the northern boundaries of the site. These are a mixture of semi-mature and mature species and are up to 15 metres in height.

The site is mainly level, although there is an area of the site to the south which is approximately 6 metres above the rest of the site. This lies behind a stone retaining wall. Royal Crescent/ Fettes Row to the south of the site lie at a much higher level than the site itself. In the north of the site, Eyre Terrace rises slightly to adjoin Eyre Place.

The site is accessed via three separate routes. One pedestrian access is taken from Dundas Street to the RBS building; one is from Eyre Terrace for vehicles, bikes and pedestrians; and one is from Royal Crescent, which is a steep footpath leading down into the car parking area.

The site is located within the New Town Gardens Inventory Designed Landscape and is also immediately adjacent to the Old and New Towns of Edinburgh World Heritage Site boundary.

There are no listed buildings within the site itself. There are a number of Category A listed buildings within the vicinity of the site boundary. These include the following:

- 15 - 23A (Inclusive Nos) Royal Crescent, and 15 Dundonald Street, Including Railings and Lamps (reference LB29680, listed 22/09/1965).
- 1 - 13A (Inclusive Nos) Royal Crescent, 24 and 24A Dundonald Street and 26-28 (Even Nos) Scotland Street, Including Railings and Lamps (reference LB29679, listed 22/09/1965).

There are also a number of other listed buildings around the site, including:

B listed buildings:

- 1-12 (Inclusive Nos) Fettes Row, and 99-103 (Odd Nos) Dundas Street, including railings and lamps with 13 North East Cumberland Street Lane Including Wall (reference LB28754, listed 15/07/1965)
- Brandon Street 1-16 And 1-7a Eyre Place (reference LB28341, listed 25/11/1965).

C listed buildings:

- 1-29 Eyre Crescent and 21-23 Eyre Place (reference LB28739, listed 19/12/1979).
- Eyre Place 25-31 (reference LB28741, listed 19/12/1979).
- This application site is located within the New Town Conservation Area.
- This application site is located within the New Town Conservation Area.

2.2 Site History

Relevant recent history:

1 March 2015 - application for conservation areas consent granted for the demolition of 7 Eyre Terrace and existing warehouse known as the Scotsman Building (application number 14/01126/CON).

3 August 2018 - application for planning permission in principle for demolition and residential-led mixed-use redevelopment comprising residential; retail (Class 1); financial, professional and other services (Class 2); food & drink (Class 3);

business (Class 4); hotel/Class 7; care home (Class 8); car parking, access and other associated works; detailed approval of the siting and maximum height of building blocks; landscaping strategy; location of principal pedestrian/cycle routes and points of pedestrian and vehicular access/egress withdrawn (application number 16/05454/PPP)

3 August 2018 - application for conservation area consent for complete demolition in a conservation area withdrawn (application number 16/05455/CON)

2 April 2020 - Conservation area consent granted for complete demolition of derelict cottage in a conservation area (application number 20/00705/CON)

2 September 2020 - associated application for conservation area consent submitted for the demolition of the existing buildings within the site (application number 20/03661/CON). Not yet determined.

14 September 2020 - associated planning application submitted for the formation of path linking through to King George V Park and associated landscaping (application number 20/03655/FUL). Not yet determined.

7 January 2021 - planning permission in principle granted for a mixed use development including retail (class 1), financial, professional and other services (class 2), food and drink (class 3), business (class 4), hotels (class 7), residential (class 8, 9 and sui generis), car parking and other works on land at the northwest of the site. The approval was for the siting and maximum height of principal building block, points of vehicular/ pedestrian access and egress at 7, 11, 13 Eyre Terrace (application number 14/01177/PPP).

Main report

3.1 Description of the Proposal

The proposed development is for the demolition of all existing buildings on the site and the erection of a mixed-use development comprising residential, hotel, office and other commercial uses, in addition to associated landscaping and public realm, car parking and access arrangements. The development includes seven blocks with a new central link route formed between Dundas Street and King George V Park.

Block 1 - Build to Rent (Eyre Place / Eyre Terrace)

The BTR block is located at the north eastern part of the site next to King George V Park and forms a perimeter block around a central courtyard with the existing buildings on Eyre Terrace and Eyre Place.

There are 144 units split into 22 studio flats, 49 units with one bedroom, 56 units with two bedrooms and 17 units with three bedrooms.

The Eyre Place elevation is five storeys high from the street level with the top storey adjacent to the existing tenement recessed. The primary material on this elevation is stone.

A new pedestrian route (which also allows for emergency access) is to be formed adjacent to the park. This elevation rises up to 7 storeys (the top floor is set back) as the ground level slopes into the site. There is roof top amenity space.

The Eyre Terrace elevation is five storeys next to the existing Lorimer building before rising up to six storeys with an additional set back storey on the upper level.

Aside from the Eyre Place elevation, the outward-facing façades of the BTR block are finished in precast stone and the inward, courtyard-facing façades will have a rendered finish.

The building is accessed by entrances to the main lobby and lounge/library area, one of which is provided from the courtyard and can be accessed via an existing pend set within the Lorimer-designed building on Eyre Terrace. Access to the building is also provided from Eyre Place. All ground floor units are accessed via main door entrances.

As a BTR block additional internal amenity space is provided in the form of a lounge and library area. The building also contains gym facilities for the residents.

Block 2 - Mid Market Rent / Affordable (Dundas Street / Eyre Terrace)

The mid-market rent (MMR) accommodation is situated between Dundas Street and Eyre Terrace at the north western part of the site. The proposals include the demolition of the existing blank wall that currently separates the existing RBS building and the rear courtyard of the adjacent residential block to the north. A courtyard is also created to the south between the MMR building and the hotel. It is six storeys high with a further roof garden area.

There are 88 units split into 26 units with one bedroom, 46 units with two bedrooms and 16 units with three bedrooms.

The Dundas Street elevation is proposed to be finished in natural stone. A section of this façade is recessed from the main façade, where the building meets the existing adjacent residential development. Brick is proposed for the eastern elevation.

The primary access is taken from Dundas Street through a double height entrance point via both steps and a ramp.

Block 3 - Hotel

The proposed 116 bedroom hotel lies to the south of the adjoining MMR block within an internal courtyard between the two uses. It fronts onto Dundas Street to the west, Eyre Terrace to the east and onto the new public realm link route to the south. The main entrance is located at the junction with Dundas Street.

The hotel block is seven storeys, though is six storeys when viewed from street level on the Dundas Street elevation with the top level, comprising of a bar/restaurant, set back. A portion of the ground level is a double height area with café, restaurant and lounge area.

Natural stone is proposed on the western elevation, which returns into the site on the south elevation and is replaced with glazing and metal panelling which steps up along the façade. This elevation contains angled bay windows orientated towards the park.

Block 4 - Office

The office block is located on the south west corner of the site. It extends to 9,820sqm gross external area with accommodation provided over five storeys. Within this is a retail unit (282 sqm) at street level on Dundas Street. There is a rooftop amenity level also proposed.

The primary entrance is located from the proposed central link through the site. This consists of a double height colonnade and a double height foyer.

The office building is finished in a mix of natural and precast stone.

Block 5 - Private Residential (Fettes Row) 47 units.

This comprises the two southern crescent blocks and the tenement building (and link building) along the Royal Crescent and Fettes Row.

The five storey tenement block contains 26 units consisting of six units with one bedroom, 14 units with two bedrooms and six units with three bedrooms

There are a further three units with three bedrooms in a link building between the tenement block and the southwestern crescent building.

The main access to the building that fronts onto Fettes Row is provided from podium level on its northern elevation. A bridge link from Fettes Row also provides level access to the building on its southern elevation.

Two crescent buildings contain nine units over three storeys. Each crescent building is split into one unit with two bedrooms and eight units with three bedrooms.

These southern crescent buildings are also accessed from the main crescent garden at podium level. Upper level dual aspect two and three-bed units are accessed via external colony-style staircases. The lower duplexes also have direct access from car park level.

The south-facing elevations are finished in natural stone. The north-facing façades of the two southern crescent buildings are also proposed to be finished in natural stone, and that of the northern crescent buildings and the building fronting on Fettes Row are proposed to be finished in - precast stone.

Block 6 - Private Residential - two blocks south of the park (Crescent) total 70 units

This part of the proposal comprises two buildings set out in crescent shapes to the south of the park. They are six storeys, though this appears as four on the southern elevation as they sit on a podium deck. The blocks are split by a central gap and a sunken garden. To the south is an area of open space

The two northern crescent buildings each contain 35 units. One contains 11 x one bedroom units, 10 x two bedroom units and 14 x three bedroom units and the other contains 12 x one bedroom units, 10 x two bedroom units and 13 x three bedroom units.

Access to the northern crescent buildings is stepped from the main crescent garden. Accessible entry is provided at car park level. Pedestrian access to the car park level from podium level is provided via an external lift and stair.

The southern elevation is proposed to be sandstone with the northern elevation made from pre-cast stone.

Block 7 - Gym

Located under the central east / west public realm opposite the proposed BTR block. It covers a floorspace of 990sqm. The external wall to the gym is designed as a living green wall to the street edge.

General:

In general layout terms the buildings provide frontage onto the main streets surrounding and within the site.

Due to the levels of the site a podium deck is to be created. This enables a new landscaped east/west public route to be created through the site linking Dundas Street through to King George V Park.

The Dundas Street section incorporates an access ramp and steps to deal with the initial change in levels. The area incorporates hard and soft landscaping. A bridging element is introduced to link the park.

Vehicular access to the site is taken from Eyre Terrace via the existing vehicular access point. This leads to the car parking located under the podium deck.

A total of 161 car parking spaces are proposed. This includes 16 accessible spaces and 29 electric vehicle charging spaces.

A total of 840 cycle spaces are provided, the majority under the podium deck aside from those related to the BTR block which are located at the north of the block at the ground floor (internal).

Additional cycle parking is proposed within the overall public realm area.

Servicing, mechanical and electrical refuse storage are generally provided at the car park level. It is proposed that reuse will be factored to move it to a central pick up point.

General mechanical and electrical plant is also located at the car park level.

A total of 42 trees are proposed to be removed within the application site. Seventy-one replacement trees are proposed as part of the development.

Scheme 1

- The housing mix initially contained 22 x studio units, 92 x one bedroom units, 160 x two bedroom units, 74 x three bedroom units and 1 x four bedroom units.
- Fettes Row building line has been moved 1.5 metres to the north away from the street.
- The outward facing elevations are now primarily sandstone.
- Alterations to the elevational detail on Dundas Street and Eyre Place.
- A narrower gap between the crescent buildings facing the park.
- Changes to the materials in the landscaped route through the site, previously contained synthetic materials.
- Alterations to the windows in the MMR block for daylighting reasons.
- Original proposals included 164 car parking spaces.

Supporting Documents:

- Environmental Impact Assessment (EIA) Report
- Design and Access Statement (DAS)
- Affordable Housing Statement
- Heritage and Townscape Statement
- Pre-Application Consultation Report
- Daylight, Sunlight and Overshadowing Report
- Transport Assessment
- Flood Risk and Drainage Strategy Report
- Sustainability Statement and S1 Form

These documents are available to view on the Planning and Building Standards Online Service.

3.2 Determining Issues

Due to the Site being located within the New Town Conservation Area and its proximity to listed buildings, the proposed development first requires to be assessed against Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 means that there is a strong presumption against granting planning permission for development which would harm a listed building or its setting. If engaged, the presumption can only be rebutted if the advantages of the scheme are sufficient to outweigh that strong presumption.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 means that there is a strong presumption against granting planning permission for development which would conflict with the objective of preserving or enhancing the character or appearance of the conservation area. If engaged, the presumption can only be rebutted if the advantages of the scheme are sufficient to outweigh that strong presumption.

The determining issues to consider in terms of assessing the development against Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 are:

- Would the development harm a listed building or its setting? If it would, are there any advantages of the proposal that are sufficient to outweigh the strong presumption against granting planning permission?
- Would the development conflict with the objective of preserving or enhancing the character or appearance of the conservation area? If it would, are there any advantages to the proposal that are sufficient to outweigh the strong presumption against granting planning permission?

If the Development complies with Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, it then requires to be considered in terms of Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997. Section 25 requires that the determination shall be made in accordance with the development plan unless material considerations indicate otherwise.

The determining issues to consider in assessing this are:

- 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 will result in no significant harm to the character and setting of any listed buildings;
- b) the proposal will result in no significant harm to the character and appearance of the New Town Conservation Area;
- c) the principle of development is acceptable;
- d) the proposal will have a detrimental impact on the character of the New Town Gardens Designed Landscape Inventory Site;
- e) the proposal will preserve the outstanding universal value of the Old and New Towns of Edinburgh World Heritage Site;
- f) the design, scale and layout are appropriate;
- g) the proposal raises any issues in respect of transport and road safety

- h) the proposal will have a detrimental impact on amenity;
- i) there is other material considerations;
- j) environmental Impact Assessment Report;
- k) equalities and
- l) public representations have been addressed.

Assessment against Listed Buildings & Conservation Areas Requirements

a) Listed Buildings

Section 59 (1) and (3) of the Listed Buildings and Conservation Areas Act provides:

"(1) 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."

(3) In this section, 'preserving', in relation to a building, means preserving it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character, and 'development' includes redevelopment."

If listed buildings or their settings are affected, it is necessary to consider whether the proposed development would adversely affect any of the listed buildings on the site, or any features of special architectural or historic interest which they possess, or the setting of any listed building outwith the site.

If it is found that the development would adversely affect any listed buildings, a strong presumption against the proposed development arises and it is necessary then to consider whether this development is an exceptional case where the presumption may be overridden in favour of development which is desirable on the ground of some other public interest.

Therefore, the main consideration in the assessment of this application is that special regard be given to the desirability of preserving listed buildings or their settings. As mentioned above, there is a general presumption against granting planning permission where there is harm to the character or setting of a listed building.

In this case, there are a number of listed buildings which are affected by the development. The listed buildings are all outwith the application site, and therefore the primary consideration in the assessment of these proposals is the impact on the character and setting of these listed buildings, outwith the site boundary.

This assessment has to be made within the parameters of having special regard to the desirability of preserving the character of these buildings or their settings, or any features of special architectural or historic interest which they possess.

Similarly, 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 appearance or character of the building, or to its setting.

Historic Environment Scotland's document 'Managing change in the Historic Environment - Setting' states that 'setting' is the way the surroundings of an historic asset or place contribute to how it is understood, appreciated and experienced. The document states that where development is proposed it is important to:

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

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.

In order to address the Act, Historic Environment Policy and LDP Policy Env 3, the assessment is divided into the individual (or relevant groups) of listed buildings:

Listed Buildings along Fettes Row and Royal Crescent

For the purposes of this assessment, the listed buildings along Fettes Row and Royal Crescent are assessed together, as they are a contiguous row of properties.

Category A Listed Buildings:

- 1 - 13A (Inclusive Nos) Royal Crescent, 24 and 24A Dundonald Street and 26-28 (Even Nos) Scotland Street, Including Railings and Lamps (reference LB29679, listed 22/09/1965); and
- 15 - 23A (Inclusive Nos) Royal Crescent, and 15 Dundonald Street, Including Railings and Lamps (reference LB29680, listed 22/09/1965).

Category B Listed Buildings:

- 1-12 (Inclusive Nos) Fettes Row, and 99-103 (Odd Nos) Dundas Street, including railings and lamps with 13 North East Cumberland Street Lane Including Wall (reference LB28754, listed 15/07/1965).

The townhouses along Royal Crescent are listed as Category A in recognition of their national importance. The crescent was designed as a prominent landmark to the first extension of the New Town. The original scheme for three segments with a detached building in the middle was abandoned following the construction of the Scotland Street Tunnel in 1847. However, the western segments were completed more or less as intended, albeit with tenements rather than terraced houses, by James Lessels in 1888. The crescent is a key townscape component on the perimeter of the new town.

As a planned, raised crescent, Royal Crescent takes advantage of views over the ground at the northern edge of the New Town and is visually prominent in views into the World Heritage Site (WHS) from the north. Another key feature of this section of the New Town is its topography, with terraces and open spaces stepping down from one another in harmony with the landscape.

The properties along Fettes Row are a Category A listed Group within the New Town. The listing description rates this group as a significant surviving part of one of the most important and best-preserved examples of urban planning in Britain.

The parts of the proposed development which have the greatest impact on the setting of these listed buildings are the office and residential accommodation blocks (Blocks 4 and 5) and the residential blocks opposite Royal Crescent (Blocks 5 and 6)

Office Block and Residential Block (Referred to in the EIA as Blocks L and H)

Historic Environment Scotland (HES) considers that the proposed office and residential blocks located along the World Heritage Site boundary at Fettes Row give rise to some beneficial visual effect. The largely continuous street frontage of these blocks responds successfully to the rhythm of stepped terraces that are a key characteristic of this part of the New Town.

HES also notes that the wall-head height of the proposed office and residential blocks are comparable in height to the wall-head height of the category B listed four-storey corner pavilion block on Dundas Street, and the three-storey terraced townhouses on Fettes Row. This aspect of the proposals also successfully reflects the rhythm of development stepping down towards the Firth of Forth.

However, HES notes adverse impacts caused by the inclusion of an additional level of accommodation set back from the proposed wall-head level of the office and residential blocks. This proposed tall set-back roof storey would increase the overall height of the Fettes Row buildings, rising above the level of the B listed terrace opposite, where historically shallow M-shaped roofs were specifically designed to limit any visibility above the cornice and blocking course.

Additionally, HES considers that the different architectural expression and character of these two blocks mean they fail to respond to the continuous, uniform planned character of this part of the New Town.

The comments made by HES are noted. The additional level of accommodation on the top storey is higher than the listed properties opposite, as demonstrated in the Design and Access Statement. However, the set-back of this level means that it is not readily perceived from pedestrian/street level. While it will have an impact on the setting of the listed buildings when viewed from those listed buildings, this impact is not considered to be seriously detrimental to the setting of these listed buildings due to the set back.

However, it is also important to consider the existing use of the application site, as well as the existing buildings on the site and the impact that these currently have on the listed buildings noted above. At present, the former offices are incongruous in terms of their design and appearance within the wider context of the listed buildings.

While they have some merit in terms of their interesting design, they do not respond sympathetically to the listed buildings by virtue of their materials, height and massing. This proposal would provide a setting where the listed buildings are better considered and the street setting is positively addressed.

Further to this, the trees along Fettes Row and Royal Crescent are being retained, and the proposed buildings are set back from the street to accommodate these trees. This allows for the visual prominence of the listed buildings to retain their dominance in this location.

Crescent Shaped Blocks 5 and 6 (Referred to in the EIA as Blocks C, D, E, F and G)

These residential accommodation blocks are located immediately adjacent to the World Heritage Site boundary at Royal Crescent. Although the design of these blocks reflects the curved crescent form of the adjacent Royal Crescent, HES notes that this Crescent was never designed to accommodate development opposite, but rather was sited to look over underdeveloped ground, which at the time of its design was rural and open in character.

HES therefore considers that the relationship between the underdeveloped ground in this location and the siting of Royal Crescent demonstrates the topography and planning of the World Heritage Site. HES further considers that the relationship between the underdeveloped ground in this location and the siting of Royal Crescent is important to the understanding and experience of these Category A listed buildings.

HES has stated that the introduction of large residential accommodation blocks (C, D, E, F and G) immediately opposite the Crescent will have an adverse impact on its setting and visual prominence. HES asserts that the southernmost crescent blocks (G, F, E) which rise to just below one storey above the Crescent's datum (pavement) level will, for example, diminish the visual prominence of the Category A listed townhouses and also largely obscure the retaining wall which underpins their construction. The six storey northernmost accommodation blocks (C, D) will adversely affect longer views to and from the Royal Crescent townhouses.

In assessing the proposal, the comments from HES are noted. However, immediately opposite Royal Crescent, the car park building sits lower than the pavement, but it is visible in views to Royal Crescent from the park. While views are maintained to the crescent from the park currently, the setting of the listed buildings is already compromised by the surface car park and linear concrete car park structure. Similarly, the comments from HES regarding the original rural nature of the land opposite Royal Crescent are noted, however this land has latterly been used as a car park for the office building. All of the land to the north would have been "undeveloped" originally, the test is whether the change proposed is acceptable having special regard to the character and setting of the listed buildings.

The current proposals will have an impact on the setting of the listed buildings by virtue of the change in character along Fettes Row and Royal Crescent, where the new buildings will be more visible due to their relationship with the street. However, the setting of these listed buildings includes the safeguarding of important views and landmarks, including the framed views along Dublin Street/Drummond Place/Dundonald Street.

The current proposals have some beneficial effect on the setting of these Category A listed buildings due to the opening-up of the central axial route, resulting in potentially improved views of the crescent from the park.

The trees along Fettes Row and Royal Crescent are retained, and this further helps to maintain the setting of the listed buildings.

HES recommended that the scale of blocks G, F and E is reduced, and the level of development above pavement level immediately adjacent to Royal Crescent is removed. Alternatively, setting these blocks back further from the Crescent's stone retaining wall would better protect the ability to experience and understand the planned, raised crescent ensemble.

HES also recommends that blocks L and H are re-designed as a continuous, architecturally unified development to better reflect the scale and form of the B listed terrace opposite. Additionally, care should be taken to limit the visibility of the upper storey and plant components of block L. This should be done either by reducing the height of the upper storey or by ensuring it is set-back further and incorporated within a defined roofscape with appropriate recessive materials. This would also apply to its associated elements e.g. glazed balustrades which can be particularly visible.

In response, the applicant pulled the buildings of blocks L and H further apart, and lowered the heights of these blocks.

These changes have helped reduce the impact of the development on the listed buildings at Fettes Row and Royal Crescent, albeit to a limited extent. It is acknowledged that the character of the area will change, and hence there would inevitably be some impact on the setting of the listed buildings. However, the development takes cognisance of the listed buildings by virtue of the set-back, form, retention of trees, and materials of the proposals. Given the urban context of the site, the proposals respond positively to the listed buildings on Fettes Row and Royal Crescent.

Brandon Street and Eyre Place

Category B Listed Buildings:

- Brandon Street 1-16 And 1-7a Eyre Place (reference LB28341, listed 25/11/1965).

Category C Listed Buildings:

- 1-29 Eyre Crescent and 21-23 Eyre Place (reference LB28739, listed 19/12/1979);
- Eyre Place 25-31 (reference LB28741, listed 19/12/1979).

Similar to the assessment above, these groups of listed buildings are considered together, due to their proximity.

These buildings comprise a mix of three and four storey tenements and townhouses of sandstone and slate construction. The proposed development has a limited impact on the setting of these listed building, by virtue of the distance to the site, and the number of other intervening buildings.

The setting of these listed buildings is preserved.

Listed Buildings - Conclusion

There will be impacts associated with the character and setting of adjacent listed buildings, particularly with regards to the relationship of the development with the existing listed buildings on Fettes Row and Royal Crescent. However, when viewed in the urban context of the site, coupled with the benefits of redeveloping the site with a more sympathetic design taking cognisance of the listed buildings, and the retention of the trees, the character and setting of the listed buildings is preserved.

Therefore, the proposals are in accordance with Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and LDP Policy Env 3 (Listed Buildings - setting).

b) Conservation Area

Section 64 (1) of the Listed Buildings and Conservation Areas Act provides:

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

LDP Policy Env 6 (Conservation Areas - Development) supports development within a conservation area or affecting its setting which preserves or enhances the special character and appearance of the conservation area and is consistent with the relevant character appraisal, preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character and demonstrates high standards of design and utilises materials appropriate to the historic environment.

The site is located within the New Town Conservation Area. The essential characteristics of the New Town Conservation Area Character appraisal include:

- the formal plan layouts, spacious stone-built terraces, broad streets and an overall classical elegance.
- views and vistas, including- terminated vistas that have been planned within the grid layouts, using churches, monuments and civic buildings, resulting in an abundance of landmark buildings. These terminated vistas and the long-distance views across and out of the Conservation Area are important features;
- the generally uniform height of the New Town ensures that the skyline is distinct and punctuated only by church spires, steeples and monuments;

- grand formal streets lined by fine terraced buildings, expressing neo-classical order, regularity, symmetry, rigid geometry, and a hierarchical arrangement of buildings and spaces.
- within the grid layouts, there are individual set pieces and important buildings that do not disturb the skyline.

The New Town can also be viewed from above at locations such as the Castle and Calton Hill, which makes the roofscape and skyline sensitive to any modern additions;

- the setting and edges of the New Town and Old Town;
- Royal Crescent is characterised by a general consistency of overall building form, an almost exclusive use of sandstone, natural slate roofs and cast and wrought iron for railings, balconies and street lamps;
- boundaries are important in maintaining the character and quality of the spaces in the New Town. They provide enclosure, define many pedestrian links and restrict views out of the spaces. Stone is the predominant material;
- new development should be of good contemporary design that is sympathetic to the spatial pattern, scale and massing, proportions, building line and design of traditional buildings in the area;
- any development within or adjacent to the Conservation Area should restrict itself in scale and mass to the traditionally four/five storey form.

The supporting Heritage and Townscape Statement has assessed the effects on the Conservation Area as a whole, and this assessment has had regard to the essential characteristics of the Second (Northern) New Town. In this regard, the key aspects that are assessed below are the impacts of the development on formal planned alignment of the New Town, height and skyline, setting and edges, material palette, design quality and land use. A detailed visual impact assessment in the EIA Report has informed an understanding of the distant and local views that contribute to the character and appearance of the Conservation Area.

Formal planned alignment of the New Town, Setting and Edges

The established spatial hierarchy of the New Town is a key characteristic of the conservation area. The historic plan forms, coupled with the dramatic topography, results in important, terminated and long vistas with landmark features.

It is the views along Dundas Street and down Drummond Place that contribute to the clarity of the urban structure of the planned Second New Town and alignment of key buildings. One of the most relevant of the Council's Protected Views is viewpoint C12, looking down Dublin Street, from which the sea is visible down each street. Other important views include the Castle Ramparts - orientated north west (Protected Skyline View C1A), and Salisbury Crags/Radical Road - orientated north west (Protected Skyline View E2d).

The most visually prominent parts of this proposal in terms of key views are the elevations down Dundas Street, and the crescent buildings opposite Royal Crescent.

With regards to Dundas Street, the development proposes the removal of the trees along the frontage. This allows the development to reflect the rest of Dundas Street in terms of its relationship to the street.

With regards to the impact of the development opposite Royal Crescent, it is noted that a new crescent is proposed to be formed within the site. Although the new buildings have been centrally aligned with the axis of Royal Crescent, and symmetrical with Royal Crescent/Fettes Row, their prominence when viewed closer on approach down Drummond Street, means that they will have an impact on the character and appearance of the conservation area by contributing to an additional visual feature, which breaks the skyline within this view experience. The changing pattern of visibility and visual focal points that are experienced as a sequence when moving northwards down Drummond Street has been considered in the Townscape and Heritage Report. This gives rise to complex changes in how the proposed development is perceived within its context. Historic Environment Scotland identified a significant adverse impact caused by the appearance of these crescent buildings (blocks C and D) in the framed view occurring out of the World Heritage Site along Nelson Street/Drummond Place/Dundonald Street.

However, it is the proposed façade design of the buildings, including the selection of materials, and curved form of the crescent buildings that has helped to assimilate the new buildings into the surrounding townscape and mitigate the apparent changes when viewed down Nelson Street/Drummond Place/Dundonald Street. Furthermore, whilst the development along Fettes Row rises above the existing properties opposite, the setback depth from Fetter Row, and the retention of trees within the plot itself helps to alleviate the perception of scale and align it closer to the levels of the larger surrounding development. Height is assessed further under the next heading.

Height, Skyline and Views

The Conservation Area Character Appraisal identifies the importance of a cohesive, historic skyline and its contribution to the character of the conservation area. It also highlights the need to avoid incremental skyline erosion through increased building heights.

Likewise, LDP Policy Des 4 supports development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form, scale and proportions, including the spaces between buildings and position of buildings and other features on the site and materials and detailing. This is assessed within the context of the conservation area. The proposed development allows for key views to be retained, albeit in an altered sense. Within the context of the wider conservation area, there is a minimal impact on the skyline and views.

Material Palette

The prevailing materials within this part of the conservation area are natural stone and slate roofs.

Materials are particularly important in order to achieve a cohesive development with the conservation area, and to provide a high-quality urban environment. This proposal shows a mix of external materials, but on the main street-facing elevations, the predominant material is stone. Views across rooftops, particularly on Royal Crescent, will be green or sedum roofs, and this helps to integrate the development into the adjacent park.

The proposed materials are appropriate within the context.

Design Quality

The New Town Conservation Area Character Appraisal states that new buildings should be a stimulus to imaginative, high quality design and seen as an opportunity to enhance the area. Direct imitation of earlier styles is not encouraged, but rather new buildings should be designed with respect for their context. In this regard, the Council supports contemporary designs that are sympathetic and complimentary to the spatial pattern, scale and massing, proportions, building line and design of traditional buildings in the area. This issue is assessed further below, however at this stage, the design quality of the buildings is reflective of the proportions of the existing traditional townhouses, while providing a contemporary design. Within the conservation area, the proposed design quality is appropriate.

Land Use

The mix of uses within the site is reflective of the surrounding area. The existing retail and commercial uses are complemented within the development with the introduction of similar uses. The residential is also welcomed and is reflective of the character of the surrounding area.

Conclusion

Whilst the proposal does not impact adversely and significantly on city-wide views and townscape character, the mass and scale of the new buildings will affect the spatial characteristics of the planned New Town at this location. The proposal seeks to form a new planned alignment. The result is a layering of separate elements, and the extent to which these elements are visible varies as part of the sequence of views from various locations.

On balance, and taking the range of proposed uses into consideration, it is considered that the development does not remove or detract from key characteristic components of the conservation area that gives the area its special interest. It will contribute to the architectural quality of the area with contemporary high quality buildings, designed to respond to its historic and modern urban environment. The different responses to the various edges of the site, including along Dundas Street and Fettes Row/Royal Crescent and towards the park are acceptable.

Overall, the special character and appearance of the New Town Conservation Area will be preserved. Therefore, the proposals are in accordance with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and LDP Policy Env 6 (Conservation Areas - Development).

Assessment against the Development Plan

c) The Principle

Housing:

LDP Policy Hou 1 (Housing Development) states that priority will be given to the delivery of housing land supply and relevant infrastructure. Criteria (d) relates to other suitable sites in the urban area, provided the proposals are compatible with other policies in the plan.

In general, the mix of housing proposed - for sale, build to rent and affordable - is acceptable at this location.

Hotel Use:

LDP Policy Emp 10 (Hotel Development) supports hotel development in locations within the urban area with good public transport access to the city centre. The site is within a few minutes' walking distance of frequent bus services into the city centre and within a 15/20-minute walk to the city centre. In this context, the principle of hotel use and associated café/bar components are acceptable.

Employment Space:

LDP Policy Emp 9 (Employment Sites and Premises) seeks to ensure that proposals for redevelopment of sites over one hectare which are or were last in employment use contribute to the city's stock of flexible small business premises.

The policy also indicates that the introduction of non-employment uses will not prejudice or inhibit the activities of any nearby employment use.

Policy Emp 9 does not set specific quantities of replacement floorspace to be provided. The proposed office block has a gross area of 9,820 sqm with accommodation over five floors. The planning statement sets out that there is flexibility in the design of the office building allowing for division of the floorspace which will potentially allow for a range of users.

LDP Policy Emp 1 (Office Development) directs major office development to the city centre, other strategic business centres and town/local centres in the first instance. However, it also supports office use in other mixed use locations accessible by public transport and compatible with the character of the local area. The site is not within one of the preferred locations for office development but it is located in a mixed use area, which is located on a high frequency bus route to the City Centre, and is within 15/20 minutes walking distance to the public transport interchanges located in the City Centre.

Policy Emp 1 would normally require an applicant to demonstrate that there are no suitable sites available for this amount of floorspace in one of the preferred locations and to undertake an assessment of impact on existing town centres. However, this is not required in this instance because there is already 36,957 sqm office floorspace on the site. Furthermore, as policy Emp 9 requires significant replacement space, it is not considered necessary for an assessment of this mixed use development to consider alternative sites.

Economic Development comment that if the existing office complex was fully let it could be expected to directly support approximately 1,805 full-time equivalent (FTE) jobs. This could be expected to directly add approximately £159.42 million of GVA (2018 prices) to the economy of Edinburgh per annum. The RBS site has now been vacant for three years.

Economic Development has estimated that the overall development could directly support 836 Full Time Equivalent (FTE) jobs and £68.55 million of GVA per annum (2018 prices). This represents a decrease on the potential economic impact of the existing buildings; this is inevitable where office space is being redeveloped for other uses. The loss of office space would to some degree be compensated for by the creation of modern new space.

The EIA summarises that the development would create in the region of 570 construction jobs.

The principle of the office block is acceptable at this location.

Other uses:

A Class 1 (Retail) unit covering approximately 282 sqm is proposed on the corner of the office block fronting onto Dundas Street. The unit would have direct access onto Dundas Street.

LDP Policy Ret 6 (Out of Centre Development) sets out the approach to retail uses in out of centre locations, including considering deficiencies in the retail offering, consideration of alternative sites within or on the edge of identified centres, impact on existing centres and the sites accessibility.

The inclusion of the unit fronting onto Dundas Street at this location is encouraged to provide an active frontage. The location of the site is not within a retail centre, though there is an identified local centre on the opposite side of Dundas Street. The wider area also contains a mix of uses and is in an accessible location. A mix of uses is encouraged on this site and forms part of a comprehensive and co-ordinated redevelopment. A minor departure from the retail policy in terms of the location of retail development in out-of-centre development is acceptable in this instance as it is an ancillary use and will add to the vibrancy of the area.

LDP Policy Ret 8 (Entertainment and Leisure Developments - Other Locations) is applicable to the proposed gym use that sits under the podium level within the site. The policy covers a potential wide range of uses and indicates that a sequential approach which considers city centre or town centre locations first.

The policy also sets out key considerations relate to accessibility by public transport, design quality and impact on the character of the area and local residents.

As a use compatible with the wider mix of uses proposed on this regeneration site is not deemed appropriate for alternative sites within the retail hierarchy to be considered. However, it is acknowledged that a Class 11 (Assembly & Leisure) does cover a wide range of potential uses which can often have wider amenity considerations, therefore it is appropriate to restrict the use to a gym by condition.

The site is in an accessible location and has been design as part of the podium level adjacent to the living green wall which will aid in enlivening the street in this part of the site

Having a mix of uses in a development can help both its sustainability and the sustainability of an area as a whole. The proposed ancillary uses are welcomed to provide local services and employment opportunities and create active frontages along these streets.

Open Space:

A section of the site is designated as open space within the Edinburgh Local Development Plan. Policy Env 18 (Open Space Protection) sets out the circumstances in which a loss of open space will be permitted.

Planning permission in principle (14/01177/PPP) has recently been granted for a mixed use development on this part of the application site. This establishes the principle of developing on the open space.

The open space, approximately 0.12ha is fenced off and is not accessible to the public. It is of limited amenity value. It is defined as a "semi-natural greenspace" in the Council's Open Space Audit and is given a rating of "fair". The open space sits adjacent to King George V Park which covers 1.97 hectares and is rated excellent in the Open Space Audit.

From Eyre Place, the trees on this site and the park merge to give a continuous green frontage along this section of Eyre Place. The trees fronting King George V Park will remain and will continue to contribute to the character and quality of the local environment.

The open space within the application site does not serve a planned role in the townscape of the area and its redevelopment provides the opportunity to fill a gap in the urban form. Given its current condition and proximity to King George V Park, the loss of this space would not be detrimental to the wider network including its community or biodiversity value. In this instance, the potential townscape improvements outweigh the loss of open space.

In summary, the principle of redeveloping this site for the range of uses proposed is supported.

d) New Town Gardens Designed Landscape Inventory Site

LDP Policy Env 7 (Historic Gardens and Designed Landscapes) sets out that development will only be permitted where there is no detrimental impact on the character of a site recorded in the Inventory of Gardens and Designed Landscapes, adverse effects on its setting or upon component features which contribute to its value.

The site is located within the New Town Gardens designated Garden and Designed Landscape (GDL).

The inventory notes that the internationally recognised New Town Gardens comprise a series of 18th and 19th century town gardens, squares and walks. Although broadly contemporary with other developments in city planning, Edinburgh New Town has the most extensive system of public and private open space, designed to take full advantage of the topography and Edinburgh townscape.

It continues that it is a series of 18th and 19th century town gardens, squares and walks, which, together with the surrounding buildings are collectively termed the 'New Town', and the result of neo-classical town planning.

King George V Park is not specifically mentioned in the inventory description. It takes a different form from the other New Town Gardens covered by the inventory and is not a formally planned garden like a number of the other parks and gardens found in the New Town. It is not contemporary to the creation of the New Town. Furthermore, it has also changed over the years.

Historic maps and information show that by 1851 the Canonmills Loch was drained and the ground was an area of undeveloped ground.

In 1865 The Royal Patent Gymnasium was opened on the eastern part of the site. This contained a number of pieces of apparatus including the 'Giant Sea Serpent', a large roundabout set within a circular artificial pond which was moved by visitors rowing the circular six-foot wide 'boat' which could accommodate 600 seated rowers. The Royal Patent Gymnasium was short lived and was sold in 1879.

In 1905 the area now covered by the park had become a football ground with a number of buildings to the west.

The 1933 Ordnance Survey map shows the football pitch re-orientated east-west and a stand constructed at the southern part of the site.

King George V Park was opened in 1950. The original design for the park included tennis courts, a putting green and a playground. The park was re-landscaped in the 1980s, this established planting, paths and number of 'rooms' that add to the character and form the main components of the park today.

A number of objections received to the application relate to the impact on the park, both in terms of links through to the proposed development and the development of new buildings close to the boundary in a part of the park which is relatively secluded.

The park does have planting around the perimeter, this will be opened up by the link and some of the boundaries will be changed by the proposed development.

The BTR block to the west of the park focuses on creating strong active frontages to the park, creating a new street which significantly improves levels of passive surveillance. Planning permission in principle has recently been granted for development next to the western boundary of the park. Trees will be retained along this boundary.

The removal of the existing garages and large area of hardstanding car parking from the perimeter of the park will have a positive impact on the setting of the park. The introduction of crescent blocks in this area along the southern edge of the park will change, to a limited extent, the character of the park, by introducing a different built form in this area. These will be visible from the park (as is the existing garage building which is currently visible) but will project higher than the existing garages. The effect is most notable in the winter months where it is more possible to see the buildings through the trees. The existing data centre on the site to the southwest is already a relatively large and bulky building.

HES comment that while it notes that the footprint of the park has changed dramatically over time, it does retain some of its open character in relation to the New Town buildings positioned to the south. Overall, they consider that the central axial route through the proposed development has the opportunity to improve current views of the New Town, primarily Royal Crescent, from the park (and vice versa). It should be noted, however, that the bulk and relatively narrow gap between the crescent blocks nearest the park currently limit the available views.

The visual assessment contains a number of viewpoints, including viewpoint 16 looking south from the park and viewpoint 5 looking in a southwest direction.

The submitted heritage statement puts forward that the modern King George V Park has no functional or physical relationship with Royal Crescent and views were unintended. However, this is not fully accepted given the physical closeness of the park, the application site and the Royal Crescent.

The applicant's assessment is that the existing viewpoints indicate limited visibility of the Royal Crescent from the park, with viewpoint 16 showing that the heavily tree filtered winter views of the upper part of the built edge of the eastern section of Royal Crescent would be blocked by one of the private residential blocks.

However, the gap between the two crescent shaped residential blocks does provide a partial view and this responds to Dundonald Street. The removal of the existing garage shed is also beneficial visually. The form of buildings would allow the corner pavilions of Royal Crescent and Dundonald Street to be legible through certain points of the development.

In the summer months the impact will be more limited, with glimpses through to the proposed buildings on the application site.

Although some of the views to the south are more transient in nature, the view to the Royal Crescent and the WHS site will be impacted on by the proposals and the nature of the park will be altered. However, the current views do not provide uninterrupted views of the full Royal Crescent, whilst the proposed gap will enable passing views. Furthermore, the proposals will introduce passive surveillance in a secluded part of the current park and increased permeability provided by the new link.

The main physical change to the park would be the inclusion of a new link through to the site. This would not impact adversely on the park or the components and character that was set out when the current park was set out in the 1980s.

It is concluded that the park is not contemporary with the surrounding older development. The proposals will alter the boundary treatments and introduce new built forms on the adjacent ground. The views would change, predominantly in the winter but the longer view out of the park is more transient in nature and already partially blocked by an existing garage. The proposal does not have an adverse impact on the Inventory Garden and Designed Landscape and complies with Policy Env 7 (Historic Gardens and Designed Landscapes).

e) World Heritage Site

LDP Policy Env 1 states that development will not be permitted which would have a harmful impact on the qualities which justified the inscription of the Old and New Towns of Edinburgh World Heritage Site, or would have a detrimental impact on the Site's setting.

Setting includes sites located in the immediate vicinity of the World Heritage Site (WHS), such as the subject site which lies to the north of the WHS boundary.

The Old and New Towns of Edinburgh World Heritage Site was inscribed on the World Heritage List by UNESCO World Heritage Committee in 1995. This defines the criterion for Outstanding Universal Values (OUV) relevant to the Old and New Towns of Edinburgh WHS as:

Criterion (ii): The successive planned extensions of the New Town, and the high quality of its architecture, set standards for Scotland and beyond, and exerted a major influence on the development of urban architecture and town planning throughout Europe, in the 18th and 19th centuries.

Criterion (iv): The Old and New Towns together form a dramatic reflection of significant changes in European urban planning, from the inward looking, defensive walled medieval city of royal palaces, abbeys and organically developed burgh plots in the Old Town, through the expansive formal Enlightenment planning of the 18th and 19th centuries in the New Town, to the 19th century rediscovery and revival of the Old Town with its adaptation of a distinctive Baronial style of architecture in an urban setting.

Chapter 4 of the 2011-2016 Management Plan sets out an interpretation of the key attributes of the OUV which are further explained in Appendix D.3 of the 2017-2022 Management Plan.

The WHS Management Plan, by its very nature, accepts that inevitably change will occur within the WHS. An EIA Report has been submitted with the application to assess the effects of this change.

The applicable attributes to the OUV that may be affected by the proposed development on the edge of the WHS are:

Architectural Quality:

- The New Town plans establish major axes which are addressed by formal set piece architecture, often designed by the leading architects of the day. The North Bridge vista is closed by Robert Adam's Register House. Looking east along George Street, the view is closed by William Chambers' Dundas House. Melville Street aligns with George Gilbert Scott's St Mary's Episcopal Cathedral.
- The overwhelming majority of New Town buildings date from the period 1770-1870. Their form was rigidly controlled by a series of feudal conditions. Main doors approached across stone entrance platts bridging the basement area and often marked by entrance lamps are characteristic, as is the regularity of scale.
- More recent buildings throughout the Site reflect a variety of different approaches to development in historic areas, while respecting their context and wider setting.

Topography, Planned Alignments and Skyline:

- The Old and New Towns both exploit the topography of their site and the value of views both within and out from it to maximum effect. The historic plan forms allied to the dramatic topography results in important terminated and long vistas and landmark features
- The distinctive and cohesive historic skyline is dominated by The Castle, the spires of the Old Town and Arthur's Seat.
- The New Town is characterised by its disciplined facades with palace fronts in local sandstone. They create a regular pattern of stately streets, squares and crescents, interspersed by formal gardens, and containing a series of major classical buildings by architects of the stature of Robert Adam

In a similar manner The Edinburgh World Heritage Trust (EWHT) indicates that they have broken down the qualities of the OUV into 5 overarching themes and the two most likely to be affected are:

- 'A Model City': The Old and New Towns embody the changes in European urban planning from inward looking, defensive walled medieval cities, through 18th and 19th centuries formal Enlightenment planning, to the 19th century revival of the Old Town with its adaptation of a Baronial style of architecture in an urban setting.
- 'Iconic Skyline': The dramatic hills and green spaces of the landscape, plus key buildings of the Old and New Towns give Edinburgh its iconic skyline that has inspired generations of artists, writers, visitors and residents.

The site itself, retains surviving historic features (such as the retaining walls and boundary railings), but by itself is not considered to make a significantly positive contribution to the overall OUV.

Over the years and despite the variety of industrial and recreational uses attributed to the wider site, the area maintained its open 'under developed' characteristics and does provide part of the setting for the buildings and townscape of this section of the second New Town.

Architectural quality

The design quality of the development is considered in section 3.3f).

The design is contemporary and the use of simple geometry, repetition and modulation to bring rhythm and depth to building facades is supported. The buildings' edges respond positively to the existing streets.

The design of the buildings utilises high quality materials, with natural stone being the unifying material around the principal external elevations which is appropriate for the location of the site. Where appropriate existing walls and railings are retained.

Topography, Planned Alignments and Skyline

The main considerations in relation to topography, planned alignments and skyline are the views along Dundas Street and Nelson Street/Drummond Place/Dundonald Street.

Nelson Street/Drummond Place/Dundonald Street

This potential impact alters along the street when moving north and is shown in viewpoints 8 a,b,c.

The longer views show the larger northern crescent blocks separated by a gap of a similar width of the existing street. The gap in the buildings enables a framed view in the longer viewpoint to be formed. This will aid in mitigating the visual impact.

HES does not object to the application but does comment that the long view demonstrates key characteristics of the townscape and topography of the New Town and would be diminished by the appearance of large-scale development (the proposed larger northern residential blocks). It considers that this impact is significantly adverse.

The applicant did widen the gap and lower the height of the northern crescent blocks, but this was relatively marginal and HES re-stated its comments regarding this element of the proposals.

HES does note some beneficial effect on the setting of the World Heritage Site will occur with the introduction of a central axial route through the site between the proposed crescent blocks and the opening-up of potential views from the park.

Conversely, EWHT comments that the proposed heights, massing, back-of-pavement relationship to the Royal Crescent, Fettes Row and Dundas Street all respond appropriately to their historic context and consider that the proposals, in general, would not cause notable harm to the OUV of the World Heritage Site.

There have been a number of objections to the proposed development including the height and form of the development and the impact on the WHS, but there has also been support, including from the Cockburn association.

As noted in the WHS Management Plan it is accepted that change will occur in the WHS.

The new blocks opposite the Royal Crescent will introduce a new form of development onto the lower lying application site. The new crescent buildings, with the gap do demonstrate an appropriate design solution to this part of the site align with the width of the street and the gable ends when looking north.

The closer views of the site from Dundonald Street show the southern crescent building rising one storey above the street level. Again, this does introduce a change to the current underdeveloped site, but this is a more localised view and would not have a wider impact on the setting of the WHS. As noted above, in the summer, views to the buildings is screened by three trees.

Dundas Street

The proposed blocks along Dundas Street step down the street, with the visualisations and views provided shown the development aligning with the existing development to the south and the north. The key view (C12) has been picked up by viewpoints 1 a,b,c,d at various points looking down Dundas Street.

The view will be changed due to the new building line and the loss of trees on Dundas Street, though the retained trees will still be visible on the corner of Fettes Row. The upper levels of the development will be more visible, but do not have a detrimental impact on the skyline.

With HES noting that the wall-head height of the proposed office and residential blocks are comparable in height to the wall-head height of the category B listed 4-storey corner pavilion block on Dundas Street, and the 3-storey terraced townhouses on Fettes Row. This aspect of the proposals also, in its view, successfully reflects the rhythm of development stepping-down towards the Firth of Forth.

Similarly, EWHT note that the proposed heights, massing, back-of-pavement relationship to Fettes Row and Dundas Street were considered to respond appropriately to their historic context.

Viewpoints 7 looking south from Brandon Terrace show an altered building line from the current situation. The new street elevation aligns with the established building line along Dundas Street. It will not detrimentally impact on the setting of the World Heritage Site or the view up to the spire of New College.

Although there would be change with the loss of the trees along this elevation it would not cause notable harm to the OUV of the WHS.

Overall, there will be some adverse impacts from the proposals on the World Heritage site, but these are largely limited to a view down Dundonald Street which is more impacted upon in the closer views. The proposal complies with Policy Env 1 (World Heritage Sites).

f) Design, Scale and Layout

An early iteration of the proposals was discussed at the Edinburgh Urban Design Panel (EUDP) on 25 September 2019. A copy of the report can be found in the consultations section in the appendix.

Layout

Policy Des 7 (Layout Design) seeks an integrated approach to the layout of buildings and routes around them with good connectivity to local centres and public transport. It states that layouts should encourage walking and cycling and ensure overlooking of routes and promote safe and convenient access for people with limited mobility or special needs. It also seeks the connection of public open spaces with the wider pedestrian and cycle network.

The proposed buildings front onto existing streets and address these positively with a range of ground floor uses including retail on Dundas Street. The arrangement of buildings reinforces the existing pattern of perimeter blocks within the area. The new route connecting Dundas Street with King George V Park creates a positive new connection between the park and Dundas Street. It is well overlooked by windows from the housing, hotel and office and slopes down from the street to the park, ensuring safe and convenient access. This connection with the park will help occupants of the development and others get to the cycle route at Rodney Street Tunnel and the wider cycle network.

The EUDP encouraged permeability through the site, but raised concerns with the route through the site from Dundas Street and the creation of a large break in the perimeter block on this street.

This route is at an angle to the rectilinear pattern of streets within the immediate vicinity, however, there are other New Town streets that sit at angles, for example York Lane.

Both the northern and southern crescent buildings on Royal Crescent, through their placing on the axis of Dundonald Street, help to reinforce the symmetry of that street and in turn the pattern of development in the wider New Town. The proposed crescent blocks are also constrained by the combined sewer running through the site.

The development therefore complies with Policy Des 7.

Height and Form, Scale, Position of Buildings, and Materials and Detailing

Policy Des 4 (Development Design - Impact on Setting) seeks development that will have a positive impact on its setting having regard to height and form, scale and proportions, position of buildings, and materials and detailing.

The EUDP had concerns over the height, mass and scale of development. The application has been accompanied by visual assessments to demonstrate how the proposed building blocks fit within the context of the site. Potential impacts on the historic assets within the area have been considered in the sections above.

Heights of buildings onto Dundas Street and Eyre Place are similar to the heights of nearby tenements. The higher part of the hotel building is set back so it is not so apparent from street level. These heights are continued so that blocks 1, 2, 3 4 and 6 are of a similar height. The height of the office building (block 4) though overall higher than the townhouses opposite, has a stepped back upper storey which helps integrate the height of the office into this context. Block 5 is also similar in height on Fettes Row but the crescent element of this is lower in height. This ensures that visual impact is reduced and allows the trees along the edge of Royal Crescent to remain prominent in the view along the street. The heights of the block 1 and the northern crescent block 6 will be seen from King George V Park and will be more prominent in the winter when leaves are off the trees. These buildings are of a similar height to the trees. Overall, the height of these blocks and the other proposed buildings is appropriate.

The position of the buildings ensures that spaces are overlooked and the arrangement generally follows the perimeter block pattern of surrounding streets. The position of buildings is appropriate.

The elevational design of the buildings helps give them a scale that is similar to the nearby Georgian buildings. The windows have a vertical emphasis that echoes the proportions of the neighbouring historic buildings. On the hotel and housing blocks, the floor to floor heights are smaller than those of surrounding historic buildings but the use of floor to ceiling windows on the proposed buildings gives the windows a vertical emphasis which echoes, in a modern way, the neighbouring character.

Similarly with the Fettes Row elevation of the office building (block 4), the use of two and three storey vertical panels of stone on the upper floors combined with a strong horizontal element at first floor level is a striking modern interpretation of the proportions of the Georgian town houses opposite.

Materials within the development respond to the range of contexts within the site. For example, natural stone is predominant on the elevations to Dundas Street, Fettes Row and Royal Crescent where buildings opposite have sandstone elevations. Precast stone is proposed and brick are proposed for the hotel and affordable housing elevation to Eyre Terrace while opposite those elevations, on block 1, precast stone and coloured angled metal panels are proposed. A mixture of dark precast stone is and light precast stone is proposed on elevations of block 1 to the park. Darker and lighter precast stone is proposed for the crescent block facing the park with metal cladding to the top storey of the northern crescent, while natural stone is proposed for the south facing facades of the crescent blocks. Subject to a condition which requires details to be submitted and agreed, materials are acceptable.

The proposal complies with Policy Des 4.

Other design considerations

Through its layout, arrangement and mix of uses, building heights, scale and materials, the development will contribute positively to the sense of place within this area. It meets the requirements of Policy Des 1 (Design Quality and Context). The concept for the site and the design evolution has been set out in the submitted Design and Access Statement.

The Development will not compromise the effective development of adjacent land and so complies with Policy Des 2 (Co-ordinated Development).

Through providing a connection towards King George V Park, the development integrates with it providing users of the development and the wider community the potential to use this important public space. In this sense, the development complies with Policy Des 3 (Incorporating and Enhancing Existing and Potential features).

Density:

LDP Policy Hou 4 (Housing Density) states that the Council will seek an appropriate density on sites giving regard to the characteristics of the surrounding area, the need to create an attractive residential environment, accessibility and need to encouraging local services.

The density of the proposal is 166 dwellings per hectare (dph) when comparing the number of units 349 against the site area of 2.1 hectares discounting the proposed hotel and office uses within the site.

Such a density is comparable to new tenement development at Lochrin Place with a density of 164 dph and is acceptable in such an urban environment close to the city centre.

Housing Mix and Sizes:

LDP Policy Hou 2 (Housing Mix) seeks the provision of a mix of house types and sizes where practical.

A range of one, two and three bedroom units are proposed across the site. Seventy units (20%) contain three or more bedrooms designed for growing families, which meets the requirements of the Edinburgh Design guidance.

The Edinburgh Design Guidance includes recommended internal floor areas for flat sizes. For the affordable and private residential blocks the proposal complies with these recommended minimum sizes.

The units in the BTR block meet the minimum standards, aside from 32 of the one bedroom units which are below 52 sqm. Thirty of these are above 50 sqm with the remaining two being above 48 sqm. The EDG explains that when considering BTR proposals that some flexibility can be applied as the BTR model allows for efficiencies in floor space by removing lobbies and also the provision of additional facilities with BTR developments. This approach has been taken here and is acceptable

The Edinburgh Design Guidance states that single aspect dwellings should not make up more than 50% of the overall dwelling numbers. Across the whole of the site the 50% of the residential units are single aspect.

Overall the design makes a positive contribution to the area and will add to its sense of place. The design, scale and layout are acceptable.

g) Transport

Access and Traffic Generation:

A Transport Assessment (TA) has been submitted in support of the application. This provides an assessment of the transport considerations associated with the proposal.

The vehicular access to the site remains as currently in place, which is one vehicular access point taken from Eyre Terrace. An emergency only access route of 3.7 metres in width around the perimeter of the BTR block is also proposed.

The TA has been assessed by the Roads Authority and it concludes that it is an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network.

The site is in an accessible location with good walking accessibility to a range of services and the city centre (20 minutes).

The proposal will open up a route through to the park from Dundas Street and will link in with the local path network alongside the national cycle route (NCR 75) that runs through the eastern part of the King George V Park. This increases permeability through the area.

The Dundas Street entrance into the site includes a ramp and steps. The ramp is a minimum of 2.2m at the narrowest points but extends to 2.5m for the majority of its length with a grade of 1:21. An accessible bridge is proposed at the entrance to the park.

There are a number of bus stops located on surrounding streets with the TA setting out that at present, bus stops are found on Eyre Place, Henderson Row, Brandon Street, Dundas Street, the B901, and Howe Street. Currently nine bus services, mostly operated by Lothian Buses, serve these bus stops offering residents with approximately 32 services per hour during weekdays, 23 services per hour on a Saturday, and 15 services per hour on a Sunday.

The site is in an accessible location with good linkages and the proposed development will not have a detrimental impact on the road network.

Parking:

LDP Policy Tra 2 (Private Parking) requires that developments make provision for car parking levels that comply with and do not exceed the parking levels set out in the non-statutory guidance.

The parking standards contain no minimum amounts for car parking. The standards allow for allow a maximum of 349 parking spaces for the residential units and 23 spaces for the 116-bed hotel and three spaces for the office.

The proposed development provides a total of 161 car parking spaces. This incorporates 58 parking spaces for the BTR/MMR blocks, 90 for the private residential blocks, 10 for the hotel and three for the office use. Included within this total number are 16 accessible spaces and 29 electric vehicle spaces are proposed.

The EUDP advocated the consideration of a car free development. Car access is generally restricted to the one access point to the site. The use of the podium deck allows the car parking to remain out of sight and the proposed parking numbers are considerably less than what the standards allow for.

Twenty-eight motorcycle parking spaces proposed complies with the minimum CEC motorcycle parking requirement of 22 spaces.

The proposed level of car parking meets the requirements of Policy Tra 2. The Roads Authority has recommended that the applicant should consider contributing a sum towards the provision of four car club vehicles in the area, but as the car parking standards are met then this would be optional.

LDP Policy Tra 3 (Private Cycle Parking) requires that cycle parking and storage within the development complies with Council guidance.

A total of 840 cycle parking spaces are provided throughout the site.

The proposed 753 cycle parking spaces for the 349 residential unit complies with minimum cycle parking requirement of 751 spaces. The 75 cycle parking spaces provided for the office block complies with the minimum requirement of 75 spaces. The 12 cycle spaces for the hotel also complies with the minimum requirement of 12 spaces.

The majority of the cycle parking is provided throughout the basement level within defined secure spaces. Storage is also provided at upper podium deck / street level for the BTR block which is accessed from the rear courtyard and additional cycle storage at the MMR block courtyard level accessed from the Dundas Street entrance. A condition is recommended to ensure that the levels proposed can be achieved.

The Transport Assessment indicates that the development will be supported by a Travel Plan and contains a travel plan framework. This would have the aim of influencing travel behaviour and providing a welcome pack to help plan sustainable travel. An informative is proposed to encourage the applicant to undertake the measures set out in the TA.

In summary, the site is within an accessible location with good access to public transport. The access to the site is acceptable and the level of parking proposed is within the standards.

h) Amenity

Noise:

The submitted Noise Impact Assessment (NIA) has looked at noise impacts from transport sources on the proposed development, noise from non-residential proposed uses on existing and proposed residential units, commercial plant noise and construction noise.

Environmental Protection note that the NIA has demonstrated that its possible for the proposed uses to be established with little impact on residential amenity.

The proposed plant associated with the development is proposed for the development is to be located within the basement area so mitigation will be required.

Some of the specific operations of the proposed commercial / retail aspects of the development are not known and therefore cannot be robustly assessed in terms of their potential noise impacts. The applicant has proposed that noise break-out could be considered in the detailed design stages of the development and would be controlled via a façade design of appropriate acoustic specification. Further noise information is required.

Noise from the proposed Skybar has also been assessed. The applicant has stated that it is considered that breakout from the internal areas of the Skybar would be addressed during the detailed stages of the design and would be adequately controlled via means of an appropriate façade specification. The applicant has suggested a number of possible noise mitigation solutions that could be introduced and will be detailed at a later stage. With potential mitigation in place, it is expected that noise from the hotel rooftop bar would be negligible.

It is acceptable that this can be considered later and a suspensive condition is proposed to ensure that adequate mitigation is achieved. Environmental Protection are confident that engineering solutions can be introduced to ensure residential amenity is protected and therefore conditions are recommended. Issues such as opening hours and use of the Skybar terrace are best covered by other regimes such as licensing.

Environmental Protection do not object to the proposals.

Privacy

The consideration of privacy distances has been taken into account when setting out the position and orientation of the proposed buildings within the site.

Dundas Street is a relatively wide street and there is a separation distance of approximately 26 metres. Similar overlooking distances from Fettes Row and the Royal Crescent between the existing and nearest proposed blocks exist. The distance from the proposed new block on Eyre Place is approximately 23 metres from the nearest building to the north.

Along Eyre Terrace the distance between the buildings 16 and 17 metres separating the buildings along Eyre Terrace, this generally matches the existing width of street.

The courtyard of the BTR block is between 18 and 21 metres between the new block and the rear of the existing buildings on Eyre Terrace.

The northern elevation of the MMR block will face into the existing courtyard of the existing block to the north. The distance is 18.5 metres. The east/west distance matches the existing width of the courtyard at approximately 22 metres. These are acceptable privacy distances in an urban environment.

On Dundas Street within the existing development to the north there are existing windows in the recessed area of the building. However, windows within the gables of buildings are not generally protected.

Internally the distances between the blocks within the site are quite wide, with the crescent blocks separated by 18 - 20 metres. There are pinch points where the proposed northern and southern crescents are proposed, at 10 metres at the nearest points of the buildings, but the orientation of the blocks will avoid direct overlooking.

The distances within the site are appropriate for the proposed layout.

Daylighting and Overshadowing:

A detailed Daylight and Overshadowing Study has been provided.

Daylight to existing neighbouring buildings:

The daylight to existing buildings initially uses the Vertical Skyline Component (VSC) Method. Any that do not pass that test then Average Daylight Factor (ADF) analysis is used.

The study shows that adjacent properties along Royal Crescent (1-23), Fettes Row (1-12) and Dundas Street (120 - 160) all pass the VSC test and therefore no further analysis is required.

Along Eyre Place/Eyre Terrace the majority pass the VSC requirement, but there are 29 windows that do not meet the test.

As per the EDG guidance the Average Daylight Factor assessment has been carried out on these. This shows that there are five rooms failing the ADF test on Eyre Terrace:

- One bedroom to 1 Eyre Terrace;
- One kitchen to 3 Eyre Terrace;
- Two living/kitchen/dining room to 5 Eyre Terrace and
- One living/kitchen/dining room to 9 Eyre Terrace.

These are all to the rear of the building and five rooms is a relatively minor impact in such an urban environment.

Daylighting to proposed new buildings:

Daylight received by the residential buildings in the proposed development was assessed using No Sky Line (NSL).

The study indicates that the proposed blocks to the south of the park and along Fettes Row / Royal Crescent meet the no skyline method.

For the MMR block there are 59 rooms out of a total of 255 analysed that do not meet the target. These are 31 bedrooms and 28 living/dining rooms:

- Ground floor: 15 bedrooms and 10 living/dining rooms.
- First floor: 9 bedrooms and 9 living/dining rooms.
- Second floor: 3 bedrooms and 6 living/dining rooms.
- Third floor: 2 bedrooms and 3 living/dining rooms.
- Fourth floor: 2 bedrooms.

The rooms are mainly in the same location on each floor level facing into the courtyards. In addition, there are a limited number of rooms with a deep floor plate facing Eyre Terrace and Dundas that do not meet the target.

Over half of the rooms that do not meet the target are bedrooms. Bedrooms have half of the requirement for daylight of living rooms.

In the BTR block there are 21 rooms overall that do not meet the target, comprising 8 bedrooms and 13 living/dining rooms:

- Lower ground floor: 2 bedrooms and 3 living/dining rooms.
- Ground floor: 3 bedrooms and 4 living/dining rooms.
- First floor: 3 bedrooms and 4 living/dining rooms.
- Second floor: 2 living/dining rooms.

These rooms mostly face onto Eyre Terrace. Around a third of these are bedrooms.

Overall, across the whole development 92% of the rooms analysed meet the Edinburgh Design Guidance standards for daylighting. Achieving reasonable amenity needs to be balanced against achieving good townscape. A large percentage of the rooms meet the daylighting standards and it is accepted that in such an urban area there will be compromises.

Overshadowing

The Edinburgh Design Guidance sets out that new amenity areas should receive two hours of sunlight to at least 50% of their area at the Spring Equinox (March 21).

Out of the 25 amenity spaces to be created, eight are not compliant.

MMR:

The two courtyard areas, the part courtyard associated with the existing residential block to the north and the southern one adjacent to the hotel do not meet the requirement.

The existing residential courtyard currently does not meet the standard. The proposals would open this courtyard up more and there would be no further reduction in terms of overshadowing.

BTR:

One courtyard space and one terrace within the courtyard do not meet the guidance. These spaces do not meet the target due to the development itself causing an obstruction to sunlight.

Residential blocks:

Four areas of small north facing private terraces associated with the private crescent blocks do not meet the overshadowing target. Due to their orientation, these spaces do not have a realistic expectation of achieving the target sunlight hours.

Existing amenity

In terms of the proposed impact on existing external spaces there are no additional impacts on overshadowing except to one of the spaces to the rear of the existing Lorimer building on Eyre Terrace which will not receive at least two hours sunlight to 50% of its area on 21 March.

George V Park

The EDG also sets out that the overshadowing of parks should be capable of also receiving potential sunlight for more than two hours during the spring equinox. The analysis provided shows that this will be achieved with the new development.

The majority of the open spaces meet the requirements for overshadowing. Of those that do not, two are central courtyard areas associated with the MMR block and the hotel and given the desire to achieve a frontage along Dundas Street with appropriate building heights it would be difficult to get adequate sunlight into these spaces. Four are small north facing terraces associated with the private residential blocks and due to the orientation of the blocks it would be difficult to achieve the required sunlight, but some outdoor space is still desirable. The BTR spaces that do not meet the tests are also due to the orientation of the proposed building. The one existing area is a relatively small impact when considering the proposal as a whole.

Open space, trees and landscaping:

Trees

Trees in conservation areas are protected. Local Development Plan Policy Env 12 (Trees) states that development will not be permitted if it is likely to have a damaging impact on these trees, unless necessary for good arboricultural reasons. Where such permission is granted, replacement planting of appropriate species and numbers will be required to offset the loss to amenity.

Forty-two trees have been identified for removal. These have been split into groupings.

Dundas Street (Group 1). There are 24 trees within this grouping along the frontage of the RBS building. Twenty-one of these trees are to be removed to allow for a new frontage onto Dundas Street to be provided. The design implications for this are considered elsewhere in the report.

Fettes Row (Group 2). There are 29 trees in this group along Fettes Row. These are noted as having a high visual impact and include old Elm trees. Four of these trees are proposed for removal, these are identified as Norway Maples which are all category grade c trees of low quality. The submitted information indicates that the trees have suppressed their growth to the south but have increased their lateral growth to the north for which the extent of pruning required to achieve clearance will result in a loss of more than 50% of the canopy and leaf area. This makes retention inadvisable.

During the application process the office building was moved back from the trees by 1.5m. This means that while pruning will be required from time to time, ongoing tree works are not so intensive as they would have been with the original proposal. There are an additional 11 trees in this group require some pruning work. The applicant states that pruning work is required to these trees in the event of the existing building being retained and should have been part of ongoing maintenance of the existing facility in order to control encroaching growth

The extent of this pruning will not be completely understood until an Arboricultural method statement has been agreed by the contractor. There is a risk that extra pruning currently not expected will be required due to issues that have not been foreseen. This would potentially conflict with Policy Env 12 (Trees). Therefore, a method statement is required by condition.

Royal Crescent (Group 3). There are 49 trees located along the northern side of the crescent. None of these trees are identified for removal.

Park Edge (Group 4). Fourteen trees on the eastern side of the site adjacent to the park are being removed to facilitate development. These sycamore trees are self-seeded but will still provide water attenuation, habitat and some visual amenity. They do form an edge and a screen to the site alongside the existing trees within the adjacent park. However, their removal is considered acceptable in order to facilitate development and subject to consideration of replacement planting within the wider site.

Eyre Place (Group 5). This group consists of 27 trees located to the west of the park, one tree is noted for retention. Planning permission in principle (reference 14/01177/PPP) has established the loss of the trees and the redevelopment of this part of the site and therefore this is acceptable.

Elsewhere there are another six trees, which are not part of the five groups also exist, of which three are being removed for the development. Two have been identified for removal due to impacting on site infrastructure and one due to physical defects.

Overall, of the 42 trees identified for removal, 19 are additional trees over the 23 trees which have already been previously accepted for removal. The remainder have generally been proposed for removal to aid the development. The majority of the important trees along Fettes Row and the Royal Crescent are being retained.

A number of conditions are recommended in relation to tree protection.

Policy Env 12 (Trees) also requires replacement planting of appropriate species to offset the loss.

Seventy-one replacement trees are proposed. Some of these trees are proposed for the podium deck. While these are likely to have restricted growth in comparison with trees planted in the ground, these will still contribute to an attractive landscape setting for the development.

There are further trees proposed to be planted around the proposed entrance to the park and within the sunken garden area.

In summary, there is some loss of trees proposed, with a number already accepted through a recent permission. The trees along Fettes Row and Dundas Street are, in the main, being retained. The loss of trees along Dundas Street justified in design terms alongside other trees to help facilitate the proposals. The loss of trees does lead to an infringement of Policy Env 12 (Trees) but this will be mitigated to some degree by replanting.

Open Space and Landscaping:

In wider strategic open space terms, the Council's Open Space Strategy (OSS) sets out open space standards measured in terms of distance and quality.

The large greenspace standard states that all homes should be within 800m walking distance of an accessible large greenspace of at least two hectares and of 'good' quality.

The OSS states that King George V Park contributes to the large greenspace standard, falling only slightly below the two hectare threshold at 1.97 ha. It was last audited as being of 'good' quality.

The OSS and associated action plans show the areas that are meeting/not meeting the large open space standard. These indicate that the homes within the vicinity of the site are meeting the standard for large greenspace. Likewise, the play standard shows similar results.

LDP Policy Env 20 (Open Space in New Development) relates to development proposals other than housing. It does not set out specific requirements, but does indicate that the Council will negotiate the provision of new publicly accessible and useable open space in new development when appropriate and justified by the scale of the development and the needs it will give rise to.

As set out in the EDG all residential developments should contribute towards these standards by providing publicly accessible open space on site. Where this is not possible, contributions may be sought for the improvement of open space within the area.

The proposals create a public realm route through the site which opens up a previously inaccessible site and links through to the park. This is made up of hardstanding and areas of planting, with areas for sitting and the potential for public art.

Policy Des 8 (Public Realm and Landscape Design) seeks high quality, well designed public spaces.

The materials have been improved from the initial proposed use of concrete to now include natural stone within the core areas, which is more appropriate for the conservation area. As the development is effectively creating a new 'street' this should be in natural materials because it is important to create a quality public realm along a main route which is intended to be extensively used. In private areas materials such as reconstituted stone can be used. However, the hardworks plan uses the word notionally so it is recommended that the hardworks are conditioned to secure appropriate materials for the location.

Likewise, the use of public art is supported within the public realm, especially in the areas where opportunities for planting are limited. A condition is recommended to secure this.

In general, the choice of plant species proposed across the scheme are acceptable. There are aspects of the proposals in relation to the landscaping which require further detail. These include the detail of the residential green screen wall which does not go to all three sides and does not have planters on the west and east sides. This would be improved by additional planting. A timber boundary has been identified along the southern boundary of the park. This aids in differentiating the park from the development, but a stone retaining wall would be more appropriate with a modern metal railing.

Accordingly, although many of the general aspects of the proposed landscaping are acceptable, there are some issues around the details and therefore the hard and softworks are recommended to be conditioned in order to secure an appropriate standard.

In relation to open space associated with residential use, LDP Policy Hou 3 (Private Green Space) sets out that for flatted developments there should be 10 sqm of open space provision per flat except where private space is provided. A minimum of 20% of the site should be greenspace.

Private and communal gardens should be designed for use by residents for a range of functions, including space for play, seating, food growing, tree planting and drying laundry.

MMR Block:

The MMR block contains 88 units. Six of the units have access to a private garden area, three on Eyre Terrace and three on Dundas Street. These all sit at the lower ground level. Therefore, based on 82 units 820 sqm of communal open space is required.

The internal courtyard covers a total area of approximately 315 sqm, but due to overshadowing has been discounted from the calculations.

There are two communal roof terraces that covering 888 sqm. These contain a mixture of hardstanding, lawn areas, wild flower areas, planters and areas for seating.

In this urban location, where the development responds to existing streets with a perimeter block layout, it is difficult to achieve sunny open space at ground level.

The Edinburgh Design Guidance states that where it is difficult to achieve the areas normally required for private open space - for example, because of a need to adhere to a spatial pattern in an area, the inclusion of balconies or roof terraces may be seen as a mitigating measure. These are useful, but may not be so usable or desirable for families.

The level of open space serving this block is met in terms of size.

BTR Block:

The BTR block contains 144 units. Thirteen units at the ground level have access to a private garden, leaving a requirement for 1,310 sqm of communal open space.

The central courtyard area covers 727 sqm, but contains a large percentage of hardstanding, which although can be classed as open space it is not greenspace.

The roof terrace within the block is 597 sqm and combines with the courtyard area creates 1,324 sqm. Similar to the MMR block, the roof terrace contains a mixture of hardstanding, lawn areas, wild flower areas, planters and areas for seating.

Private Residential Blocks:

The private residential blocks have 144 units.

For the southern blocks adjacent to Fettes Row and the Royal Crescent there are a series of private gardens, with a number of the northern crescent blocks also having access to private garden space or a terraced space. This adds up to 45 units, meaning that for the remaining 72 units 720 sqm of communal open space is required.

A total of 1328 sqm is provided through the provision of the central crescent open space area sitting on the podium level equates to 512 sqm, with the two sunken gardens and areas next to the park adding up to 816 sqm.

The Design and Access Statement sets out that the elements of open space associated with the private residential blocks is available to all residents of the private blocks with the northern sunken garden visually communicating with the park edge. The gardens are interconnected and accessible from both podium and car park level. Though some of the access is through the car parking areas.

A minimum of 20% of total site area should be useable greenspace. The total site area, which also includes the hotel and office blocks, is 2.44 hectares, 20% of this is 4,880 sqm.

The communal amenity greenspace 3,540 sqm and the private garden / terrace space provided is 2,386 sqm which totals to 5,926 sqm. Though areas of hardstanding and small terrace areas are not technically greenspace.

As areas proposed for residential use are provided as rooftop amenity space which although of value is limited in its ability to facilitate a range of functions. Likewise, areas of hardstanding such as that provided within the BTR courtyard, which although may be appropriate for an urban setting do not create sufficient greenspace.

In this instance it is reasonable to seek a contribution to the adjacent park, which the open space audit dates back to 2016. Discussions have been ongoing with Parks and Greenspace regarding potential improvements to the park and the play space. The applicant is supportive of providing a contribution as part of the legal agreement. Subject to this contribution, the development complies with Policy Hou 3 (Private Green Space in Housing Development).

i) Other considerations:

Developer Contributions and Affordable Housing:

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) requires that development proposals contribute towards infrastructure provision where relevant and necessary to mitigate any negative additional impact of development. The finalised Developer Contributions and Infrastructure Delivery Supplementary Guidance August 2018 sets out the Council's approach for contributions.

Affordable Housing:

LDP Policy Hou 6 (Affordable Housing) states that planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units proposed.

The proposal contains 88 affordable units that represents 25% of the total number of new homes and compliant with the Affordable Housing Policy.

These are proposed to be Mid-Market Rent which are proposed to be delivered as unsubsidised, Discounted Rent - with rent levels set at the BRMA 30th percentile, which will be affordable to those who are on low incomes and are below average for the City of Edinburgh.

Affordable Housing (Enabling and Partnerships) are supportive of the application.

Education:

This site falls within two education contribution zones: sub area CB-3 of the Craigroyston/Broughton Education Contribution Zone and D-1 of the Drummond Education Contribution Zone.

Communities and Families has identified that the proposed development is required to make a contribution towards the delivery of the actions identified in the Drummond Education Contribution Zone actions based on the established 'per flat' rate.

Based on £856 per flat for 235 Flats (22 studio flats and 92 one bedroom excluded), the contribution required is £201,160 towards infrastructure (quarter 4 2017 valuation subject to indexation).

Healthcare:

The application site is not located within a Health Care Contribution Zone and there are no identified health care actions in this area. No contribution towards health care is required.

Transport:

A suitable legal agreement is required. This covers the following:

- The design and build of a toucan crossing on Dundas Street close to the proposed ramped access to the satisfaction and at no cost the Council (location to be agreed with CEC).
- Upgrading the surface course of the carriageway and both footways on Eyre Terrace from the development car park to its junction with Eyre Place and subsequently provides continuous footways on the eastern footway and access junction of Eyre Terrace to ensure pedestrian priority to the satisfaction of, and at no cost to, the Council.
- The east west route from the courtyard leading to Dundas Street is required to be secured by planning agreement to ensure public rights of access and will require CEC structural approval for the podium access;

Optional:

- In support of the Council's LTS Cars1 policy, the applicant should 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;

Open space:

As set out above, a contribution towards open space improvement is required. This is as follows:

A contribution of £48,373.90 towards improvements within King George V Park.

A contribution of £75,055.15 to improve the facilities in the play park within King George V Park.

Flooding and Drainage:

The applicant has provided the relevant flood risk assessment and surface water management information for the site as part of the self-certification (with third party verification) process. The proposal includes permeable paving on the podium level and green and blue roofs alongside and some underground storage tanks on what is a tight urban site. The submitted information is acceptable, but there is a requirement for Scottish Water to confirm that they will accept run-off into the combined sewer that runs through the site. The applicant has indicated that there is an agreement in principle with Scottish Water. However, if a connection is not secured, then the applicant would have to find an alternative means of discharging surface water from the site.

In this circumstance the applicant may be required to submit a revised planning application for a revised SUDS scheme.

Scottish Water has no general objection to the application, but has advice for the applicant to take into account.

Sustainability:

LDP Policy Des 6 (Sustainable Buildings) requires that developments can demonstrate that the current carbon dioxide emission reduction targets are met (including at least half of the target being met through the use of low and zero carbon generating technologies) and that other sustainable features are included in the proposals. This can include measures to promote water conservation, SUDS, and sustainable transport measures.

The applicant has submitted the sustainability form in support of the application. Part A of the standards is met through the provision low and zero carbon equipment in the form of air source heat pumps for the private residential blocks, a community heating system which includes gas CHP and heat pump, the MMR block includes roof mounted photovoltaic array and the hotel and office also include roof mounted photovoltaic arrays

The proposal is a major development and has been assessed against Part B of the standards. The proposal meets the essential criteria with additional desirable measures including not using tropical hardwood, use of green walls, communal recycling and rainwater harvesting.

The proposal meets the current standards set out in the sustainability form.

Ecology:

The EIA contains a Preliminary Ecological Appraisal and a Bat Survey Report.

SNH note that this is a city centre development and as such does not raise significant natural heritage issues.

Overall the site has a low ecological value, with areas of more interest being the woodland strips around the site periphery. The ecological appraisal recommends the provision of boxes for swifts, starlings and house sparrows.

The bat survey for the site concludes that within the site that roosting bats do not pose an ecological constraint for the proposed development. It also notes that despite the proximity to the adjacent urban greenspace of the park and the treelines along site boundaries that bat activity is very low.

The proposed development would not result in significant harm to ecology or biodiversity. No evidence been presented to the Planning Authority that the proposal would harm European protected species

Archaeology:

LDP Policy Env 8 (Protection of Important Remains) seeks to protect archaeological remains from being adversely impacted from development.

The Archaeology Officer has considered the submitted information which indicates that remains of associated with the Victorian Royal Gymnasium site and potentially of the earlier medieval Canonmills Loch survived in situ and has recommended a condition to secure a programmed of archaeological work and recording.

Accordingly, subject to a condition the proposal is acceptable in relation to this policy.

Waste:

Waste collection is to be factored and brought to a single collection point at Eyre Place. Swept Path Analysis has been provided to demonstrate that an appropriately sized vehicle can enter the site. There are also the requirements for trade waste producers to comply with other legislation, in particular the Waste (Scotland) Regulations.

Ground Contamination:

Site investigation information has been provided. Due to the previously developed nature of the site, a condition is required to ensure the appropriate investigation and mitigation is undertaken.

Air Quality:

The development site is near the city centre Air Quality Management Area, which has been declared for exceedances in NO₂.

Environmental Protection does not object to the application. It notes that the site is an accessible location and that car parking numbers have been kept to a low level which will reduce impacts. It is also noted that there is a net reduction in car parking numbers when compared to the previous use.

Electric Vehicle charging points are proposed. This currently meets the Councils parking standards, but Environmental Protection recommend every parking space has a wall mounted socket and rapid charging points should be installed in the commercial parking areas.

SEPA note that the detailed air quality impact assessment has concluded there will be a negligible impact on air quality when the development is in operational use and on this basis we have no objection to this development on air quality grounds.

j) Environmental Impact Assessment Report

An EIA Report has been provided alongside the application. This provides an assessment of the impact of the development in environmental terms, covering Socio-Economics, Transportation and Access, Air Quality, Noise and Vibration, Townscape and Visual Impacts, Cultural Heritage, Daylight, Sunlight and Overshadowing and Cumulative Effects.

An addendum to the EIA Report was also submitted in December 2020 which was updated in relation to alterations made to the proposals. The majority of the subject issues mentioned above were not altered by the changes. The main updates related to a revised daylighting report, updated visual representations from a number of viewpoints and updated tree analysis.

The scope of the EIA Report is acceptable, the content comprehensive and the general methodologies used for the various assessments are considered appropriate. However, there are some elements of the EIA that are not completely agreed with:

HES note there is enough information included in the EIA Report to form a view, but disagree with some of the baseline analysis and associated Heritage and Townscape Statement. These include:

HES consider the EIA Report undervalues views from the New Town to the north particularly those from Royal Crescent and also views from the development site upward towards the New Town edge. Therefore, it does not agree that those elements which contribute to the setting of Royal Crescent are limited to its east/west approaches and to the central access point at Dundonald Street.

HES also disagrees that screening from tree cover should be a mitigating measure.

HES also do not consider that some of the conclusions in the EIA reflect the varied and, sometimes, in its view, significantly adverse, nature of impacts occurring on the setting of the Old and New Towns of Edinburgh World Heritage Site (WHS) and the Category A listed town houses (LB29680 and LB29679) in particular.

There are some viewpoint assessments provided by the applicant which are not fully agreed with in terms of the effect, these often relate to the proposed development and the loss of areas of trees. Considerations of the magnitude of change of viewpoints is considered in various sections of the assessment.

Viewpoint 1 Dundas Street is noted as beneficial, but as assessed above, the new building line, development form of the office block and loss of trees on Dundas Street will alter this viewpoint, but overall it was concluded that it would not have an overall impact on the skyline.

Viewpoint 3 Fettes Row showing the proposed office block is noted as having a beneficial effect on the view, but this view would introduce a new form of development and alter the street character therefore is considered to be neutral.

Viewpoint 7 Brandon Terrace is looking south is noted as having a beneficial effect on the view. It does show acceptable building heights along Dundas Street and the incorporation of a new building line and therefore it is considered that this would also have a more neutral effect.

Viewpoint 8 views along Nelson Street/Drummond Place/Dundonald Street is marked as being beneficial effect on the views. This is considered in heritage sections above and it is noted that the view will change and have an impact on what is currently there with the potential for an adverse impact.

Viewpoint 9 Summer Bank/Scotland Street junction is noted as being beneficial, but again the impact is more likely to have a neutral effect, where the proposed buildings replace the existing buildings of a comparable scale from this view.

Viewpoint 10 Fettes Row oriented east is noted as being beneficial. The proposed office block and loss of trees on the frontage of Dundas Street will alter the character of this part of the street in this local view. Moving the building back has made an improvement.

Viewpoint 11 Eyre Place noted as beneficial, but the change from the existing trees adjacent to the street to a building block will alter this viewpoint. However, the principle of development here has already been established.

Viewpoint 12 Henderson Row noted as beneficial, like viewpoint 11 this shows the proposed development on Eyre Place replacing the existing trees. From this viewpoint would have a neutral effect.

Viewpoint 16 King George V Park noted as being beneficial, but as covered in the 3.3d) the views south from the park will be altered through the development.

However, sufficient information has been submitted in the EIA Report, alongside responses to the application, to allow a balanced judgement to be made regarding resulting impacts. Therefore, this Committee report not only provides an assessment of the proposal in planning terms, it has also considered the conclusions of the EIA Report.

k) Equalities

The application has been considered in terms of equalities and human rights. Access to some of the areas are via stepped access, which may have some implications for access for all. However, alternative access is available around the development and the site provides more permeability than the existing buildings/layout. The proposal contains level access elsewhere and utilises lifts. The application has also been subject to an Air Quality Impact Assessment. Consequently, there are no significant impacts that require action.

l) Public Comments

Scheme 1

Material Representations - Objection:

Principle

- viability of office block and type of commercial space proposed - assessed in section 3.3a)
- loss of employment space - assessed in section 3.3a)
- principle of hotel at this location - - assessed in section 3.3a)
- Impact on local amenities, GP surgeries for example - assessed in section 3.3i)
- Impact on school places - assessed in section 3.3i)
- affordability of affordable housing proposed - assessed in section 3.3i)

- buildings should be retained - principle of development assessed in section 3.3a) and demolition in associated conservation area consent.

Historic Environment - assessed in sections 3b, c,d,e,and f)

- no justification for building lines
- impact on World Heritage Site
- impact on listed buildings
- impact on conservation area
- impact on King George V Park
- impact on views to and from historical assets

Environment

- loss of trees - assessed in section 3.3h)
- impact on remaining trees - assessed in section 3.3h)
- flooding and drainage - assessed in section 3.3i)
- Impact on park (including formation of new paths that might intersect the open space) - assessed in section 3.3h)
- The nature of the park will be changed from a quiet retreat to a new busy square for new residents - assessed in section 3.3h)
- impact on ecology - assessed in section 3.3i)
- swift bricks should be provided - informative added.
- sustainability requirements and climate change- assessed in section 3.3i)
- air quality concerns - assessed in section 3.3i)

Amenity

- noise impacts - assessed in section 3.3h)
- lack of open space and public space - assessed in section 3.3h)
- lack of green space - assessed in section 3.3h)
- detrimental impact on park - assessed in section 3.3h)
- inappropriate overlooking distances - assessed in section 3.3h)
- loss of privacy - assessed in section 3.3h)
- impact on daylighting and overshadowing - assessed in section 3.3h)
- lack of amenities for the local community - located close to city centre and local centre, contributions considered in - assessed in section 3.3i)
- loss of rear courtyard wall - assessed in section 3.3f and i)
- size of units proposed too small - assessed in section 3.3f)
- number of single aspect flats proposed - assessed in section 3.3f)

Design

- inappropriate modern architecture/design - assessed in section 3.3f)
- Inappropriate design - assessed in section 3.3f)
- blandness of architecture - assessed in section 3.3f)
- proposed materials inappropriate for the site including paving materials - assessed in section 3.3f & h)
- height and massing of blocks - assessed in section 3.3f)
- six storeys onto King George V park is over-dominant - assessed in section 3.3f)
- overall footprint of proposals and density - assessed in section 3.3f)

- loss of railings - a number of railings are being retained.
- lack of family housing - assessed in section 3.3f)
- accessibility of flats - assessed in section 3.3f)

Transport

- access inadequate; Eyre Terrace as the sole access and egress point for this proposed development - assessed in section 3.3g)
- traffic impact and congestion - assessed in section 3.3g)
- inadequate parking- assessed in section 3.3g)
- electric vehicle parking levels un-aspirational - assessed in section 3.3g)
- cycle access not incorporated into the scheme - assessed in section 3.3 f& g)
- cycle storage requirements - assessed in section 3.3g)
- should be no access to Fettes Row from the buildings - existing access utilised and only small extra pedestrian ones to the development.
- increased permeability to the park not supported- assessed in section 3.3f & g)

Material Representations - Support

- improvement over previous massive and insensitive proposal
- re-use of brownfield site.
- scheme helps knit area together
- residential use
- inclusion of affordable housing
- proposed main building lines
- proposed architecture
- direct link to the park
- new investment needed in the area to support the local economy
- get rid of current buildings
- buildings of no architectural merit and need replaced
- proposals will provide a focal point

Non-Material Representations:

- Potential damage to property as a result of construction works
- stability
- construction stage impacts
- land ownership
- build-to-let properties are not supported
- dog fouling
- training opportunities
- emerging city plan policies

New Town & Broughton Community Council Comments

NTBCC cannot support the proposals as presented for the wider site and reluctantly object. The response includes key points from:

1. Fettes Row & Royal Crescent Residents' Association (FRRRCRA) and the Drummond Civic Association (DCA) whose focus is on the impact residents in areas within the Edinburgh World Heritage site to the south of the proposed development but also includes the lower reaches of Dundas Street.
2. Eyre Place / Applecross residents - again, focussing on the lower stretches of Dundas Street as well as the abutting Applecross development on Dundas Street / Eyre Place / Eyre Terrace.
3. Friends of King George V & Scotland Yard Park (KGSY) - concerned with impacts on the future amenity of the park due to the development.
4. Impact on the amenity of the remaining tenement in Eyre Terrace - mainly daylighting / sunlight concerns.

It raises a number of matters:

- support principle of development of a brownfield site, though viability of hotel questioned.
- podium deck takes advantage of topography of the site.
- minimum of parking provision, but not against an increase in numbers and support a greater provision of accessible and EV spaces
- support class 4 use
- affordable housing levels welcomed
- improved permeability /connectivity, though some concerns about non-pedestrian access.
- Subsidence / Pre-Construction and Demolition Surveys, note concern from residents and commitment from applicant as part of pre-application consultation
- Tree Report / Management Plan - concerns over loss of mature trees (and some pruning) around the edges and these should be protected and replacement planting should not take place to enhance views from the proposed development.
- Building line on Dundas Street - take the view that there should be a sufficient recess maintained.
- Treatment of boundaries - urge boundary fence proposed along park edges.
- Roof terraces - broadly support green roofs, but do raise some concerns with overlooking.
- Construction / Demolition Management - noise and hours of working need controlled.
- Note HES response regarding concerns over impact from development in relation to height, massing and views.

Scheme 2

Material Representations - Objection:

Principle

- limited changes from original proposals.
- buildings should be retained/re-used
- no requirement for hotel - assessed in section 3.3a)
- viability of office space - assessed in section 3.3a)

- impact on local services, contributions required to offset impacts - assessed in section 3.3i)

Historic Environment - assessed in sections 3b,c,d,e,and f)

- building line on Dundas Street should be set back/retained, no justification for new building line or proposed heights
- impact on listed buildings
- impact on conservation area
- impact on King George V Park
- impact on World Heritage Site

Environment

- loss of trees - assessed in sections 3h)
- air quality impacts - assessed in sections 3i)
- flood risk - assessed in sections 3i)
- hard boundary should be made with the park - assessed in sections 3h)
- improvements to the park required - assessed in sections 3h)
- swift bricks should be provided - informative added

Amenity

- noise implications - including rooftop bar, traffic - assessed in sections 3h)
- lack of open space - assessed in sections 3h)
- existing park too small - assessed in sections 3h)
- overlooking and privacy concerns, including loss of wall at Eyre Place - assessed in sections 3h)
- overshadowing - assessed in sections 3h)
- daylighting impacts on proposed development - assessed in sections 3h)
- usefulness of roof terraces as open space - assessed in sections 3h)

Design

- quality of design throughout in a sensitive location - assessed in sections 3f)
- density too high - assessed in sections 3f)
- height of buildings - assessed in sections 3f)
- inappropriate use of materials - assessed in sections 3f)
- appropriateness of green wall - assessed in sections 3h)
- location and design of affordable housing - assessed in sections 3i)
- number of single aspect flats proposed - assessed in sections 3f)

Transport Matters

- traffic impact - - assessed in sections 3g)
- no requirement for cycle links - assessed in sections 3f and g)
- lack of car parking - assessed in sections 3f)
- link to the park and should be in a different location - assessed in sections 3f and g)

Material Representations - Support

- buildings of no architectural merit and need replaced
- proposals will provide a focal point
- new investment needed in the area to support the local economy
- design looks good
- welcome shift of Fettes Row building north
- improved use of materials

Non-Material Representations:

- stability issues
- construction stage issues
- ownership matters
- short term holiday lets
- alternative proposals

New Town & Broughton Community Council Comments

Revisions do not address fundamental concerns. Supportive of appropriate development of the site. Cannot support the proposals as presented for the wider site and therefore retain our original stance on this proposal.

1. Fettes Row - Office and Block 5 - marginal beneficial change. Concerns still remain with proposed height of the office building. Residents have significant concerns with the building form, scale and relationship to Fettes Row.
2. Private Residential Units - increased gap and marginal reduced height welcomed. However, it does not fundamentally change our concerns with respect to the height of these blocks (Northern crescent, Blocks 1 & 2) and their visual impact as seen by the users of King George V Park.
3. Dundas Street - Elevations. Minor change that does not mitigate concerns regarding the building line.
4. Eyre Place - Elevations. The proposed building is 5 storeys from street level (excl. the roof terrace) which appears incongruous in longer views.
5. Materials - this would seem to be a clearer, more consistent approach - and is supported.
6. MMR daylighting - there are still many rooms in the proposal that do not meet the non-statutory guidance - again raising the question whether the overall proposal for this block with a small courtyard is viable and really meets overall LDP policies.
7. Housing Mix / Layout Review - the increase in family-sized accommodation as we understand it (as reflected in the revised housing mix) is welcomed.
8. Amenity / Open Space - concerns over the provision of open space, quality and location.
9. Active frontage - Unclear as to the purpose / desirability of the 'Primary Active Residential Frontage' as shown and what this achieves.
10. Landscape Review - broadly welcome proposed reconfiguration with more seating.
11. Very detailed statement about land bordering the park and whether best dealt with by a condition.
12. Confusion regarding relevance of section relating to works in the park.

13. Transport - change in car parking welcomed but minor and insignificant when looking at the wider scheme.

Note direction of travel with City Plan 2030 which will require more open space.

CONCLUSION

The proposal is for a mixed-use development incorporating residential, hotel, office and other ancillary uses.

Compliance with the Listed Buildings & Conservation Areas Requirements

The historical assets within the area have been assessed against the relevant legislation, guidance and LDP Policies.

Historic Environment Scotland does not object to the application but has concerns with some elements of the scheme, such as the relationship of the proposals with some listed buildings. However, when viewed in the urban context of the site, coupled with the benefits of redeveloping the site with a more sympathetic design taking cognisance of the listed buildings, and the retention of the trees, the character and setting of the listed buildings is preserved. The proposals are in accordance with LDP Policy Env 3 (Listed Buildings - setting). The proposals preserve the setting of surrounding listed buildings in accordance with Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

With regards to the Conservation Area, on balance, and taking the range of proposed uses into consideration, the development does not remove or detract from key characteristic components of the Conservation Area that gives the area its special interest. It will contribute to the architectural quality of the area with contemporary high quality buildings, designed to respond to its historic and modern urban environment. The different responses to the various edges of the site, including along Dundas Street and Fettes Row/Royal Crescent and towards the park are acceptable. In this regard, the special character and appearance of the New Town Conservation Area will be preserved, in compliance with the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and LDP Policy Env 6 (Conservation Areas - Development).

Compliance with the Development Plan

The mix of uses are acceptable at this location and are supported by Local Development Plan policies Hou 1 (Housing Development), Emp 10 (Hotel Development) and Emp 9 (Employment Space), the ancillary uses proposed add to the sustainable re-use of this predominately previously developed site which is in an accessible location. The principle of developing the area of open space within the site has already been established by the granting of a recent separate planning permission.

The King George V Park is not contemporary to the creation of the New Town. The proposals will alter the boundary treatments and introduce new built forms on the adjacent ground. The impacts of the development on these views is acceptable.

There will be some adverse impacts from the proposals on the World Heritage site, but these are largely limited to a view down Dundonald Street which is more impacted upon in the closer views. There are differing views from HES and Edinburgh World Heritage on the perceived impact of the proposals.

The design makes a positive contribution to the area and will add to its sense of place. The layout addressed the surrounding areas, such as reinforcing the existing pattern of perimeter blocks, connecting Dundas Street through to the park and the crescent blocks reinforce the symmetry of Dundonald Street. The height of the buildings are appropriate for the site, whilst the elevations and materials proposed generally respond to the context of the area.

There is some loss of trees proposed, with a number already accepted through a recent permission. The trees along Fettes Row and Dundas Street are, in the main, being retained. The loss of trees along Dundas Street is justified in design terms. Conditions are recommended to ensure that trees are protected during the construction phase.

Potential impacts on the amenity of future residents in terms of noise can be addressed through conditions. There are some infringements in relation to daylighting and the open space provision. As the type and quality of some of the private open space within the development infringes the requirements of Policy Hou 3 (Private Green Space In Housing Development) contributions towards the adjacent park are sought through a legal agreement. Some impacts on daylighting are expected in within a development within the urban area that establishes an appropriate density.

The proposal is acceptable in transport grounds with suitable access to the site and the proposed car and cycle parking meets the Council's standards as set out in the Edinburgh Design Guidance.

In all other respects the proposed development is acceptable, subject to conditions and a legal agreement. The proposal therefore complies with the development plan. There are no other material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions :-

1. Notwithstanding the information on the submitted drawings a detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing for each development block by the Planning Authority before work is commenced that block.

2. Prior to the commencement of the construction of the superstructure or above ground works for each development block, sample panels, to be no less than 1.5m x 1.5m, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship for that block and submitted for written approval by the Planning Authority.
3. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
4. The development shall be carried out in accordance with the landscaping scheme approved under condition 3. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the Planning Authority.
5. Prior to occupation of the first residential unit, details shall be submitted showing the final design and location of the artwork within the public realm. The artwork will then be installed and maintained, unless otherwise agreed in writing with the Planning Authority.
6. No development shall commence on site until a detailed Arboricultural Method Statement, written with the contractor, that includes all work required under canopies and adjacent to mature trees is provided and approved by the Planning Authority.
7. Prior to the commencement of development a Tree Protection Plan in accordance with BS5837:2012 "Trees in relation to design, demolition and construction" to demonstrate how trees to be retained on and adjacent to the site will be protected, including the location of tree protection fences, must be submitted to and approved by the Planning Authority.
8. Prior to the commencement of development, the tree protection measures as approved in condition 7 must be implemented in full.
9. The tree protection measures approved in condition 7 must be maintained during the entire development process and not altered or removed unless with the written consent of the Planning Authority.
10. No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey, excavation, analysis & reporting, publication, public engagement, interpretation) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

11. Prior to the commencement of development, details of the proposed cycle parking regarding location, specification, design and security (double door entrances for the cycle stores for ease of access is required) shall be submitted to the Planning Authority for approval. This shall demonstrate that the 840 spaces can be achieved within the allocated cycle stores (minimum requirements - 751 spaces for the residential, 75 spaces for the office and 12 spaces for the hotel). The visitor cycle parking for the development should be located at convenient locations, near the main entrances.
12. Prior to commencement of development details of a cycle wheel ramp will be required on at least one of the two stepped accesses besides the ramped access leading to Dundas Street from the main public realm route to aid movement of cyclist.
13. A minimum of 29 car parking spaces shall be served by 7Kw (32amp) type 2 electric vehicle charging sockets and shall be installed and operational prior to the development being occupied. These shall be installed and operational in full prior to the development being occupied.

Note: all remaining parking spaces should be served by a minimum 3 Kw (16-amp three pin plug) with an optional upgrade to 7Kw (32amp) Type 2 electric vehicle charging sockets.

14. Three Rapid 50 Kw (125amp) triple headed (Combined Charging Standard/CHAdeMO/Type 2) chargers shall be installed at the commercial parking areas.
15. Notwithstanding the provisions of the Use Classes Order, the use of block 7 shall be used solely for the purposes of a gymnasium as shown on plan reference TEN-18136-SW-ZZ-DR-A-1003 (CEC reference 05A) and for no other purpose falling within Class 11 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended).
16.
 - i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
 - ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
17. No development shall take place until a scheme for protecting the residential development hereby approved and existing from noise from the Hotel, office and other commercial uses has been submitted to and approved in writing by the Planning Authority;

all works which form part of the approved scheme shall be completed to the satisfaction of the Planning Authority before any part of the development is occupied.

18. No development shall take place until a scheme for protecting the residential development hereby approved and existing from noise from the proposed plant has been submitted to and approved in writing by the Planning Authority ; all works which form part of the approved scheme shall be completed to the satisfaction of the Planning Authority before any part of the development is occupied.
19. No development of the hotel block shall take place until a scheme for protecting the residential development hereby approved and existing from noise from the proposed 'Skybar' has been submitted to and approved in writing by the Planning Authority ; all works which form part of the approved scheme shall be completed to the satisfaction of the Planning Authority before any part of the development is occupied.
20. Any gas boilers in excess of 1MW (accumulative assessment) will require secondary abatement technology incorporated into any plant to the satisfaction of the Planning Authority.
21. Prior to commencement of development a comprehensive maintenance plan of all the SUDs/water attenuation, landscape and trees shall be submitted to and approved in writing by the Planning Authority.
22. Prior to commencement of development details of the kitchen ventilation system associated with any commercial kitchen shall be submitted to and approved in writing by the Planning Authority. These will need to be terminated at roof level and be capable of achieving 30 air changes per hour in the kitchen area and have a minimum 15m per second efflux velocity at the termination point.

Reasons: -

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. In order to ensure that the approved landscaping works are properly established on site.
5. In order to enable the planning authority to consider this/these matter/s in detail.
6. In order to safeguard protected trees.
7. In order to safeguard protected trees.
8. In order to safeguard protected trees.

9. 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".
10. In order to safeguard the interests of archaeological heritage.
11. In order to ensure the adequacy of facilities for cyclists.
12. In order to ensure the adequacy of facilities for cyclists.
13. To encourage sustainable forms of transport
14. To encourage sustainable forms of transport
15. In order to safeguard the amenity of neighbouring residents and other occupiers.
16. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
17. In order to safeguard the amenity of neighbouring residents and other occupiers.
18. In order to safeguard the amenity of neighbouring residents and other occupiers.
19. In order to safeguard the amenity of neighbouring residents and other occupiers.
20. To reduce emissions
21. In order to enable the planning authority to consider this/these matter/s in detail.
22. In order to safeguard the amenity of neighbouring residents and other occupiers.

Informatives

It should be noted that:

1. A suitable legal agreement will be required to cover the following matters:

Affordable Housing:

Twenty-five percent (88) of the residential units to be of an agreed affordable tenure.

The affordable housing within this development is to be delivered on-site as 'intermediate rent' (unsubsidised mid-market rent).

Education:

A sum of £201,160 for education infrastructure (£856 per flat) (to be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment) in line with the Drummond Education Contribution Zone.

Transport

- The design and build of a toucan crossing on Dundas Street close to the proposed ramped access to the satisfaction and at no cost the Council (location to be agreed with CEC).
- Upgrading the surface course of the carriageway and both footways on Eyre Terrace from the development car park to its junction with Eyre Place and subsequently provides continuous footways on the eastern footway and access junction of Eyre Terrace to ensure pedestrian priority to the satisfaction and at no cost to the Council.
- The east west route from the courtyard leading to Dundas Street is required to be secured by planning agreement to ensure public rights of access and will require CEC structural approval for the podium access;

Optional:

- In support of the Council's LTS Cars1 policy, the applicant should 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;

Open Space:

A contribution of £48,373.90 towards improvements within King George V Park.

A contribution of £75,055.15 to improve the facilities in the play park within King George V Park.

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. For the duration of development, between the commencement of development on the site until its completion, a notice shall be: displayed in a prominent place at or in the vicinity of the site of the development; readily visible to the public; and printed on durable material.

6. The EIA Report has been taken into consideration in the making of this decision, as required under the Environmental Impact Assessment (Scotland) regulations 2017.

7. The Roads Authority response notes a number of issues that the applicant should be made aware of:

- Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development.
- Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
- 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;
- All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
- The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;
- The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.
- In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of 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;
- The applicant should be advised that: as the development is located in Zones 1 to 8, they will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See
- https://democracy.edinburgh.gov.uk/Data/Transport%20and%20Environment%20Committee/20130604/Agenda/item_77_-_controlled_parking_zone_amendments_to_residents_permits_eligibility.pdf (Category A - New Build);
- Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent.

The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;

- Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984;
- The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.
- Any works affecting adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits
-

<https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1>

8. A detailed Construction Environment Management Plan (CEMP) shall be submitted to the satisfaction of The Planning Authority and adhered to during the construction phase. Environmental Protection note its main concerns are the dust, piling stage and hours of noisy operation.
9. When available the applicant shall provide details of all the boilers to Environmental Protection to ensure compliance with the Clean Air Act 1993.
10. The applicant shall engage with the Spatial Policy Team with regards the LEZ proposals spatial.policy@edinburgh.gov.uk
11. The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment.
12. It should be noted that when designing the exhaust ducting, Heating, ventilation and Air Conditioning (HVAC) good duct practice should be implemented to ensure that secondary noise is not generated by turbulence in the duct system. It is recommended that the HVAC Engineer employed to undertake the work, undertakes the installation with due cognisance of the Chartered Institute of Building Services Engineers (CIBSE) and American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Guidance.
13. The Environmental Protection consultation response contains a number of points that the applicant should be aware of during the construction phase of the development.
14. Swiftbricks should be included within the development.
15. Confirmation is required that Scottish Water will accept run-off into the combined sewer.

Financial impact

4.1 The financial impact has been assessed as follows:

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

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

As part of the pre-application process, the proposal was also presented to the Edinburgh Urban Design Panel on 25 September 2019. The comments have been considered in the assessment of this application and are contained in full within Appendix 1.

8.2 Publicity summary of representations and Community Council comments

The application was originally advertised on 18 September 2020 and further amendments were advertised on 11 December 2020. A total of 198 representations were received, 167 objections, nine general representations and 22 in support.

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

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 within the urban area and the north eastern section is designated as open space as shown on the Local Development Plan Proposals Map.

The site is located within the New Town Gardens Inventory Garden and Design Landscape. It is also covered by the New Town Conservation Area.

The World Heritage Site is to the south of the site.

Date registered

7 September 2020

Drawing numbers/Scheme

01,02,02A-08A,09,10,11A-29A, 20, 31A- 54A, 55, 56, 57A - 66A, 67-70,71A,72-74,75A-77A,78,79,80A,81-83,84A-86A,87,88,, 89A-91A,92,93,94A - 96A,97-104,105A-120A,121-127,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Kenneth Bowes, Senior Planning officer

E-mail:kenneth.bowes@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

LDP Policy Env 7 (Historic Gardens and Designed Landscapes) protects sites included in the national Inventory of Gardens and Designed Landscapes and other historic landscape features.

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

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

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

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

LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

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

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

LDP Policy Emp 1 (Office Development) identifies locations and circumstances in which office development will be permitted.

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

LDP Policy Emp 10 (Hotel Development) sets criteria for assessing sites for hotel development.

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 10 (Community Facilities) requires housing developments to provide the necessary provision of health and other community facilities and protects against valuable health or community facilities.

LDP Policy Ret 6 (Out-of-Centre Development) identifies the circumstances in which out-of-centre retail development will be permitted.

LDP Policy Ret 8 (Entertainment and Leisure Developments - Other Locations) sets out the circumstances in which entertainment and leisure developments will be permitted outwith the identified preferred locations.

LDP Policy Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

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

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

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

LDP Policy Tra 9 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

LDP Policy RS 1 (Sustainable Energy) sets criteria for assessing proposals for environmentally sustainable forms of energy systems.

LDP Policy RS 6 (Water and Drainage) sets a presumption against development where the water supply and sewerage is inadequate.

Draft Developer Contributions and Infrastructure Delivery SG sets out the approach to infrastructure provision and improvements associated with development.

Relevant Government Guidance on Historic Environment.

HES Interim Guidance on Conservation Area Consent sets out Government guidance on the principles that apply to the demolition of unlisted buildings in conservation areas

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.

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.

NSESBB Non-statutory guidelines Part B of 'The Edinburgh Standards for Sustainable Building' sets principles to assess the sustainability of major planning applications in Edinburgh

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

Open Space Strategy- The strategy helps to protect and develop the city's open spaces. It sets standards that will be expected to meet when making decisions on open spaces.

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

Appendix 1

Application for Planning Permission 20/03034/FUL At 34 Fettes Row, Edinburgh, EH3 6RH Demolition of existing buildings and erection of mixed-use development comprising residential, hotel, office and other commercial uses, with associated landscaping / public realm, car parking and access arrangements.

Consultations

Edinburgh Urban Design Panel - meeting dated 25 September 2019

1 Recommendations

The Panel welcomed the opportunity of commenting on this proposal at an early stage in the design process.

In progressing proposals, the Panel recommends the following issues should be addressed:

- Further site analysis with respect to the site constraints and opportunities;*
- Further analysis, including view analysis with respect to the existing context;*
- Reconsider the height, mass and scale of the development;*
- Consider a car free development.*

2 Planning Context

The application will be for the demolition of existing buildings and the erection of a mixed use development, hotel, office comprising residential, student accommodation, senior living retirement housing and other commercial uses including food and drink, and healthcare uses, with associated landscaping/ public realm, car parking and access arrangements.

A previous proposal for this site was reviewed by the Panel in 2015.

Site description

The site comprises of a variety of building types and heights. The largest comprises two existing office buildings which front Dundas Street, Eyre Place and Eyre Terrace. The buildings are set at a lower ground level than Dundas Street. There is an associated car park to the east of the site, again set at a lower level than Royal Crescent. There are two storage/ garage buildings to the north of the car parking area, and east of Eyre Terrace. Fettes Row and Royal Crescent to the south are traditional residential properties. There is a cleared site fronting Eyre Place/ Eyre Terrace and a vacant derelict property at 7 Eyre Terrace. There is an area of open space to the north of the site.

Eyre Place and Eyre Terrace are mainly residential streets with some other uses such as retail, cafes, bed-and -breakfast accommodation and offices.

There are ground floor retail and other uses opposite the site on Dundas Street. Mixed uses are also found in the wider area with residential use being the predominant land use.

There are no listed buildings within the site; a number of listed buildings are located outwith the site including A listed buildings opposite the site at 1-23A Royal Crescent, B listed buildings opposite the site at 99-103 Dundas Street and 1-12 Fettes Row, B listed buildings at 1-7A Eyre Place, C listed buildings at 9-11 Eyre Place and C listed buildings at 1-29 Eyre Crescent and 21-23 Eyre Place.

The site is directly to the north of and is on the main approach to the Old and New Town of Edinburgh World Heritage Site. The site is within the New Town Conservation Area and is included in the New Town Gardens Designed Landscape/ Historic Garden.

Planning Policy

The site is located in the Urban Area in the Local Development Plan (LDP). Mixed use developments appropriate to the location and character of the area are supported provided they accord with other relevant local plan policies.

A section of the site to the north is within an area of Open Space. The loss of open space will need careful assessment against policy Env 18 (Open space protection) of the LDP. A reasoned justification to allow development on the area of open space will be required. The existing site is mainly in employment use. The loss of an employment use needs to be assessed against LDP policy Emp 9 (Employment sites and premises). This policy permits the loss of an employment site when a proposal contributes to the comprehensive regeneration and improvement of the wider area and the provision of floorspace designed to provide for a range of users. The proposal should be accompanied by a Planning Statement to justify the proposals in this location.

The proposal should not cause harm to the World Heritage Site's qualities, the character and appearance of the Conservation Area, the character of the New Town Historic Gardens Designed Landscape, and setting of nearby listed buildings to ensure it accords with policies that protect the city's built heritage.

Views to landmark features and important views to landscape and built features including statues and monuments in and around the city are also protected.

There are a number of mature trees within or close to the site which contribute to the character, biodiversity, amenity and green networks in the area. The proposals should not have a damaging impact on trees worthy of retention.

General

No declarations of interest were noted by Panel members.

This report should be read in conjunction with the pre-meeting papers.

This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations represented at the Panel forming a differing view at the proposals at a later stage.

3 Panel Comments

The Panel's detailed comments are as follows:

Design Concept

The Panel were unclear what the design concept is for the site and what had driven the proposed layout. The Panel encouraged the design team to elaborate on the constraints and opportunities and how they inform the design strategy.

Given the sensitivity, complexity, topography and historical context of the site within the city the Panel noted the rigour required to develop an appropriate design concept.

Boundary Strategy and Built Form

The Panel were particularly concerned with the apparent lack of clarity/strategy for the site boundaries all of which present their own differed constraints and opportunities.

Dundas Street: The Panel were generally not supportive of creating a large break in the perimeter block on this street. Although, encouraging permeability through the site they were concerned that by providing this route the development is not following the established spatial pattern and is turning its back on Fettes Row. The Panel advocated a built form which reinforces the character of Dundas Street.

Fettes Row: The Panel noted that the strategy for Fettes Row was unclear. The Panel expressed concern that the development was turning its back on Fettes Row and not forming a new positive integrated edge with this New Town street.

The Panel questioned the justification of the crescent forms for the following reasons;

Impact on the setting and character of the A Listed Royal Crescent, conservation area and World Heritage Site in the sitting, height, mass and form of these blocks. It was also noted by the Panel that generally a crescent does not have break in the middle of its form.

Park Edge: A built edge to the park may be an appropriate response. However, the Panel considered the proposal to be overdevelopment and too dominant on this edge. It was also noted that these blocks were borrowing most of their amenity from the park due to their siting, height and mass. Further detail with respect to trees boundaries etc. are required to fully understand the constraints on this boundary, which in turn will inform the design.

Visual Analysis: Historic Context and Townscape

The Panel noted the importance of an LVIA and view analysis to inform and check the design against the historic townscape. The Panel advocated that this piece of work should take place as soon as possible. It was noted that this site sits within many important and protected city and local views.

With respect to the view from Dundonald Street and Royal Crescent to the north, the retention of this view to the landscape beyond is a key view with respect to the Edinburgh World Heritage.

Existing Trees

The Panel noted that a detailed tree survey should be carried out as soon as possible to allow the design team to fully understand the sites constraints. The Panel advocated that a long term maintenance plan for the living environment should form part of the design for this site.

Vehicular movements

The Panel noted that the proposal included an extensive area of below ground parking. The Panel advocated a car free approach for this site and not 'market driven'. The Panel considered this approach to be in line with the Centre Transformation Project and Climate Change agenda.

Topography

The Panel noted the importance of respecting the topography of the site in the design proposals.

Permeability

The Panel recognised that the site presented a very complex set of levels and constraints. They encouraged permeability through the site, however, these routes needs to be balance against the exiting urban character and an approach which achieves a clear distinction between public and private space.

The Panel encouraged the design team to consider further the routes and movement through the site with respect to the existing context and constraints.

The Panel encouraged the development of character areas through the site with respect to the landscape and public realm design.

The Panel raised concern with respect to the new areas of public space; how they will work, be activated by appropriate uses and orientated.

Affordable Housing response - dated 1 December 2020

1. Introduction

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

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

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.

25% of the total number of units proposed should be affordable housing.

The Council's guidance on 'Affordable Housing' sets out the requirements of the AHP, it can be downloaded here:

2. Affordable Housing Provision

This application is for a development consisting of up to 349 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% homes of approved affordable tenures.

This application comprises 117 units for private sale and 144 homes delivered as a Build To Rent (BTR) scheme. 88 (25%) units will be delivered as an approved affordable housing tenure. The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.

The applicant has entered into dialogue with the Council on the design, mix and location of the affordable housing. The 88 affordable homes will be flatted apartments within a contained block close to public transport links and local amenities. The applicant has advised that future occupants will have access to all the communal facilities offered by the wider development. An equitable and fair share of parking for affordable housing, consistent with the relevant parking guidance, should be provided.

The affordable homes will comprise a range of sizes from one to three bedrooms. The proposed mix of unit sizes is largely representative of the wider development. 16 (18%) of the affordable units will have three-bedrooms in comparison to 75 (21%) three- and four-bedroom homes across the wider site. It is welcome that the applicant has not included any studio flats in the affordable allocation as they would not meet the requirements of a housing association.

The affordable homes will be well-integrated into the development and will front onto Dundas Street. There are high development costs arising from the high-quality materials and public realm treatments that are required because of the site's prominent location just outside the World Heritage Site and within the New Town Conservation Area. Ongoing maintenance and factoring costs would be also be significant.

The applicant has submitted an Affordable Housing Statement which confirms that they considered the delivery of affordable homes for social rent and engaged with a local Registered Social Landlord (RSL) to try to achieve this, however this was not found to be a viable option due to significant financial constraints.

The affordable housing within this development will therefore be delivered on-site as 'intermediate rent' (unsubsidised mid-market rent), an accepted affordable tenure. The affordable homes will be financed by institutional investment and delivered for a minimum of 25 years. There will be no requirement for grant subsidy, therefore the grant that is freed up can be channelled into delivery of social rented homes elsewhere

The proposed approach to affordable housing delivery is in line with the principles set out in the report "Support for Build To Rent" which the Planning Committee noted in January 2020, following approval by the Housing, Homelessness and Fair Work Committee. The proposal shares the characteristics of a typical BTR development in that it will be financed by institutional investment and will deliver placemaking and housing at a scale and pace which is rarely matched by traditional housing for sale providers.

The developer is currently in discussions with a housing association about them owning and operating the affordable units for 'intermediate rent'. Rents would be restricted to Scottish Government's published Broad Rental Market Area (BRMA) 30th Percentile. BRMA 30th Percentile is significantly less than average market rents in Edinburgh; between £1,400 and £3,300 less per annum, depending on house size. The Council's Affordable Housing Policy sets out a "Definition of Priority Clients"; those people who are in housing need and who cannot afford to access accommodation through the regular functioning of the housing market and earn below average household income. Rents at the 30th Percentile are affordable to people within the defined client group, and significantly less than average market rents.

3. Summary

The applicant has made a commitment to provide 25% on site affordable housing which will assist in the delivery of a mixed sustainable community. The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.

Housing Management and Development is supportive of this application for the reasons set out below:

- The applicant will deliver 88 on-site affordable homes (25% affordable housing) as 'intermediate rent' for a minimum of 25 years;*
- The affordable housing is well-integrated and includes a variety of sizes to reflect the provision of homes across the wider site;*
- There is no grant funding required for the affordable homes. The grant funding freed up will be targeted to the delivery of social rented homes elsewhere within the city.*

I would be happy to assist with any queries on the affordable housing requirement for this application.

Archaeology Officer response - dated 26 October 2020

Further to your consultation request, I would like to make the following comments and recommendations in respect to this application for the demolition of existing buildings and erection of mixed-use development comprising residential, hotel, office and other commercial uses, with associated landscaping / public realm, car parking and access arrangements.

The site lies across the northern limits of the Edinburgh's New Town, directly on the northern boundary of the World Heritage Site. The site is dominated by the 1971 RBS Data Centre designed by Richard Latimer. Historic maps indicate that until the mid 19th century the site remained relatively free from development with the exception of mill lades running across the northern limits of the site, which feed the medieval mills at Canonmills. The 1876 plan shows the eastern half of the site occupied by open air Royal Gymnasium in particular the large circular rowing machine known as 'The Great Sea Serpent'. By c.1905 the western half of the site had been developed with a mix of domestic and small industrial units, a process already started on the western half of the

site during the mid-19th century, whilst the eastern half underly the grounds for St Bernard's Football Club.

Based on the historical and archaeological evidence the site has been identified as occurring within an area of local archaeological/historic importance principally in terms of Edinburgh's Victorian/Early 20th century social & industrial heritage, 20th century banking and earlier pre-industrial milling.

This application must be considered under terms 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 DES3, ENV5, 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.

Buried Archaeology

Given the archaeological potential an archaeological evaluation was undertaken by CFA Archaeology in 2019. Their evaluation report CFA DSR accompanies the application as EIA Appendix 12.2. The evaluation results indicated that remains of associated with the Victorian Royal Gymnasium site and potentially of the earlier medieval Canonmills Loch survived insitu beneath up to 3m of made ground which they associate with the formation of the c.1900 football ground for St Bernard's FC.

These remains have been identified in this and earlier preapplication discussions as main focus for archaeological investigation and research during any future development. Although the evaluation did not in dedicate uniform preservation across the site the remains of the important large rotary rowing machine known as the 'The Great Sea Serpent' appears to have survived.

Although I agree that further work is not required within the area of the current carpark (e.g. site of former Victorian Show Room) and unlikely to be required underneath the current RBS Data Centre (due to the expected truncation caused by its construction), I disagree with CFA's conclusions that no further work is required across the site of the former 'Great Sea Serpent. Accordingly, it recommended that a programme of archaeological work is carried prior to/during development out to fully record this structure and further significant remains associated with the area's post-medieval/medieval Loch and mill lades, Victorian Royal Gymnasium. The full scope of this work will be agreed once foundation / construction designs have been finalised.

Historic Building RBS Data Centre

The proposals will see the demolition of the 1971 Royal Bank of Scotland Data Centre designed by James Richard Latimer. Although undesignated this building in my opinion is of some historic/archaeological significance in terms of the 20th century banking heritage of Edinburgh. In addition, its striking modern design has contributed significantly to the character of this part of the New Town. Accordingly, the loss of this locally significant building would be regarded as having a significant impact.

Having assessed these impacts it has been concluded that its loss would not be significant to warrant refusal on archaeological grounds. That said it is essential that the RBS Lorimar building is recorded prior to its demolition. This will require the

undertaking of a historic building survey (phased plans/elevations, photographic and written survey) linked to an appropriate level of documentary research.

Interpretation & Public engagement

Given the unique opportunity to investigate the remains of the public Royal Gymnasium and potential for unearthing earlier remains, it is essential that the overarching archaeological mitigation strategy contain provision for public/community engagement (e.g. site open days, viewing points, temporary interpretation boards), the scope of which will be agreed with CECAS.

It is recommended that the above programme of archaeological work is secured using a condition based upon CEC model condition as follows;

'No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey, excavation, analysis & reporting, publication, public engagement, interpretation) 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 response - dated 22 December 2020

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 (February 2020).

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:

223 Flats (22 studio flats and 104 one bedroom excluded)

This site falls within two education contribution zones: sub area CB-3 of the Craigroyston/Broughton Education Contribution Zone and D-1 of the Drummond Education Contribution Zone. It would be impracticable to have the proposed development aligned to different schools.

The number of units proposed exceeds the assumptions on new housing development in the urban area as set out in the Housing Land Audit (2018). Accordingly, the impact of this proposal has been assessed in line with the methodology that informs the Education Appraisal and the Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery'.

The proposed development is expected to generate additional primary and secondary school pupils.

The education infrastructure actions identified in the Drummond Education Contribution Zone are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed. However, the proposal would put additional pressure on the actions in the Craigroyston/Broughton Education Contribution Zone.

In order to mitigate the cumulative impact of residential development a catchment change will be required to remove pressure on the Craigroyston/Broughton Education Contribution Zone that this proposal would cause. This is a statutory process under the Education Scotland Acts that requires approval by the Council after a statutory consultation with the affected school communities and referral to Education Scotland has been undertaken.

The proposed development is therefore required to make a contribution towards the delivery of these actions based on the established 'per flat' rate for the Drummond Education Contribution 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:
£190,888*

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.

*Per unit infrastructure contribution requirement:
Per Flat - £856*

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.

Edinburgh World Heritage response - dated 28 September 2020

Thank you for consulting Edinburgh World Heritage regarding the above application, the associated pre-application for which we have been involved. We offer the following comments to the formal submission, which we hope you find helpful in determining the application.

The principal focus of Edinburgh World Heritage is the impact on the Outstanding Universal Value (OUV) of the 'Old and New Towns of Edinburgh' World Heritage Site

(the World Heritage Site' or 'WHS'). Therefore, proportional comment may be made on impact upon individual heritage assets (e.g. Listed Buildings and Conservation Areas), but only to the extent that this impacts upon the city's overall OUV. The Local Planning Authority should therefore give additional consideration to individual heritage assets affected, beyond the scope of our comments, in line with planning policy and legislation.

Outstanding Universal Value

The OUV of the World Heritage Site is well-established in the UNESCO inscription, and will therefore not be repeated here.

Edinburgh World Heritage has broken this down into 5 overarching qualities which can be found on our website. Due to the nature and location of the proposed development, the following elements of World Heritage Site's Outstanding Universal Value are most likely to be affected.

- 'A Model City': The Old and New Towns embody the changes in European urban planning from inward looking, defensive walled medieval cities, through 18th and 19th centuries formal Enlightenment planning, to the 19th century revival of the Old Town with its adaptation of a Baronial style of architecture in an urban setting.

- 'Iconic Skyline': The dramatic hills and green spaces of the landscape, plus key buildings of the Old and New Towns give Edinburgh its iconic skyline that has inspired generations of artists, writers, visitors and residents.

The site lies outside of the WHS boundary, to its immediate north. Consideration should therefore be given to potential impact upon the WHS as a result of development within its setting - including immediate and longer-distance views.

The site today is broadly characterized by its 20th century development and character. Excepting surviving historic features (such as boundary railings), the site is not considered to make a positive contribution to overall OUV nor the contribution to OUV made by associated heritage assets. These associated heritage assets principally include;

- The New Town Gardens (Inventory of Gardens and Designed Landscapes)*
- The New Town Conservation Area*
- The Category B listed tenement along Fettes Row*
- The Category A listed buildings of Royal Crescent*

Impact on Outstanding Universal Value

The immediate setting of the World Heritage Site should be protected by ensuring that new development is contextual, high quality design and respectful of its historic context. The proposed heights, massing, back-of-pavement relationship to the Royal Crescent, Fettes Row and Dundas Street all respond appropriately to their historic context. The only exception to this the break in frontage along Dundas Street, which we suggest could be given more of a solid frontage in line with the characteristic urban layout whilst also providing necessary through-access. With respect to the architectural design along these same routes, it is clear that consideration has been given to responding to local character in a contemporary way - reflecting the rhythm of openings, overall character and materials of its historic context. This effect could be enhanced by responding creatively to the ground floor character of the shops across the road on the Dundas

Street elevation, and the characteristic New Town hierarchy between ground/middle/upper floors at the corner/along Fettes Row.

The impact of wider World Heritage Site views, most particularly along Dundas Street, principally relates to how well the development would sit visually within its context. The views provided demonstrate that it will do so with a fair degree of success. As Edinburgh's lively and characteristic roofscape is such an important part of its OUV, it will be important to ensure that additional elements (e.g. servicing and plant) are kept out of sight.

Overall we consider that, subject to detail, the proposals would not cause notable harm to the OUV of the World Heritage Site.

Relevant Policy & Legislation

In addition to the duties, legislation and policies relating to individual heritage assets, the following are those most pertinent to the World Heritage Site in this case (not exhaustive):

- Duty to protect, conserve and present OUV for future generations (UNESCO)*
- Where a development proposal has the potential to affect a World Heritage Site, or its setting, the planning authority must protect and preserve its Outstanding Universal Value (Scottish Planning Policy, 147)*
- The siting and design of development should take account of all aspects of the historic environment (Scottish Planning Policy, 140)*
- Development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh and/or the Forth Bridge as World Heritage Sites or would have a detrimental impact on a Site's setting will not be permitted. This policy requires development to respect and protect the outstanding universal values of the World Heritage Sites and their settings. Setting may include sites in the immediate vicinity, viewpoints identified in the key views study and prominent landscape features throughout the city (Edinburgh Local Development Plan, Policy Env 1 World Heritage Sites)*
- Ensure that the Outstanding Universal Value of the WHS is taken into account in planning decision (WHS Management Plan 2017-22)*

Resultant Position

We consider that the proposals would not cause notable harm to the OUV of the World Heritage Site.

Therefore, while we would welcome enhancements to the scheme in line with our above advice, we consider that the proposals meet the requirements set out in the previous section. We therefore have no objection to the proposed works.

As always, we advise you engage the heritage expertise within your planning department to inform the wider heritage considerations and detail (e.g. materials specification) of this application. We are aware of a potential forthcoming additional consultation for this site, and will respond to this separately where consulted.

Edinburgh World Heritage further response - dated 19 January 2021

Thank you for consulting Edinburgh World Heritage regarding the above revised application, the previous iterations upon which we have provided advice. We offer the

following comments to the revised submission, which we hope you find helpful in determining the application.

The principal focus of Edinburgh World Heritage is the impact on the Outstanding Universal Value (OUV) of the 'Old and New Towns of Edinburgh' World Heritage Site ('the World Heritage Site' or 'WHS'). Therefore, proportional comment may be made on impact upon individual heritage assets (e.g. Listed Buildings and Conservation Areas), but only to the extent that this impacts upon the city's overall OUV. The Local Planning Authority should therefore give additional consideration to individual heritage assets affected, beyond the scope of our comments, in line with planning policy and legislation.

OUTSTANDING UNIVERSAL VALUE

The OUV of the World Heritage Site is well-established in the UNESCO inscription, and will therefore not be repeated here.

This has been broken down into 5 overarching qualities of OUV which can be found on our website. Due to the nature and location of the proposed development, the following elements of World Heritage Site's Outstanding Universal Value are most likely to be affected.

- 'A Model City': The Old and New Towns embody the changes in European urban planning from inward looking, defensive walled medieval cities, through 18th and 19th centuries formal Enlightenment planning, to the 19th century revival of the Old Town with its adaptation of a Baronial style of architecture in an urban setting.*
- 'Iconic Skyline': The dramatic hills and green spaces of the landscape, plus key buildings of the Old and New Towns give Edinburgh its iconic skyline that has inspired generations of artists, writers, visitors and residents.*

As outlined in previous advice, the site lies outside of the WHS boundary, to its immediate north.

Consideration should therefore be given to potential impact upon the WHS as a result of development within its setting - including immediate and longer-distance views.

The site today is broadly characterized by its 20th century development and character. Excepting surviving historic features (such as boundary railings), the site is not considered to make a positive contribution to overall OUV nor the contribution to OUV made by associated heritage assets. These associated heritage assets principally include;

- The New Town Gardens (Inventory of Gardens and Designed Landscapes)*
- The New Town Conservation Area*
- The Category B listed tenement along Fettes Row*
- The Category A listed buildings of Royal Crescent*

IMPACT ON OUTSTANDING UNIVERSAL VALUE

Our previous advice analysed the impact of the proposals upon the overall Outstanding Universal Value of the World Heritage Site through development in its immediate setting. The proposed heights, massing, back-of-pavement relationship to Fettes Row and Dundas Street were considered to respond appropriately to their historic context - with the only exception being the break in frontage along Dundas Street, which we

advised could be infilled in some form to better reflect the characteristic grid street pattern of the New Towns. While we encouraged and advised ways of better grounding the architectural character in its historic context, we considered that - subject to detailed input with the planning and conservation expertise at the City of Edinburgh Council - the proposed contemporary design overall responded in a reasonable manner to key aspects of local architectural character. On balance, our advice was that, subject to detail, the proposals would not cause notable harm to the OUV of the World Heritage Site.

The principle changes to the proposal from the perspective of the OUV of the World Heritage Site are the movement of the building line approximately 1.5m further north from Fettes Row and the massing amendments to the east resulting in a slightly lessened impact on the view down Dundonald Street.

These amendments reduce the impact on OUV outlined in previous advice, and are welcomed in this respect.

RELEVANT POLICY & LEGISLATION

In addition to the duties, legislation and policies relating to individual heritage assets, the following are those most pertinent to the World Heritage Site in this case (not exhaustive):

- Duty to protect, conserve and present OUV for future generations (UNESCO)*
- Where a development proposal has the potential to affect a World Heritage Site, or its setting, the planning authority must protect and preserve its Outstanding Universal Value (Scottish Planning Policy, 147)*
- The siting and design of development should take account of all aspects of the historic environment (Scottish Planning Policy, 140)*
- Development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh and/or the Forth Bridge as World Heritage Sites or would have a detrimental impact on a Site's setting will not be permitted. This policy requires development to respect and protect the outstanding universal values of the World Heritage Sites and their settings. Setting may include sites in the immediate vicinity, viewpoints identified in the key views study and prominent landscape features throughout the city (Edinburgh Local Development Plan, Policy Env 1 World Heritage Sites)*
- Ensure that the Outstanding Universal Value of the WHS is taken into account in planning decision (WHS Management Plan 2017-22)*

RESULTANT POSITION

Edinburgh World Heritage welcomes the slightly reduced impact of the proposals on the Outstanding Universal Value of the World Heritage site in relation to the previous iteration of this scheme. We consider that the proposals would not cause notable harm to the OUV of the World Heritage Site.

Therefore, while we would welcome enhancements to the scheme in line with our previous advice and comments above, we consider that the proposals meet the requirements set out in the previous section. We therefore have no objection to the proposed works. As always, we advise you engage the heritage expertise within your planning department to inform the wider heritage considerations and detail (e.g. materials specification) of this application.

Economic Development response - dated 15 September 2020

The following are comments from the City of Edinburgh Council's Economic Development service relating to planning application 20/03034/FUL for a mixed-use development at 34 Fettes Row, Edinburgh.

Commentary on existing uses

The application relates to a 3.40-hectare brownfield site comprising a complex of office buildings lying east of Dundas Street and north of Fettes Row (the "Fettes Campus"). These comprise office blocks at 113 Dundas Street and 34 Fettes Row, along with a link building, several outbuildings, a car park and open ground. The complex has a total net internal area of 19,857 sqm. The complex was most recently occupied by RBS (NatWest).

The surrounding area is a mix of office and residential. While reasonably close to the city centre, the complex lies outwith Edinburgh's core office market and would generally be considered a peripheral location by occupiers. The area has historically been a financial services cluster with RBS, Standard Life and Royal London all having substantial operations in the area. In recent years, the area has emerged as a technology hub centred on the 17,730 sqm Tanfield office building. Other major office buildings in the vicinity include Dundas House (11,119 sqm) and Centrum House (2,064 sqm).

If fully-let as office space, the existing complex could, based on a median employment density for offices occupied technology companies (based on the most recent usage of the building and the tenants of the surrounding offices) of one employee per 11 sqm (net), be expected to directly support approximately 1,805 full-time equivalent (FTE) jobs ($19,857 \div 11$). Based on a median GVA per worker for employees in the information and communication sector in Edinburgh of £88,324 (2018 prices) per annum, this could be expected to directly add approximately £159.42 million of GVA (2018 prices) to the economy of Edinburgh per annum ($1,805 \times £88,324$) if fully occupied for this purpose.

As the site is over one hectare, policy EMP 9 of the Edinburgh Local Development Plan applies. This requires (among other things) that any redevelopment incorporate "floorspace designed to provide for a range of business users".

Commentary on proposed uses

The application proposes the comprehensive mixed-use redevelopment of the site.

Class 4 - Business

The development as proposed would deliver 9,820 sqm (gross) of class 4 space in the form of an office building located at the junction of Dundas Street and Fettes Row. Based on an indicative ratio of gross-to-net internal area for units of this nature of 82.5%, it is estimated that this would represent a net internal area of approximately 8,102 sqm ($9,820 \times 82.5\%$).

The economic impact of the office space if fully occupied can be estimated. The Employment Densities Guide (3rd edition) quotes a mean employment density for offices used by technology companies of one FTE employee per 11 sqm (net). This

gives an estimated direct employment impact for the buildings if fully occupied at this density of 737 FTE jobs ($8,102 \div 11$). Per data from the Scottish Annual Business Statistics, the mean GVA per employee per annum for the information and communication sector in Edinburgh was £88,324 as of 2018. This gives a projected direct GVA impact for the office if fully occupied of £65.09 million of GVA per annum (2018 prices) ($737 \times £88,324$).

Class 7 - Hotels and hostels

The development as proposed would deliver a 116-bedroom hotel. The economic impact of the proposed hotel can be estimated. The Employment Densities Guide (3rd edition) quotes a mean employment density for mid-scale hotels of one FTE employee per 3 bedrooms. This gives an estimated direct employment impact for the hotel of 39 FTE jobs ($60 \div 3$). Per data from the Scottish Annual Business Statistics, the GVA per employee per annum for the accommodation sector in Edinburgh was £41,488 as of 2018. This gives a projected direct GVA impact for the hotel of £1.63 million of GVA per annum (2018 prices) ($39 \times £41,888$).

These figures do not include the economic impact of expenditure by visitors to Edinburgh staying in the hotel on items other than accommodation (for example, transport, recreation, and shopping) due to a lack of the raw data required to model this impact robustly.

Class 11 - Assembly & leisure

The development as proposed would deliver 990 sqm (gross) of class 11 space in the form of a gym in the centre of the site. The economic impact of the proposed gym can be estimated. The Employment Densities Guide (3rd edition) quotes a mean employment density for mid-market fitness centres of one FTE employee per 65 sqm (gross). This gives an estimated direct employment impact for the gym of 15 FTE jobs ($990 \div 65$). Per data from the Scottish Annual Business Statistics, the mean GVA per employee per annum for the arts, entertainment and recreation sector in Edinburgh was £17,829 as of 2018. This gives a projected direct GVA impact for the gym of £0.27 million of GVA per annum (2018 prices) ($15 \times £17,829$).

Sui generis (flats)

The development as proposed would deliver 349 new flats. These would not be expected to directly support any economic activity. However, the flats could be expected to support economic activity via the expenditure of their residents. Based on average levels of household expenditure in Scotland, the residents of the 349 flats could be expected to collectively spend approximately £9.22 million per annum. Of this £9.22 million, it is estimated that approximately £4.71 million could reasonably be expected to primarily be made within Edinburgh. This £4.71 million could be expected to directly support approximately 45 FTE jobs and £1.56 million of GVA per annum (2018 prices).

Overall economic impact

In total, it is estimated that the development could, if fully occupied, directly support a total of 836 FTE jobs ($737 + 39 + 15 + 45$) and £68.55 million of GVA per annum (2018 prices) (£65.09 million + £1.63 million + £0.27 million + £1.56 million).

By comparison, it is estimated that the existing buildings could, if fully occupied, directly support 1,805 FTE jobs and £159.42 million of GVA per annum (2018 prices). The

development would therefore represent a decrease in potential economic impact. This is largely inevitable where developments that entail a reduction in office space are concerned, given the average high employment density and high GVA per employee of offices relative to other use classes. The loss of office space would to some degree be compensated for by the creation of modern new space.

It can be seen that the office element of the new development is key to the economic impacts of the new development, accounting for 88% of projected new jobs and 95% of projected new GVA.

SUMMARY RESPONSE TO CONSULTATION

It is estimated that the development could directly support 836 FTE jobs and £68.55 million of GVA per annum (2018 prices). This represents a decrease on the potential economic impact of the existing buildings; this is inevitable where office space is being redeveloped for other uses. The loss of office space would to some degree be compensated for by the creation of modern new space.

Historic Environment Scotland response - date 8 October 2020

Thank you for your consultation which we received on 08 September 2020. We have considered it and its accompanying EIA Report in our role as a consultee under the terms of the above regulations and for our historic environment remit as set out under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Our remit is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories.

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 consider that the proposed development would give rise to some adverse effect on the OUV of the Old and New Towns of Edinburgh World Heritage Site (WHS) and the setting of the Category A listed Royal Crescent buildings (LB29680, LB29679). Most notably, we have identified a significant adverse impact caused by the appearance of blocks C and D in the framed view occurring out of the World Heritage Site along Nelson Street/Drummond Place/Dundonald Street. We have therefore recommended changes to the design of the development which we consider would reduce and avoid the impacts described. This is consistent with the advice that we have given throughout the pre-application process. We are, however, broadly content that the overall form of the proposals sufficiently addresses the World Heritage Site edge and therefore consider that the adverse impacts described would not raise issues of national importance such that we would object.

Our detailed consideration of the proposals and associated EIA Report is included in the attached Annex.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and

therefore we do not object. Our decision not to object 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.

A new Historic Environment Policy for Scotland (HEPS, 2019) was adopted on the 1st May 2019, which replaces the Historic Environment Scotland Policy Statement (HESPS, 2016). The new Historic Environment Policy for Scotland is a strategic policy document for the whole of the historic environment and is underpinned by detailed policy and guidance. This includes our Managing Change in the Historic Environment Guidance Notes. All of these documents are available online at www.historicenvironment.scot/heps.

Please contact us if you have any questions about this response. The officer managing this case is Alison Baisden who can be contacted by phone on 0131 668 8575 or by email on Alison.Baisden@hes.scot.

Yours sincerely

Historic Environment Scotland

ANNEX

Proposed Development

We understand that the proposals involve the redevelopment of the former Royal Bank of Scotland (RBS) data management centre, offices, warehousing and carpark located adjacent to Dundas Street, Fettes Row and Royal Crescent in the New Town area of Edinburgh. The replacement development will comprise a mixture of uses including mainly residential, hotel and office uses, with associated landscaping, public realm, car parking and access arrangements.

Background

Pre-Application Discussions

We have been involved in extensive pre-application discussions with the developer and their team regarding this scheme. This engagement began on 6th June 2019 and has been on-going with our most recent detailed advice letter issued on 8th June 2020.

At all times our pre-application advice has made clear that we consider that there is potential for a sensitive development in this location which is responsive to its context within the New Town Gardens Inventory Designed Landscape (GDL367) and adjacent to the boundary of the Old and New Towns of Edinburgh World Heritage Site (WHS) including Category A listed buildings on Royal Crescent (LB29680, LB29679).

In line with this, we have specified that any development north of Royal Crescent must demonstrate that it would not harm the character of the crescent or its setting, which

originally overlooked underdeveloped ground. Any development in this location must also retain the framed views out of the World Heritage Site along Dundas Street and Dublin Street/Drummond Place/Dundonald Street.

While we have provided an indicative view on an appropriate volume of development (28 November 2020) in this location, we have also highlighted that (29 July 2020) that we are unable to give a definitive view on the acceptability of the proposals until we are formally consulted on detailed drawings and the information included within an EIA Report.

Environmental Impact Assessment (EIA) Scoping

We issued an EIA scoping advice letter on 3 October 2019. This specified that any EIA undertaken for the proposals should pay particular attention to the potential for impacts on the OUV (Outstanding Universal Value) of the Old and New Towns of Edinburgh World Heritage Site, the setting of the Category A listed buildings situated along Royal Crescent (LB29679, LB29680) and the New Town Gardens Inventory Designed Landscape (GDL367).

We also advised that consideration should be given to the potential for vibration impacts caused by demolition and construction works on the fabric of the New Town. We specified that any such assessment should be supported by appropriate technical information including visualisations of the new development from King George V Park and in outward views from the New Town towards the Firth of Forth.

Our interest

The proposed development site is located within the New Town Gardens Inventory Designed Landscape (GDL367) and is also immediately adjacent to the Old and New Towns of Edinburgh World Heritage Site boundary. There are also a number of Category A listed buildings within the vicinity of the site boundary, the settings of which are likely to be affected as a result of the proposals. These include the following:

- 15 - 23A (Inclusive Nos) Royal Crescent, and 15 Dundonald Street, Including Railings and Lamps (Category A Listed Buildings, LB29680)*
- 1 - 13A (Inclusive Nos) Royal Crescent, 24 and 24A Dundonald Street and 26-28 (Even Nos) Scotland Street, Including Railings and Lamps (Category A Listed Buildings, LB29679)*

Significance of the heritage assets

Old and New Towns of Edinburgh World Heritage Site (WHS)

Old and New Towns of Edinburgh World Heritage Site is a designation of international importance. It comprises the juxtaposition of two distinctive townscapes, the Old and New Towns of Edinburgh, each of exceptional historic and architectural interest.

The New Town, constructed between 1767 and 1890 as a collection of seven new towns on the glacial plain to the north of the Old Town, is framed and articulated by an uncommonly high concentration of planned ensembles of ashlar-faced, world class, neo-classical buildings, associated with renowned architects. Contained and integrated

within the townscape are gardens, designed to take full advantage of the topography, while forming an extensive system of private and public open spaces.

The successive planned extensions from the first New Town, and the high quality of the architecture, set standards for Scotland and beyond, and exerted a major influence on the development of urban architecture and town planning throughout Europe. It covers a very large area of 3,288 ha, is consistent to an unrivalled degree, and survives virtually intact.

Royal Crescent with its arrangement of Dundonald Street leading to Drummond Place, Fettes Row to the west, and Bellevue Crescent to the east are integral urban components of the unified town planning of the first extension to the New Town. The characteristic use of topography, and monumental massing, comes masterfully together to form the very distinctive, and highly visible landmark to the northern new town.

Royal Crescent (Category A listed buildings, LB29680, LB29679)

The townhouses along Royal Crescent are listed at Category A in recognition of their national importance. The crescent was designed as a prominent landmark to the first extension of the New Town planned by Reid and Sibbald in 1802, although an earlier plan on 1796 showed the crescent. Building commenced in 1825, however due to an economic slump work was abruptly discontinued in 1829. The original scheme for 3 segments with a detached building in the middle was abandoned following the construction of the Scotland Street Tunnel in 1847. However, the western segments were completed more or less as intended, albeit with tenements rather than terraced houses, by James Lessels in 1888. The crescent is a key townscape component on the perimeter of the new town.

New Town Gardens, Inventory Designed Landscape (GDL367)

The New Town Gardens designed landscape is included in the Inventory of Gardens and Designed Landscapes in recognition of its national importance. It comprises a series of 18th and 19th century town gardens, squares and walks, which, together with the surrounding buildings are collectively termed the 'New Town', and the result of neo-classical town planning. Although broadly contemporary with other developments in city planning, Edinburgh New Town has an extensive system of public and private open spaces, designed to take full advantage of the topography and Edinburgh townscape.

However, the development site and the adjacent King George V Park have had a very different development history to that of the gardens and squares otherwise within the New Town. This area of land lies beyond the northern boundary of the New Town (as indicated by the World Heritage Site boundary) and the land formed the former site of Canonmills haugh. Following its drainage in the mid-19th century, the Royal Patent Gymnasium opened in 1860. It subsequently became the venue for St Bernard's Football club until the 1930s. Following the death of King George V in 1936, and a desire to keep the space as open ground, money was raised to set up playing fields in his memory, which were finally opened in 1950, incorporating tennis courts, a putting green and a playground. The park was then redesigned in the later 20th and early 21st centuries. The Park therefore provides a very different social history of publicly accessible entertainment and recreation space, which contrasts with many of the private garden areas in the New Town.

It is clear that King George V Park has had a varied history with very little of its earlier incarnations remaining. The footprint of this recreational area has changed dramatically over time. It does retain some of its open character, however, in relation to the New Town buildings positioned to the south.

Policy context

Historic Environment Policy for Scotland

The Historic Environment Policy for Scotland (HEPS, 2019) includes national policy for decision-making across the whole of the historic environment.

HEP2 states that 'decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.'

HEP4 states that 'changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate.'

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.'

Scottish Planning Policy

National policy on valuing the historic environment is included in Scottish Planning Policy (SPP, 2014).

Paragraph 147 makes clear that World Heritage Sites are of international importance. It states that 'where a development proposal has the potential to affect a World Heritage Site, or its setting, the planning authority must protect and preserve its Outstanding Universal Value (OUV).'

Paragraph 141 states that 'where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting.'

Paragraph 148 states that 'planning authorities should protect and, where appropriate, seek to enhance gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes.'

Relevant Guidance

Our 'Managing Change in the Historic Environment' guidance notes explain how to apply the policies in the Historic Environment Policy for Scotland (HEPS, 2019) and Scottish Planning Policy (SPP, 2014). Our guidance notes on World Heritage (2016),

New Design in Historic Settings (2010), Setting (2016) and Gardens and Designed Landscapes (2016) are of particular relevance to the proposals.

The Old and New Towns of Edinburgh World Heritage Site Management Plan (2017-2022) also sets out a framework for the management of the World Heritage Site which aims to sustain its Outstanding Universal Value (OUV).

EIA Report (August 2020)

We have concluded that there is enough information included within the EIA Report (August 2020) and associated application materials to form a view on the proposals for our interests. We are broadly content with the framework for assessing cultural heritage impacts included at Chapter 12 of the EIA Report and welcome the provision of supporting detailed research, technical information, drawings and photomontage visualisations.

It should be noted, however, that we disagree with some of the baseline analysis included within Chapter 12 of the EIA Report and the associated Heritage and Townscape Statement (August 2020). In particular, we consider that outward views from the New Town to the north, particularly those from Royal Crescent, are undervalued. We disagree, for example, with assertions that design of the Royal Crescent town houses 'did not favour overlooking designed garden spaces or other visual amenity' and the crescent layout of the town houses was 'a rather perfunctory response to the land ownerships' included at paragraph 4.39 of the Heritage and Townscape Statement. Similarly, we also consider that views from the development site upward towards the New Town edge are undervalued. We disagree, for example, with the assertion at paragraph 4.50 of the Heritage and Townscape Statement that any views experienced of Royal Crescent from the north were 'unintentional'.

We therefore do not agree, as set out in paragraph 12.78 of the EIA Report, that those elements which contribute to the setting of Royal Crescent are limited to its east/west approaches and to the central access point at Dundonald Street.

We also note that seasonal variations have been taken into account in the assessment of setting impacts and the magnitude of change. This has included the effect of the tree screening on visibility between the cultural heritage assets and the development (para 12.28). Similarly, we note that the design mitigation incorporated into the proposals includes maintaining the seasonal screening effect provided by the existing mature tree-lined northern edge of Royal Crescent and Fettes Row (para 12.64). It should be noted, however, that we disagree that tree cover is a relevant mitigating factor. Our Managing Change Guidance Note on Setting (2016) makes clear on page 12 that tree cover can be affected by environmental change and cannot necessarily be relied upon to mitigate the adverse impacts of a development. It should also be noted that Environmental Impact Assessment requires the assessment of a 'worst case' scenario in all instances.

More broadly, we do not consider that the conclusions presented at Chapter 12 of the EIA Report fully reflect the varied and, sometimes significantly adverse, nature of impacts occurring on the setting of the Old and New Towns of Edinburgh World Heritage Site (WHS) and the Category A listed town houses (LB29680 and LB29679) in particular. We have therefore set out our assessment of these impacts below.

We have also reviewed chapter 10 of the EIA report which discusses noise and vibration. We note that vibration is considered to be significant for piling works only. We are content that, subject to setting a vibration limit of 10 mm/s, significant vibration impacts on the fabric of the new town are unlikely.

Our assessment

Old and New Towns of Edinburgh World Heritage Site (WHS)

The contribution made by 'the planned ensembles of ashlar-faced world class neoclassical buildings' to the Outstanding Universal Value (OUV) of the WHS is given particular importance in the Old and New Towns of Edinburgh World Heritage Site Management Plan (2017-2022). Royal Crescent and Fettes Row conform perfectly to this description. The management plan notes that care and attention is required to ensure that any change preserves and/or enhances the OUV.

As a planned, raised crescent, Royal Crescent takes advantage of views over the underdeveloped ground at the northern edge of the New Town and is visually prominent in views into the WHS from the north. Another key feature of this section of the New Town is its topography, with terraces and open spaces stepping down from one another in harmony with the landscape. New development adjacent to the WHS boundary should therefore be sensitive to the historic character of the WHS, reflect its urban grain and townscape value, and respond to its locality.

Special attention should also be given to safeguarding important views and landmarks including the framed views out of the World Heritage Site along Dundas Street and Dublin Street/Drummond Place/Dundonald Street.

Office and Residential Accommodation Blocks L and H

We consider that the proposed office and residential blocks located along the World Heritage Site boundary at Fettes Row give rise to some beneficial effect on its OUV and setting. The near continuous street frontage of these blocks, in our view, responds successfully to the rhythm of stepped terraces that are a key characteristic of this part of the New Town. We also note that the wall-head height of the proposed office and residential blocks are comparable in height to the wall-head height of the category B listed 4-storey corner pavilion block on Dundas Street, and the 3-storey terraced townhouses on Fettes Row. This aspect of the proposals also, in our view, successfully reflects the rhythm of development stepping-down towards the Firth of Forth.

We do, however, note adverse impacts caused by the inclusion of an additional level of accommodation set back from the proposed wall-head level of the office and residential blocks. This proposed tall set-back roof storey would increase the overall height of the Fettes Row buildings, rising above the level of the B listed terrace opposite, where historically shallow M-shaped roofs were specifically designed to limit any visibility above the cornice and blocking course.

Additionally, we consider that the different architectural expression and character of these two blocks mean they fail to respond to the continuous, uniform planned character of this part of the New Town.

Residential Accommodation Blocks G, F, E, C and D

These residential accommodation blocks are located immediately adjacent to the World Heritage Site boundary at Royal Crescent. Although the design of these blocks reflects the curved crescent form of the adjacent Royal Crescent, it should be noted that this Crescent was never designed to accommodate development opposite, but rather was sited to look over underdeveloped ground, which at the time of its design was rural and open in character. We therefore consider that the relationship between the underdeveloped ground in this location and the siting of Royal Crescent demonstrates the topography and planning of the World Heritage Site. Consequently, we consider that the introduction of large residential accommodation blocks in this area will adversely impact on the setting and OUV of the World Heritage Site.

We consider, for example, that the southernmost accommodation blocks (G, F, E) which rise to just below one storey above the Crescent's datum (pavement) level will have a negative impact on its setting and visual prominence. We also consider that the six storey northernmost accommodation blocks (C, D) will adversely affect longer views to and from Royal Crescent located along the World Heritage Site edge.

Further to this, we note that blocks C and D will be visible in the important framed view occurring out of the World Heritage Site along Nelson Street/Drummond Place/Dundonald Street. This long view demonstrates key characteristics of the townscape and topography of the New Town and would be diminished by the appearance of large-scale development. We consider that this impact is significantly adverse and have recommended mitigation below.

We do, however, note some beneficial effect on the setting of the World Heritage Site will occur with the introduction of a central axial route through the site between the proposed crescent blocks and the opening-up of potential views from the park.

Royal Crescent (Category A listed buildings, LB29680, LB29679)

The setting of Royal Crescent is that of a grand set-piece ensemble on an elevated position at the northern edge of the New Town, taking advantage of panoramic views northwards, over undeveloped (or underdeveloped) ground. We therefore consider that the relationship between the underdeveloped ground in this location and the siting of Royal Crescent is important to the understanding and experience of these Category A listed buildings.

We consider that the introduction of large residential accommodation blocks (G, F, E, C and D) immediately adjacent to the Crescent will have an adverse impact on its setting and visual prominence. The southernmost crescent blocks (G, F, E) which rise to just below one storey above the Crescent's datum (pavement) level will, for example, diminish the visual prominence of the Category A listed townhouses and also largely obscure the retaining wall which underpins their construction. We also consider that the six storey northernmost accommodation blocks (C, D) will adversely affect longer views to and from the Royal Crescent townhouses.

As before, however, we note that some beneficial effect on the setting of these Category A listed buildings will occur with the opening-up of the central axial route and potentially improved views of the crescent from the park.

New Town Gardens, Inventory Designed Landscape (GDL367)

While we note that the footprint of King George V Park has changed dramatically over time, it does retain some of its open character in relation to the New Town buildings positioned to the south. Overall, we consider that the central axial route through the proposed development has the opportunity to improve current views of the New Town, primarily Royal Crescent, from the park (and vice versa). It should be noted, however, that the bulk and relatively narrow gap between blocks C and D currently limit the available views.

Mitigation

As set out above, we consider that the proposed development would give rise to adverse impacts on the OUV and setting of the Old and New Towns of Edinburgh World Heritage Site (WHS) and the Category A listed town houses along Royal Crescent (LB29680, LB29679). Most notably, we have identified a significant adverse effect caused by the appearance of blocks C and D in the framed view occurring out of the World Heritage Site along Nelson Street/Drummond Place/Dundonald Street.

Policy HEP4 included in the Historic Environment Policy for Scotland (HEPS 2019) makes clear that if a detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should therefore be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

In particular, we consider that impacts on the OUV and setting of the World Heritage Site should be minimised by giving further consideration to the scale and massing of residential blocks C and D. Appropriate mitigation is likely to involve extending the width of the central gap between them and reducing their height.

Additionally, we recommend that the scale of blocks G, F and E is reduced and the level of development above pavement level immediately adjacent to Royal Crescent is removed. Alternatively, setting these blocks back further from the Crescent's stone retaining wall would better protect the ability to experience and understand the planned, raised crescent ensemble.

We would also recommend that blocks L and H are re-designed as a continuous, architecturally unified development to better reflect the scale and form of the B listed terrace opposite. Additionally, care should be taken to limit the visibility of the upper storey and plant components of block L. This should be done either by reducing the height of the upper storey or by ensuring it is set-back further and incorporated within a defined roofscape with appropriate recessive materials. This would also apply to its associated elements e.g. glazed balustrades which can be particularly visible.

Our position

We consider that the proposed development would give rise to some adverse effects on the OUV of the Old and New Towns of Edinburgh World Heritage Site (WHS) and the setting of the Category A listed Royal Crescent buildings (LB29680, LB29679). Most notably, we have identified a significant adverse impact caused by the appearance of blocks C and D in the framed view occurring out of the World Heritage Site along Nelson Street/Drummond Place/Dundonald Street. We have therefore recommended changes to the design of the development which we consider would

reduce and avoid the impacts described. This is consistent with the advice that we have given throughout the pre-application process. We are, however, broadly content that the overall form of the proposals sufficiently addresses the World Heritage Site edge and therefore consider that the adverse impacts described would not raise issues of national importance such that we would object.

Historic Environment Scotland further response - date 15 January 2021

Thank you for consulting us on the revised drawings and further environmental information (December 2020) submitted in support of proposals for the New Town Quarter development in Edinburgh. We received this information on 14 December 2020 and have considered it in our role as a consultee under the terms of the above regulations and for our historic environment remit as set out under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Our remit is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories.

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

Further Environmental Information (December 2020)

We note that the further environmental information (December 2020) submission proposes some revisions to the New Town Quarter development. These revisions include moving the footprint of the office and private residential blocks (L and H) adjacent to Fettes Row 1.5m north and associated changes to landscaping. Some amendment has also occurred to the upper floors of the private residential blocks (C and D) opposite Royal Crescent, as well as changes to the window sizes of the mid-market rental block (B) fronting onto Eyre Place.

We have reviewed the environmental appraisal set out within the 'Scheme Design Changes and Implications to EIA' letter (10 December 2020) submitted as part of this consultation. Here, we are content to agree with the conclusion presented that the proposed revisions are minor in nature and that there will be 'no change' to the level of impact on cultural heritage assets.

We therefore do not wish to object to the proposals and have no comments to make further to those included in our detailed advice letter of 8 October 2020.

The Basis of Our Advice

Our advice is shaped by legislation and based upon government policy and guidance. We will uphold the advice we provide to decision-makers in appeal procedures where necessary. Unless material circumstances change, we will not alter our advice. It is for the relevant decision-maker to reach a view on the balance of competing interests.

When we do not object to a proposal, this does not mean that there are no impacts on the historic environment that will need to be taken into account in determining the application. The decision-maker will take a range of factors into account in considering

the proposal and our advice is one of a range of considerations that will be taken into account as part of that process.

Further Information

This response applies to the application currently proposed and we are happy to provide your Council with any further clarification necessary. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at 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.engineshed.org.

New Town and Broughton Community Council response - dated 19 October 2020

The New Town & Broughton Community Council (NTBCC) had requested an extension to the main applications (20/03034/FUL & 20/03661/CON) - which was accepted, in order to finalise the community council's position on the above applications at their recent virtual monthly meeting on 12th October. From that discussion, it was evident that there remained a divergence of views within the community but a number of residents who had expended considerable time and effort looking in more detail at the large volume of documents lodged with this application becoming increasingly concerned at what was proposed.

As stated above, there is also a concurrent application (20/03661/CON) specifically covering Conservation Area Consent (CAC) for demolition of the existing buildings on the site. NTBCC has submitted a separate representation covering this.

NTBCC also notes with interest the response from Historic Environment Scotland (HES) which has now been lodged on the Edinburgh Planning portal. Whilst HES have not formally lodged an objection, their response raises many concerns shared both by NTBCC, other local interest groups as well as residents.

The proposed site, given its size, central location and adjoining a precious open space within the New Town, does offer a unique opportunity to add real value to the area whilst allowing the site to be developed such that the current owners can achieve sufficient value from the site. As such, NTBCC, along with many residents, are not against appropriate development for the site which directly abuts the Edinburgh World Heritage site and sits within the New Town Conservation Area - including replacement of some of the buildings that clearly have little or no architectural merit.

NTBCC were aware various local interest groups as well as NTBCC have had lengthy discussions with representatives from Ediston, Turley and the architects (10 Design) and that some changes, albeit minor) had been implemented based on those discussions over the past 12 - 18 months.

NTBCC would recognise and appreciate the significant time expended by the development team with many local interest groups. However, whilst some changes have been implemented vs. the indicative designs as outlined in the various previous

public consultations, there remains some frustration expressed both by residents and local interest groups that many of their suggestions as to possible improvements, made in good faith, have not been given adequate consideration.

Given that the development covers an extensive area and either abuts or is adjacent to several existing developments, residential areas or green space - it is helpful to consider these separately, although, it is clear that there are also common areas of concerns being expressed.

NTBCC's representation includes key points from :

I. Fettes Row & Royal Crescent Residents' Association (FRRRCRA) and the Drummond Civic Association (DCA) whose focus is on the impact residents in areas within the Edinburgh World Heritage site to the south of the proposed development but also includes the lower reaches of Dundas Street.

II. Eyre Place / Applecross residents - again, focussing on the lower stretches of Dundas Street as well as the abutting Applecross development on Dundas Street / Eyre Place / Eyre Terrace.

III. Friends of King George V & Scotland Yard Park (KGSY) - concerned with impacts on the future amenity of the park due to the development. & finally

IV. Impact on the amenity of the remaining tenement in Eyre Terrace - mainly daylighting / sunlight concerns.

Firstly, we would wish to address the key concerns raised by the local interest groups as listed above.

Fettes Row & Royal Crescent Residents' Association (FRRRCRA) and the Drummond Civic Association (DCA)

The key concerns raised by both of these amenity groups are covered in part in the response by Historic Environment Scotland (HES), in regard to the impact of the proposed development on the Edinburgh World Heritage site (WHS) and the setting of the listed buildings on Royal Crescent (Category A) & Fettes Row (Category B) and the longer views from the WHS.

HES state in their summary:

"We consider that the proposed development would give rise to some adverse effect on the OUV of the Old and New Towns of Edinburgh World Heritage Site (WHS) and the setting of the Category A listed Royal Crescent buildings'. Most notably, we have identified a significant adverse impact caused by the appearance of blocks C and D in the framed view occurring out of the World Heritage Site along Nelson Street/Drummond Place / Dundonald Street."

Whilst HES's conclusion is that the proposal as not raising issues of national importance (such that they would formally object), it is clear that despite ongoing dialogue with the development team over the past 12 months, the proposal brought forwards is not supported by HES.

NTBCC note that HES's position regarding the height of the proposed southernmost blocks directly adjacent to Royal Crescent is broadly unchanged vs. their response to the previous application (16/05454/FUL) that was ultimately withdrawn.

We also note HES's position regarding the six storey accommodation blocks to the north (Blocks C & D) that are positioned close to the boundary with King George V Park. As well as adversely impacting the views from the WHS down Dundonald Street, it is clear that there will be an adverse impact on the longer views to and from Royal Crescent located along the World Heritage Site edge. NTBCC supports the position as outlined by HES and residents' group that the height of Block C & D has an unacceptable impact on the WHS, the New Town Conservation Area as well as the amenity of King George V Park (both due to their height and positioning).

We would also note that previous application for development (in principle) along the western edge of KGVP, fronting Eyre Place (14/01177/PPP), which appears to be extant, was approved in principle, subject to further AMC applications. The proposal sought approval of the siting and maximum height of the principal block along the western edge of KGVP - with the proposed principal block being 4 storeys high rising to 5 storeys at the corners. The report to the Sub-committee also stated that "The positioning of the blocks on the site is acceptable with the potential exception of the building line next to King George V Park." & "The relationship between the development and the park is important in terms of linkages, impact on the existing trees and the character of the Conservation Area."

NTBCC are clear that these considerations were important then and are important now and furthermore, are equally applicable to both the western edge of KGVP as well as the southern edge. The report on 14/01777/PPP was clear that approval was limited to these buildings being a maximum of four storeys. We therefore do not support the proposal for the height of the blocks, especially along the southern edge of KGVP, being higher than four storeys and given the concerns expressed by HES (for Blocks C & D), perhaps even lower. This would clearly mitigate, to a degree, the impact on KGVP as well as being consistent with HES's position as outlined above.

With regard to the office block on the corner of Fettes Row & Dundas Street and accommodation block to the east, we note both concerns expressed by local residents and HES's position. The inclusion of an additional level of accommodation set back from the proposed wall-head level of the office and residential blocks, including the proposed tall set-back roof storey increases the overall height of these buildings such that they rise above the level of the terrace opposite. NTBCC share the concerns raised by residents which is also highlighted by HES and would urge that the height of these buildings is reduced appropriately.

Finally, we note HES's comment regarding the form of the buildings at the south-western edge of the development (Blocks L & H) suggesting a re-design such that they form a continuous, architecturally-unified frontage, better reflecting the scale and form of the B listed terrace opposite. NTBCC believe that this suggestion should be further considered.

Eyre Place / Applecross residents

The main concern raised by residents, both with NTBCC and with the applicant directly, relates to the Mid-Market Build to Rent (MMR) block proposed for the northern section of Dundas Street and Eyre Terrace. The application proposes demolition of the existing RBS office block that directly abuts the 2006 Applecross development, built in a horseshoe off the existing RBS buildings. This will also result in the existing 'gable end' to the RBS block being demolished. Currently the outlook to the rear of the 5-storey Applecross block enjoys a private, secluded and secure courtyard (with dimensions of approximately 13 metres north-south and 22 metres East-West). This application proposes removal of the gable-end and then proposes extending this courtyard by a further 5 metres (approx.) such that the Non-Statutory guidance ('Guidance to Householders' February 2019), which recognises (& seeks to protect as far as possible) people's privacy within their homes but also outlook. This guidance states that to achieve this, "the windows either have to be spaced sufficiently far apart so it is difficult to see into a neighbouring property or windows have to be angled away from one another."

Given the enclosed courtyard and the number of windows facing onto the courtyard, the option of angled windows would not achieve the required protection of privacy. The guidance further states that the minimum recommended distance between opposing windows should be a minimum of 18 metres, "usually equally spread so that each property's windows are 9 metres from the common boundary."

The current proposal of a 5 metre (approx.) setting back of the new building façade in an internal courtyard is stated to comply with the 18 metre minimum.

However, this seems to be achieved by 'stealing' 4 - 5 metres from the existing Applecross courtyard to achieve the minimum separation of 18 metres.

NTBCC note that the guidance also states this separation is usually equally spread so that each property's windows are 9 metres from the common boundary.

Therefore, it would seem appropriate and reasonable to ensure that the new building is set-back by 9 metres from the common boundary. We are also of the view that this guidance is normally applicable to developments across mews lane i.e. across a street rather than an enclosed courtyard. NTBCC understand that this option would be acceptable to residents.

Furthermore, this modification would also improve the amenity of residents in the new development with regard to daylight / sunlight , especially on the lower (ground & first) floors which , as far as we understand the plans as lodged, would face a vertical wall 5m away from their windows. These new apartments are also single aspect and north-facing.

Friends of King George V & Scotland Yard Park (KGSY)

The Friends raise similar concerns as to the proposed heights (six storeys) of the buildings on the immediate southern boundary of the park and the six storey block to the west, set back from the park by only the width of a path. NTBCC share their concerns that this would have a significantly negative impact on the park which although is currently fringed by a solid belt of shrubs and tall trees, would not provide sufficient protection. They raise the concern that although there may be adequate tree screening of the buildings in summer (with certain caveats regarding any future

remedial tree works), this tree cover will provide sparse to non-existent screening in winter. It would appear from many visuals accompanying the application that the longer term desire is to move to a more open (and exposed) frontage on the northern edge of the development site boundary, using hedging, shrubs and fewer trees. NTBCC would not support this.

They also point to the consistency of the proposal with LDP (2016) policy ENV 6 which states for a Conservation Area "consent to a development should only be granted if it (b) preserves trees, hedges and other features which contribute positively to the character of the area." NTBCC would urge that this is considered further during the determination of this application.

NTBCC share their conclusion which states the development, primarily due to the proposed heights of buildings along its boundary, is too difficult to screen successfully such that this small, peaceful, natural, green oasis is preserved such that it continues to offer amenity to local residents and visitors alike.

3,5-9 Eyre Terrace

We have not received a formal response from residents in this tenement on Eyre Terrace but are aware that the proposed development will have a potentially significant impact on them, mainly with regard to Daylight /Sunlight at the rear of the building. We note the comprehensive Daylight and Sunlight report by Hollis accompanying the

It states that "The results indicate that the proposed development will be fully compliant with the Edinburgh Design Guidance criteria in respect of protecting daylight amenity to surrounding buildings, except in relation to four rooms to Eyre Terrace."

We accept that the daylight / sunlight received by these properties may already be compromised due to the proximity of existing buildings to the west. However, notwithstanding that there is some flexibility in terms of the application of this analysis; we would hope that the amenity of these residents is not further compromised by the new development.

Support for Aspects in the Proposal with Suggested Further Improvements

Brownfield Site Development: NTBCC are supportive in principle of the redevelopment of this brownfield site to include a variety of uses, but being 'residential-lead'. Although the economic viability of a hotel on this site may be questionable, and views within the local community are mixed on whether this is a positive addition, it could be beneficial to the wider development.

Podium Deck : NTBCC are supportive of the principle of a podium deck, taking advantage of the topography of the site and serving as an elegant solution to the segregation of pedestrians and vehicles on the development site. It also allows the necessary parking provision & other functions to be hidden from view.

Parking Provision: We are supportive of the minimum parking provision proposed using the podium deck to mediate level differences between Dundas Street and King George V Park and the surrounding area, which enables all vehicle parking to be concealed from street view.

The Planning Statement includes a section which states that a lower level of car parking provision 'is considered to be appropriate given the site's location [being] within a high accessibility area'. But in reality, this high accessibility is limited to access to bus services (#23 & #27 buses currently running into the city centre and perhaps the #36 from Eyre Place). This may provide transport options for new residents but may be limiting for some new residents. Furthermore, although it is unclear whether vehicle movement and usage will be impacted in the longer term due to current shifts due to the Covid-19 pandemic, the concern raised by local residents concerning impacts on on-street parking outside of the controlled hours and weekends isn't addressed in detail. We would therefore not be against an increase in parking provision given the capacity that could be accommodated within the podium level but understand that this has been limited by Edinburgh Council guidance. NTBCC's view is that there needs to be a more realistic and pragmatic view about parking for the new scheme.

We would also support a greater provision of both accessible spaces (16 proposed) and perhaps more importantly, electric vehicle spaces (29 proposed) given the environmental (& legislative) pressures. We are also unclear as to the provision of Edinburgh Car Club spaces being provided - as we are aware of the increased interest and usage by local residents of the Car Club vs. ownership of a private vehicle. Hence, provision of a Car Club option as well as, if not already included, should be considered, consistent with LDP policy Tra 2 (a).

Class 4 Use provision: We support the inclusion of ~9,820 m² of Class 4 usage (vs. the previous site provision of ~19,857 m²). Whilst the current Covid-19 pandemic raises questions as to the demand for city centre (or peripheral city centre) office space, we take the view that adaptable Class 4 provision is beneficial to businesses in the local areas. Furthermore, given that this is over one hectare, LDP policy EMP 9 applies; which requires (amongst other considerations) that any redevelopment incorporate "floor space designed to provide for a range of business users".

On-site Affordable Housing Provision : We note and support the provision of 25% Affordable Housing on the site (consistent with Edinburgh Council policy). Whilst this may be Mid-Market Rent (MMR) provision, it is still welcomed.

Permeability / Connectivity : We support the improved connectivity provided by this proposal. Although there is some concern as to the proposed connection from Dundas Street heading eastwards to connect with the south-western corner of KGVP, broadly NTBCC welcome the addition connection between Dundas Street and KGVP (as outlined in the representation to 20/03655/FUL). We are less supportive of the proposal to also permit non-pedestrians to use this route and have suggested mitigating measures that may be considered .If non-pedestrian access is deemed acceptable at this location, then consideration of an offset gate arrangement to limit the speed / impact of non-pedestrians entering the park at that location should be pursued.

Subsidence / Pre-Construction and Demolition Surveys: Local residents have been raising concerns for some time regarding the impact that any demolition or construction activity may have on the structure of listed buildings, especially along Fettes Row and Royal Crescent. We therefore support the calls from residents that need reassurance that subsidence will not occur and that all buildings overlooking the site should be properly surveyed by an independent surveyor. We understand that this may not be a requirement that can be enforced under planning legislation but welcome the verbal

commitments made in this regard by the developer as part of the pre-consultation discussions.

Finally, NTBCC would wish to cover several key considerations concerning the wider development.

Trees Report / Tree Management Plan: We note the detailed Tree Report lodged with the application and also the developer-funded Tree Report covering trees outwith the development site boundary in KGVP.

Whilst acknowledging that the existing trees in KGVP have suffered from previous lack of management / maintenance and now require attention, it is important that this is progressed in measured way - consistent with the aims as outlined in the Tree Management report.

However, there is an underlying concern that trees may be felled or cut back primarily to improve the outlook from the proposed development i.e. to create more open views and improved vistas for the new residential apartments. NTBCC share these concerns and support the view that existing mature trees on and around the site should be protected as far as possible, and that where felling/replanting takes place, this is not undertaken in order to improve the views looking out from the proposed development. Our observation would be that public gardens in the New Town tend to be planted around the edge, e.g. Drummond Place, Queen Street, both to create an enclosed, green and tranquil environment but also to limit views from the surrounding properties to provide an element of privacy for those users of the gardens. We take the view that this historic precedent should be followed here also.

We also note the proposals for the treeline adjacent to Royal Crescent and Fettes Row in the Waterman '25-Year Tree Management Plan' (EIA Vol 3 Appendix 2.6 Part 1) & acknowledge some work is required due to a lack of tree management.

However, at 5.4, it states that "Arbor-related works such as crown lifting and branch reducing works will be required for a number of trees along Fettes Row because they have branches that extend to the north beyond the proposed and existing Development footprint". Whilst a degree of branch removal would be acceptable, we also note the statements in the same report at 5.11 which indicates that the functional structure of the tree boundary line, which is, in our view, to provide a tree screen and the associated visual amenity for those properties within the World Heritage site along Fettes Row (& Royal Crescent)

"Pruning works must be done sympathetically to retain each crown area as far as possible to maintain the functional structure of the canopy / tree and also provide visual amenity and landscape value for each pruned tree where such works are required".

We believe that any deviation from this would require further consultation.

Building line on Dundas Street: Whilst we agree that none of the existing buildings on the development site are of high architectural merit (perhaps excepting the northern columned building at the foot of Dundas Street), we remain concerned that the underlying motivation for the demolition seems to be to allow the footprint of the new buildings to creep closer to the street.

We understood from earlier conversations with the development team that Historic Environment Scotland had indicated that in their view, 'restoring' the building line on the northern stretches of Dundas Street, north of Fettes Row, was desirable in their eyes. We also note that the response from HES does not make reference to this. Other residents state that the reason given for removing the trees was from the applicant's 'Heritage and Townscape (Appraisal) Statement' that led to the proposed removal of the trees and the proposal to restore the traditional line of the street with 'high quality and more attractive frontages...'

It appears that the developer now states that removal of trees on Dundas St is required because they sit on the basement slab and it would be problematic to demolish the buildings without removal of these trees along Dundas Street.

NTBCC take the view that it is important that sufficient recess is maintained so that there is a definite and distinct break between the strong classical sweep down the hill on Dundas Street and the new development, especially if its architectural treatment (although attempting to reflect a similar window-panel arrangement) is still in the eyes of local residents, distinctly different to that of the World Heritage site to the south.

We therefore remain of the view that retention of the trees and the building line are important factors as part of the overall acceptability of this proposal.

Treatment of Boundaries to the KGVP) - Soft vs. Hard Boundaries: It is perhaps unclear from the plans but they seem to show that KGVP is entirely open to the development on its southern side (with landscaped areas leading into KGVP from the development). It is clear from feedback from many current users of the park that their strong preference is for a clearly demarcated boundary between KGVP and the new development. We would therefore urge that a boundary fence is installed along the southern and western existing boundaries to KGVP in place of the current buildings. This would ensure that the proposed 'permeability' is limited to the south-western entrance and would reinforce that KGVP is indeed separate to the proposed development.

Hotel / Other Roof Terraces: We note that there is a significant provision of green roofs proposed for many of the buildings - primarily it seems to meet the current policy regarding amenity space standards for the new residents in the development. Whilst we are broadly supportive of green roofs, especially on relatively low buildings as they soften the visual impact of those buildings when viewed from a distance, providing access to residents or hotel guests to these raises concerns with respect to overlooking etc.

Construction / Demolition Management: We had had sight of the Safdem 'Outline Methodology for the Phase 2 demolition' document.

We note the proposal contained therein that it is intended to set up a Recycling facility on the existing car park area to recycle as far as possible much of the material from the demolition of the buildings. This would involve 'stone crushing' on site. Whilst we agree that this may, at first inspection, look to be justified on the grounds of being environmentally friendly (vs. the alternate of transporting the demolition materials off-site, processing them and returning some of the materials to the site to be reused, but this activity, if carried out on-site, will generate significant noise, dust and vibration.

Although we are unaware if further details of this operation are contained within the lodged documents, we would expect this operation to be rigidly controlled.

We also note that the times indicated in this document are from 8 am to 6pm. We would therefore urge that this proposal for onsite reclamation is examined in more detail, with appropriate noise monitoring and limits on the hours of operation, preferably avoiding weekend working completely. We would also urge that this is covered by an appropriate condition if planning permission is granted.

Finally, a few closing comments. Firstly, although carrying out site visits (as would be normal for a major application such as this) is difficult under current Covid-19 guidance, we believe that, as per the previously-withdrawn application, a site visit should be considered by members of the Development Management Sub-Committee Site visit in order to fully understand the proposal and its potential impact on the surrounding area. We have also had a suggestion that if this is not possible, then the use of drone footage may be helpful.

Secondly, although the current Local Development Plan as approved in 2016 is the key reference, we would note the direction of travel in the Emerging Local Development Plan ('Choices for City Plan 2030') and the clearly-expressed desire that the creation of usable greenspace in developments should be encouraged at levels beyond current requirements as detailed in the 2016 LDP and that emerging LDPs are a Material planning consideration.

In summary, NTBCC remain supportive of appropriate development of this city centre brownfield site and fully understand and acknowledge that a residential-led, mixed use development could help to revitalise this area of the New Town. There is an opportunity to create something which could be an asset to both the local community as well as the wider city.

We note comments contained within HES's response that their view is that there are some beneficial effects on the World heritage site from elements of the proposal but ultimately, they raise significant concerns with height, massing and views with the proposal. We accept the developer's often-stated intent that this is what they are trying to achieve and there are many aspects of the proposal that we could support.

However, given the many concerns raised by local residents as outlined above, we cannot support the proposals as presented for the wider site at this time and NTBCC would therefore reluctantly register their formal objection to this proposal.

We trust that these comments are useful in the determination of this application.

New Town and Broughton Community Council response - dated 17 January 2021

The New Town & Broughton Community Council (NTBCC) requested a short extension to this revised application (still covered under 20/03034/FUL) to allow consideration of various submissions from residents' groups and other local interest groups in order to ensure that the community council's position reflected the views of the wider community. The revised application was also considered at the recent (virtual) monthly community council meeting on 11th January.

From that discussion, it was evident that although there was support for the majority of the revisions, there remained a frustration that the changes proposed, whilst mostly welcome, did not address some of the fundamental concerns that had been raised in responses to the original application in September/October 2020. Furthermore, there was frustration that residents had again expended considerable time and effort looking in more detail at the additional 200+ documents that had been lodged as part of this revision.

We would also note that it would seem that majority of the revisions proposed were either in response to concerns raised either by statutory consultees (Historic Environment Scotland) or council planning officers. Concerns raised by the wider community do not seem to have been addressed.

NTBCC has also revisited the response from Historic Environment Scotland (HES) to the original application. . Whilst HES did not formally lodge an objection, their response raised many concerns shared both by NTBCC, other local interest groups as well as residents, but only a small element of those concerns again appear to have been addressed in this revised application..

NTBCC would reiterate our long-standing position that the proposed site, given its size, central location and adjoining a precious open space within the New Town, does offer a unique opportunity to add real value to the area whilst allowing the site to be developed such that the current owners can achieve sufficient value from the site. As such, NTBCC, along with many residents, are supportive of t appropriate development for the site which directly abuts the Edinburgh World Heritage site and sits within the New Town Conservation Area - including replacement of some of the buildings that clearly have little or no architectural merit.

However, NTBCC would both acknowledge and express appreciation for the time again expended by the development team in liaising with both the community council and with many local interest groups to explain the proposed revision. . However, whilst some, relatively minor, changes have been made vs. the original proposal, it is disappointing that many of the concerns raised to the original application and suggestions as to possible improvements, proposed in good faith, have not been given adequate consideration.

In terms of the specifics of the revisions proposed, taken from the summary as contained within the revised Design & Access Statements (Parts 1 - 6), we have the following comments :

(1) Fettes Row - Office & Block 5 Relocation

(DESIGN AND ACCESS STATEMENT ADDENDUM Section 1

"Amended design proposals relocate the Office Building and adjacent Private Residential Block 5. Both buildings are moved 1.5m northwards - increasing the distance between the proposed development facades and that of the existing tenement to Fettes Row and the existing retained wall line to the streets North edge."

"The adjusted building positions ease the proximity of the proposed development to existing tree canopies to further mitigate any proposed tree pruning on Fettes Row."

NTBCC's position is that this is a marginal but beneficial change that reduces the extent of the tree works (as originally proposed) and will also improve (albeit very marginally) the views of Fettes Row from Dundas Street. However, although welcome, this is a relatively minor change and initial concerns remain with the proposed height of the relocated office building.

Many residents continue to have significant concerns regarding the building form, scale and relationship to Fettes Row proposed & whether it is commensurate with the height and scale of the existing Fettes Row north-facing street elevation as stated in the revised Design & Access Statement (Section 1).

2 Private Residential Units - Amendments

(DESIGN AND ACCESS STATEMENT ADDENDUM Section 2)

"Amendments reduce the volume of proposed development at uppermost storey / penthouse level of North Crescent Blocks 1 & 2. This provides an increase in the 'gap' between the two buildings and improves the 'clear' view through the development when viewed 'formally' from within the New Town looking North."

NTBCC's view is that although this does increase the gap between the blocks forming the northern 'crescent' at the foot of Dundonald Street by 2 metres, together with a marginal reduction in height of those blocks by 0.5 metres - which, although limited, is to be welcomed - driven by the need to preserve 'framed views' from the WHS - which we assume to be in response to comments from Historic Environment Scotland (HES).

However it does not fundamentally change our concerns with respect to the height of these blocks (Northern crescent, Blocks 1 & 2) and their visual impact as seen by the users of King George V Park.

3 Dundas Street - Elevation review

(DESIGN AND ACCESS STATEMENT ADDENDUM Section 3)

"Amendments have been made to the detail design of elevations to Dundas Street - specifically the MMR ('Mid-Market Rent') Residential building and adjacent Hotel. Changes address the detailed articulation of both facades to express proportions of base, middle and top."

"The main communal entrance to the MMR building is moved forward and provided with a more active 'presence' on Dundas Street, whilst providing secondary access also to main door entry flats located off the courtyard. The mass and form of proposed buildings - in response to the wider context and topography of Dundas Street - remains as before."

NTBCC take the view that whilst not being opposed to this minor change, it does not fundamentally mitigate concerns that have previously been raised both by NTBCC and by many local residents regarding the building line proposed along Dundas Street. Furthermore, NTBCC are not entirely convinced either by the need for a more 'active presence' to the Dundas Street elevation as an objective for this development or whether in fact this proposal achieves that.

Whilst we understand the rationale for moving the communal entrance closer to the Dundas St frontage - this change does not in any way materially change our previous

wider concerns regarding the chosen building line being brought forwards & loss of trees on Dundas Street.

4 Eyre Place - Elevation Review (DESIGN AND ACCESS STATEMENT ADDENDUM Section 4)

"Amendments have been made to the detail design of the BTR ('Build to Rent') elevation to Eyre Place. Changes address the detailed articulation of the facade and its relationship and interface with the existing adjacent tenement. This includes proposed parapet height review and interpreted / defined ground floor height - in response to the adjoining main tenement façade and shop fronts."

NTBCC accepts that the ground floor "Facade 'Frame' height" being better aligned with the fascia cornice of existing adjacent shop front is a marginal improvement when viewed from street level - however it appears that this also results in an increase in height of the overall building to align with the eaves of the existing adjacent tenement, with a further set-back storey as well as a roof terrace above the ridge line of the existing tenements. The proposed building is 5 storeys from street level (excl. the roof terrace) which appears incongruous in longer views. The previous (now approved application (14/01177/PPP)) was limited to 4 storeys by condition.

5 Materials Amendments (DESIGN AND ACCESS STATEMENT ADDENDUM Section 5)

Materials proposed for primary elevations (i.e. those facing Fettes Row & Eyre Place) have been amended such as to now provide natural stone as the predominant material on all outward-facing frontages of Dundas Street, Fettes Row, Royal Crescent, and Eyre Place.

NTBCC's view is that this would seem to be a clearer, more consistent approach - and is supported.

6 Daylighting / MMR Review (DESIGN AND ACCESS STATEMENT ADDENDUM Section 6)

"Amended design proposals are made to elevations of the MMR Residential building - relocating and increasing window sizes where appropriate to further enhance amenity and daylight / sunlight provision."

NTBCC is unclear why this was not included in the initial proposal as the amenity for some residents in the new building backing onto the Applecross courtyard was less than desirable & whilst this proposal does result in daylight improvements and an increase in rooms that now meet the Edinburgh Design Guidance requirements for Daylight standards (to 92% compliance), there are still many rooms in the proposal that do not meet the non-statutory guidance - again raising the question whether the overall proposal for this block with a small courtyard is viable and really meets overall LDP policies.

7 Housing Mix / Layout Review (DESIGN AND ACCESS STATEMENT ADDENDUM Section 7)

"Amended plans have been developed providing a revised housing mix (primarily within the developments Private Residential parts) providing a development wide allocation of housing for growing families and space standards in line with Edinburgh Design Guidance."

NTBCC's view is that this is primarily driven by commercial considerations (anticipated sales demand) as the change is primarily within the Private Residential block. However, the increase in family-sized accommodation as we understand it (as reflected in the revised housing mix) is welcomed.

8 Amenity / Open Space - Greenspace Review / Private Gardens / Access (DESIGN AND ACCESS STATEMENT ADDENDUM Section 8)

"Overall, private amenity / greenspace is provided in line with Policy Hou 3, providing communal provision based on a standard of 10 m2 per flat (excluding any units which are provided with private gardens > 10 m2)."

NTBCC would expect the provision of green space for all accommodation classes (Private residential / BTR & MMR) to fully meet LDP Hou 3 - we would trust that the details of amenity space would undergo the necessary scrutiny during determination to ensure that the requirement is fully met.

However, we would restate our previous concerns regarding the significant areas of roof terrace included to achieve a provision 'in line with Policy Hou 3'. It would appear, without further analysis, that a significant proportion of the amenity space is provided by the inclusion of the extensive roof terrace areas.

NTBCC's attention has again been drawn to the Council's "Open Space 2021 - Edinburgh's Open Space Strategy (December 2016)" which contains non-statutory guidance regarding desired open space provision for new developments (amongst much else).

Despite much data being provided in the Design & Access Statement Section 8, which does state the required Amenity Greenspace is provided (at 10 m2/flat) consistent with LDP Hou 3 to be provided, either by Private garden space or Communal gardens / Terraces & states that the policy requirements are met or exceeded - the majority (~62%) would appear to be from roof terraces with accessible and usable open space (per "Open Space 21") is a small percentage of the total (perhaps being the Northern Sunken Garden (434m2) & Park Gardens (215m2 in total). This seems a relatively poor provision when compared to the aspirations in "Open Space 2021".

9 Public Realm -Active Frontage (DESIGN AND ACCESS STATEMENT ADDENDUM Section 9)

"Active frontage is provided across the development - with primary communal residential entrances and main door entry dwellings providing activated 'residential' facades alongside 'commercial' frontages and associated primary and secondary entrances - located on primary public interfaces and where considered economically sustainable."

Unclear to NTBCC as to the purpose / desirability of the 'Primary Active Residential Frontage' as shown & unclear as to what this achieves?

*10 Landscape Review - Amendments
(DESIGN AND ACCESS STATEMENT ADDENDUM Section 10)*

NTBCC broadly welcome the proposed reconfiguration to allow more opportunities for seating and break out spaces with integrated seating adjacent to soft landscape allowing a greater level of amenity than just circulation i.e. more of a destination rather than just through-route, but again, wonder if this change is significant enough?

'Site Interface with King George V Park'

"Across the northern boundary of the site the interface with KGVP has an existing level change (currently masked within buildings on the site). The following section illustrates the typical detail for retention of this edge in order to provide not only a technical solution but also one that is sympathetic to the surroundings fitting with existing trees, associated levels and anticipated roots."

"It is proposed that the area of land that sits between the private terraces and the edge of the park will be common ground maintained by collective management. This is to ensure that the interface with KGVP is consistently maintained to a high quality, which was felt was something that could not be regulated if entirely private."

In terms of the overall application, this is a very precise statement regarding management of the slivers of land bordering the KGVP boundary (we assume it refers to 'Area 3 : Park Gardens). More generally, we have concerns whether this detail is relevant within the revised 20/03034/FUL application or whether it should be handled as a Condition (to be worked at a later stage).

'Works to King George V Park' - Park Infrastructure Improvements & Tree Works Needed to Existing Park Trees

NTBCC are somewhat confused as to the inclusion of these detailed works within KGVP in this application.

We understand that it may be useful background but we are unclear whether this is an appropriate mechanism to obtain 'approval' for the detail that is shown. From a planning perspective - setting a requirement for a Section 75 contribution (secured by legal agreement) from the applicants as a condition in the final determination is appropriate but the detail as to how CEC Parks, Greenspaces & Cemeteries would use that contribution is, in our view, outwith the scope of this application.

A more appropriate process may be for Council officers from the Council's Parks, Greenspace & Cemeteries to work with local community bodies (for example, the Friends of the Park) to agree appropriate improvements & if necessary, inform the developers what those agreed improvements are.

However, we note that the inclusion of possible improvements in this application has been helpful in bringing forward that discussion & that is to be welcomed, along with the Section 75 contribution itself.

NTBCC are aware that the Friends of the Park have submitted their views on this.

11 Transportation - Car Parking

(DESIGN AND ACCESS STATEMENT ADDENDUM Section 11)

"The amended location of Office and Private residential Block 5 have had a minor impact on proposed car parking layout & numbers with proposed car parking numbers now totalling 161 (versus 164 previously).

Spaces are distributed throughout the car park providing shared provision across Office, Hotel, MMR residential, BTR residential and Private residential accommodation. The overall number of spaces sits below the maximum permissible parking standard.

Within these numbers, accessible and electric charging spaces are provided in line with guidance."

"general bicycle parking provision is allocated within the overall public realm for visitors and patrons. This is provided using Sheffield style stands discreetly located throughout."

NTBCC's position is that notwithstanding comments submitted to the original application on the proposed parking provision - an overall decrease of 3 spaces & 10 spaces being reallocated from hotel use to residential is a welcome but minor and is insignificant when looking at the wider scheme.

Finally, a few closing comments - as stated in our representation to the original 20/03034/FUL application, we would encourage a site visit to be considered by members of the Development Management Sub-Committee - whilst recognising that in the short term, carrying out a site visit (as would be normal for a major application such as this) may be difficult under current Covid-19 guidance. This would allow a full appreciation and understanding of the proposal and its potential impact on the surrounding area.

Secondly, although the current Local Development Plan as approved in 2016 is the key reference, we would note the direction of travel in the Emerging Local Development Plan ('Choices for City Plan 2030') and the clearly-expressed desire that the creation of usable greenspace in developments should be encouraged at levels beyond current requirements as detailed in the 2016 LDP and that emerging LDPs are a Material planning consideration.

Summary

NTBCC remain supportive of appropriate development of this city centre brownfield site and fully understand and acknowledge that a residential-led, mixed use development could help to revitalise this area of the New Town. There is an opportunity to create something which could be an asset to both the local community as well as the wider city.

We note comments contained within HES's response that their view is that there are some beneficial effects on the World Heritage site from elements of the proposal but ultimately, they raised significant concerns with height, massing and views with the proposal. We accept the developer's often-stated intent that this is what they are trying to achieve and there are many aspects of the proposal that we could support.

However, given the many initial concerns remain, we cannot support the proposals as presented for the wider site and therefore retain our original stance on this proposal.

We trust that these comments are useful in the determination of this application.

Roads Authority Issues - dated 20 January 2020

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

- 1. The applicant will be required to:*
 - a. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;*
 - b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*
 - c. In support of the Council's LTS Cars1 policy, the applicant should 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 will be required to design and build signalised crossing on Dundas Street close to the proposed ramped access as possible to the satisfaction and at no cost the Council (location and type of signalised crossing to be agreed with CEC signal team);*
- 3. The applicant is required to demonstrate by design that the required minimum number of cycle parking spaces (840) can be achieved by the allocated cycle stores (minimum required - 751 spaces for the residential, 75 spaces for the office and 12 spaces for the hotel); double door entrances for the cycle stores will be required to ensure ease of access;*
- 4. Cycle wheel ramp will be required on at least one of the two stepped accesses besides the ramped access leading to Dundas Street from the courtyard to aid movement of cyclist.*
- 5. The main east west route from Dundas Street through the site is required to be secured by planning agreement to ensure public rights of access and will require CEC structural approval for the podium access;*
- 6. The applicant will be required to upgrade the surface course of the carriageway and both footways on Eyre Terrace from the development car park to its junction with Eyre Place and subsequently provides continuous footway on the eastern footway pend access junction of Eyre Terrace to ensure pedestrian priority to the satisfaction and at no cost to the Council;*
- 7. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;*
- 8. No tram contribution required (see note b below);*
- 9. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;*
- 10. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of 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;

11. The applicant should be advised that: as the development is located in Zones 1 to 8, they will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See

https://democracy.edinburgh.gov.uk/Data/Transport%20and%20Environment%20Committee/20130604/Agenda/item_77_-

[_controlled_parking_zone_amendments_to_residents_permits_eligibility.pdf](#) (Category A - New Build);

12. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;

13. Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984;

14. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.

15. Any works affecting adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits

<https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1>

16. 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;

17. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.

Note:

A transport statement has been submitted in support of the application. This has been assessed by transport officer 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.

- The proposed residential development will generate a total two-way vehicular trip of 115 and 119 during the AM and PM peak hours respectively (existing office vehicular trips during AM peak 128: PM peak 128). Therefore, the proposed residential with 138(84%) of the total parking allocation (164) will have a net decrease of 13 and 9 two-way vehicular trips during the AM and PM peaks, respectively.

- The proposed development is predicted to generate approximately 370 (two-way) walking trips during the AM peak period and 400 (two-way) trips during the PM peak period.
- Cycling trips is estimated to be 14 and 31 for the morning and evening peak period respectively.
- Public transport trips for the proposed development are estimated at 197 and 184 for the morning and evening peak periods respectively;
- a) Tram contribution in Zone 3;
 - Existing office use 36,957m² GEA =£1,278,712
 - Existing warehouse use 1,955m² GEA = £10,642
 - Total tram contribution of existing use = £1,289,354
 - Proposed Office use 9,820sqm =£340,250
 - Proposed 116 bed hotel = £176,714
 - Proposed 349 Residential unit = £253,000
 - Proposed Gym 940sqm =£00
 - Total tram contribution for proposed =£769,964
 - Net tram contribution = £769,964(proposed) - £1,289,354(existing use) =£-519,390
- b) Vehicular access to be maintained from existing Eyre Terrace providing a link to the proposed undercroft parking areas, 3.7m wide emergency access designed as shared surface around the perimeter of BTR with collapsible bollards to prevent unauthorised parking;
- c) Ramped pedestrian access proposed from both Dundas Street and Royal Crescent to connect to the active travel network of King George V Park;
- d) Dundas Street ramp - the ramp is a minimum of 2.2m at the narrowest points but extends to 2.5m for the majority of its length. The ramp gradient meets the requirements of the DDA with a grade of 1:21 which ensures that access is available for all ranges of mobility
- e) Servicing to be undertaken from Eyre Terrace; hotel and office to be serviced from the car park (Lift provided);
- f) The site is accessible by public transport (Lothian service - 23, 27, 8, 24, 36, 42, 61), tram and rail
- g) The proposed 164 car parking spaces complies with the Council's parking standards which could allow a maximum of 349 parking spaces for the residential unit, 23 spaces for the 116-bed hotel and 3 spaces for the office. Car parking allocation as follows;
 - BTR/MMR 58 parking spaces (including 4 disabled bays and 8 EV charging)
 - Private residential 93 (including 8 disabled bays and 16 EV charging)
 - Hotel 10 parking spaces (including 3 disabled bays and 4 EV charging)
 - Office 3 (including 1 disabled bay and 1 EV charging);
- h) 22 motorcycle parking spaces proposed complies with the minimum CEC motorcycle parking requirement of 22 spaces;
- i) Cycle parking -
 - Proposed 753 cycle parking spaces for the 349 residential unit complies with CEC minimum cycle parking requirement of 751 spaces;
 - Proposed 75 cycle parking spaces for the office complies with the minimum requirement of 75 spaces
 - 12 cycle spaces for the hotel complies with the CEC minimum requirement of 12 spaces;

Scottish Water response 1 - dated 21 September 2020

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water Capacity Assessment

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

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

Waste Water Capacity Assessment

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

To find out more about connecting your property to the water and waste water supply visit: www.scottishwater.co.uk/business/connections SW Public

General

Please Note

- The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Asset Impact Assessment

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

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

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

Surface Water

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

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

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making

a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- Scottish Water asset plans can be obtained from our appointed asset plan providers:*
- Site Investigation Services (UK) Ltd*
- Tel: 0333 123 1223*
- Email: sw@sisplan.co.uk*
- www.sisplan.co.uk*

To find out more about connecting your property to the water and waste water supply visit:

www.scottishwater.co.uk/business/connections

SW Public

General

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.*
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.*
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.*
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.*
- Please find information on how to submit application to Scottish Water at our Customer Portal.*

Next Steps:

- All Proposed Developments

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

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

- Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to

act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

To find out more about connecting your property to the water and waste water supply visit: www.scottishwater.co.uk/business/connections

General

- Trade Effluent Discharge from Non Dom Property:

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

- If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).

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

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

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

I trust the above is acceptable however if you require any further information regarding this matter please contact me on 0800 389 0379 or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Scottish Water response 2 - dated 25 September 2020

Existing Infrastructure within Site

Waste Water

Scottish Water Records indicate that there is a 225mm Vitrified Clay combined sewer that crosses site, beginning on Dundas Street, passing beneath the existing bank and then flowing down Eyre Terrace.

Please note that Scottish Water records are indicative only and your attention is drawn to the disclaimer at the bottom of this letter. It is the applicant's responsibility to accurately locate the position of the pipes for line and depth on site and confirm the size and its material of construction.

The minimum required access distance for public sewer assets of this size is 3.0 m from the outside edge of the sewer; please note this may increase up to 6.0 m if the depth is confirmed to be over 3m to invert. No building or other obstruction should be located within the stand-off distance of a sewer. If this access distance cannot be met, the sewer should be diverted around the perimeter of the new development.

If the build is expected to encroach within this access distance, an asset impact application showing proposals should be submitted to Scottish Water for review by the Asset Impact Team as soon as possible to prevent any possible delays to construction.

Again, please note that Scottish Water records are indicative only and your attention is drawn to the disclaimer at the bottom of this letter. It is the applicant's responsibility to accurately locate the position of the pipe on site to ensure that it is not damaged during these works. All due care must be taken when working in the vicinity of Scottish Water assets, you should seek our support accordingly prior to any excavation works.

SEPA response - dated 13 October 2020

Advice for the planning authority

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

1. Air Quality

1.1 The location of the development in the city centre on a brownfield site with good public transport options and active travel routes supports the council's city mobility plan which considers building on and repurposing brownfield land rather than lower density development on greenfield sites as the most sustainable approach.

1.2 The city mobility plan aims to reduce the level of on-street parking in areas well served by public transport whilst enabling parking for residents and people with mobility difficulties. This development has a total of 164 parking spaces, of which 16 would be accessible parking spaces and 29 would be equipped with electric charge points. The development would also provide 840 bicycle spaces.

1.3 These measures support CEC's mobility plan and climate change ambitions by supporting sustainable transport modes and allowing residential parking. The detailed air quality impact assessment has concluded there will be a negligible impact on air quality when the development is in operational use. On this basis we have no objection to this development on air quality grounds.

2. Flood Risk

2.1 Flood risk at this site is from surface water risk only.

2.2 The proposed new flood defence wall and flood gates/pumping station to tie into existing flood protection scheme. Both matters are for CEC as the Flood Risk Management Authority and are outwith SEPA's remit.

3. Surface water and SUDS

3.1 We advise you to ensure that the applicant has completed a simple index calculation on the proposed SUDS and has demonstrated they are appropriate.

Regulatory advice for the applicant

4. Regulatory requirements

4.1 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in the local SEPA office at: ELB@sepa.org.uk

SNH response - dated 28 September 2020

Thank you for consulting us with the above application and EIA.

This is a city centre development and as such does not raise significant natural heritage issues. We therefore have no comments to make to this application.

We are currently focusing our EIA advice to those cases that raise nationally significant issues or meet our placemaking priorities. This also applies to provision of landscape advice.

Our protected species information is available on our website as standing advice notes and they should provide you with any advice you need in relation to species surveys or mitigation.

<https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-protected-species>

Location Plan



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