

# Development Management Sub Committee

Wednesday 17 March 2021

**Application for Planning Permission 20/01949/FUL  
at 120 Ferry Road, Edinburgh, EH6 4PG.  
Demolish existing garage and create Class 1 convenience  
store with 2 x residential units above.**

Item number

Report number

Wards

B04 - Forth

## Summary

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The proposals comply with the adopted Edinburgh Local Development Plan and non-statutory guidelines. The principle of the use is acceptable, there would have no adverse effect on the character and appearance of the conservation area or setting of the listed building. The development would have no detrimental impact on residential amenity or road safety and parking. There are no other material considerations to outweigh this conclusion.

## Links

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[Policies and guidance for this application](#)

LDPP, LDES01, LDES04, LDES05, LEN05, LEN06, LEN03, LHOU01, LHOU02, LHOU04, LHOU03, LRET05, LTRA02, LTRA03, NSG, NSGD02, OTH, CRPLEI,

# Report

## **Application for Planning Permission 20/01949/FUL at 120 Ferry Road, Edinburgh, EH6 4PG. Demolish existing garage and create Class 1 convenience store with 2 x residential units above.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The site lies on the north side of Ferry Road and contains a single storey former car showroom that extends to the front and rear.

It stands on a busy arterial road with public transport running along the street.

Building heights vary from single storey to tenemental, but those flanking are two storey and attic, with a consistent building line (broken by the existing building). However, there are a number of retail projections along Ferry Road.

The building to the west (currently highly obscured by the existing building) is listed category B. It was listed on 19 December 1979 ref.28744.

This application site is located within the Leith Conservation Area.

#### **2.2 Site History**

22 June 2017 - planning permission was granted for the demolition of existing car showroom and erection of new residential block and associated landscaping (application number 17/01975/FUL)

30 June 2017 - Conservation area consent was granted for the complete demolition of the car showroom (application number 17/01963/CON)

11 May 2020 - An application for conservation area consent was submitted for the complete demolition in a conservation area of a former car showroom with garage space to the rear (application number 20/01950/CON). This is pending decision.

## **Main report**

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### **3.1 Description of the Proposal**

The site area measures 923 square metres and it is proposed to demolish the existing garage and create a Class 1 convenience store with two residential units above. The proposed pitched roof building is three storey high with a flat roofed element projecting forward at ground floor level for retail development. On the upper floors, two residential units are proposed each with two bedrooms.

There are no car parking spaces proposed. However, cycle parking is to be provided in the internal stairwell to the flats (4 spaces) and for the shop's customers (4 spaces) and staff (1 space to rear).

The proposed materials are slate for the roofing material. The external walls are to be finished in natural stone and dark grey cladding to the front while the rear elevation would be white render.

No amenity space is shown.

#### Previous Scheme

An external staircase was originally proposed, and the windows were more pronounced.

#### Supporting Documents

The following supporting documents are available to view of the Planning and Building Standards Online Services:

- Noise impact assessment
- Design statement

### **3.2 Determining Issues**

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

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Do the proposals comply with the development plan?

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

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

### 3.3 Assessment

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

- (a) the proposal is acceptable in principle;
- (b) the proposals preserve the character and setting of the listed building;
- (c) the proposals preserve or enhance the character and appearance of the conservation area;
- (d) the proposed scale, design and materials are acceptable;
- (e) the proposal is detrimental to the amenity of neighbours;
- (f) the proposal provided sufficient amenity for the occupiers of the development;
- (g) the proposal affects road safety;
- (h) the proposal affects archaeology;
- (i) any other material issues; and
- (j) public comments raised have been addressed.

#### (a) Principle of the proposal

The site is located within the urban area of the Edinburgh Local Development Plan (LDP).

LDP Hou 1 supports new housing development provided it is compatible with other policies of the Plan.

The site lies within Ferry Road West Local Shopping Centre where LDP Ret 5 supports new retail development of an appropriate scale and type. The new development includes a class 1 convenience store with a gross floor area of 370 square metres which is compatible with the character and function of the centre. Given its size, this would not have a significant impact on the city centre retail core or any other town or local centre. It is easily accessible by public transport, foot, and cycle. The appearance of the unit is assessed below.

LDP Hou 4 Density seeks an appropriate density of development having regards to its characteristics and those of the surrounding area. The new development occupies most of the site. This is in keeping with the density of the modern flats to the south, and tenements to south and east. It is located close to the city centre where there are higher densities and a good level of public transport. The proposal accords with this policy.

The development is therefore acceptable in principle provided it complies with other policy requirements.

#### (b) Setting of Listed Buildings

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

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

To the west of the site there is a residential building which is Category B listed (Listed 19 December 1979 Ref: 28744). It is set on the original building line but sandwiched between the car showroom and the tenement to the west. There is a shop unit in front of the listed building as well as the front part of the showroom. The listed building is therefore largely viewed via the pedestrian access although the upper floor is partially visible from the street. Its setting has already been severely compromised.

The single storey element of the proposal would retain the footprint of the former car showroom and being no greater than this in height would have no additional impact on the setting of the listed building. The three-storey element to the rear of the site lies on the footprint of former garage buildings and has been designed to be, not greater in height to retain the existing setting of neighbouring buildings. The upper floor will be butted against the gable of the listed building and will align in terms of eaves and ridge height. It will read as a modern addition to the listed gable but in a form that lines up with the listed building.

The proposal complies with LDP policy Env 3 Listed Buildings Setting.

#### c) Impact on Conservation Area

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

*"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), 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 states that development within a conservation area will be permitted if it preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal and demonstrates high standards of design and utilises materials appropriate to the historic environment.

The Leith Conservation Area is of considerable size covering various historical periods and stages of development that form a variety of character areas and spatial patterns. For this analysis the character appraisal is split into four sub areas representing distinctive patterns of growth and development. The site falls within the Madeira area which retains a largely Georgian domestic character with buildings of stone with slate roofs. The mix of plot widths, the variety of architects involved, the differing house types, larger front gardens and an air of faded grandeur all help to reinforce a more informal and relaxed character. Ferry Road, the main access to Madeira, is at this point more densely developed and provides a more urban environment of tenements with a mix of commercial uses at ground floor.

The single disused car showroom is modern single storey building. Its design and horizontal emphasis contrasts noticeably with the verticality of the neighbouring 19th century tenements that make up the bulk of the conservation area.

The proposal would redevelop the site with a single storey flat roof element facing Ferry Road and two apartments on the floors above. The proposed building is on the same footprint as the existing building and continues the pattern of projecting shopfronts found along Ferry Road. The development fits into and compliments the existing massing characteristics of the surrounding buildings by being no greater in height and retains the architectural style which is a character of the conservation area. The proposed materials do not detract from the surrounding buildings. The glazing pattern would give an overall vertical emphasis to the built form and proportions. The proposal would preserve the character and appearance of the conservation area.

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals preserve and enhance the character and appearance of the conservation area, in compliance with LDP Policy Env 6

#### d) Scale, Design and Materials

LDP Policy Des 1 supports new development whose design contributes towards a sense of place and picks up on the positive characteristics of the area. These positive characteristics include the strong uniformity of Victorian and Georgian buildings. This proposal picks up on that by creating a three storey building which fits in between the two adjacent three storey buildings. In addition, the form of the roof relates to the surrounding area.

In terms of LDP Policy Des 4, it is compatible in terms of height and form in addition to scale and proportions. The materials are high quality reflecting the surrounding area. The design complies with policy.

Although the design is contemporary, it ties in with the elevations of the surrounding buildings by integrating stone on the elevation facing onto Ferry Road. The front façade has window openings that are of similar proportions to those on neighbouring buildings.

The proposal will retain the setting of the surrounding area and will be a positive addition to it in terms of design. The choice of materials and positioning are compatible with the character of the existing buildings.

#### e) Neighbouring Amenity

LDP Policy Des 5 (Development Design - Amenity) requires development proposals to demonstrate that neighbouring amenity of a development will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

There are proposed windows facing to the front and rear which would not result in any additional overlooking.

The single storey element of the building projecting to the front would be no greater in height than the existing building so there would be no additional overshadowing into neighbouring properties. In addition, there would be no impact on daylighting.

The proposal is satisfactory in terms of residential amenity.

#### f) Amenity for Future Occupiers

LDP Policy Des 5 (Development Design - Amenity) also requires development proposals to demonstrate that future occupiers will have adequate amenity.

LDP Policy Hou 3 (Private Green Space in Housing Development) requires developments to provide adequate provision for green space to meet the needs of future residents.

The proposal creates 2 two-bedroom flats. Both the apartments meet the minimum internal floor area requirements of the Council's Edinburgh Design Guidance.

The new residential units would have aspects to the front and rear in keeping with the existing residential properties. The main living spaces will receive adequate daylight through the proposed window arrangement.

The applicant has submitted a supporting noise impact assessment which has provided additional information on the possible impacts from proposed plant and transport noise impacts. It has highlighted that upgraded acoustic glazing will be required so a condition is attached to address this.

No external amenity space is shown on the drawings. There is an area at the back of the new retail unit which could be used for amenity space but the applicant has advised that the redevelopment of the site at the back, off Industry Lane is being pursued and this land may be required for amenity space for that development. If it does not happen the land to the rear will be amenity ground for the 2 flats. If the rear development does happen then the green area will be communal for both the 2 flats above the retail unit and the residential to Industry Lane. As this would suggest the rear area can be amenity ground in either scenario, a condition has been added to ensure part of the rear area is amenity space for the 2 flats and further details should be submitted. There is sufficient amenity space to show compliance with Hou 3.

#### g) Roads

LDP Policies Tra 2 - Tra 3 set out the requirements for private car and cycle parking. The Council's Parking Standards are set out in the Edinburgh Design Guidance.

No car parking is proposed, and this meets parking standards. Cycle parking is provided to the front of the store for customers, the rear of the store for staff and inside the building to the side for the residential units.

The proposal complies with LDP Tra 2 and Tra 3.

#### h) Archaeology

The Archaeologist has confirmed that the site lies within an area of potential archaeological significance. A condition is attached requesting that an archaeology survey is undertaken.

i) Any other material issues

*Contaminated land*

The former use of the site as a garage means that the land could have become contaminated and should be investigated to ensure that the site is made safe for the intended use. A condition is recommended in this regard.

*Drainage*

A surface water management plan will be required to ensure a sustainable drainage system is put in place. This has been added as a condition.

j) Public comment

**Material comments - objection**

- Design - assessed in section 3.3b, 3.3c
- Loss of light and privacy - assessed in section 3.3d
- No requirement for more retail - assessed in section 3.3a
- Increased traffic - assessed in section 3.3g
- Increased noise and disruption - assessed in section 3.3d, 3.3e

comments - support

- improved the character and appearance of the area - assessed in section 3.3b

**Non- material comments**

- new shop being a chain store - not relevant to planning process
- noise from demolition - not relevant to Planning
- a community use should be considered instead of retail use - does not form part of the proposal
- neighbour notification - this was checked, and additional neighbours were notified.

Conclusion

The proposals comply with the development plan and non-statutory guidance. The proposed use is appropriate in this location, the proposals will preserve the character of the conservation area and there will be no adverse impact on the setting of the listed building, there are no transport issues. There will be adverse impact on residential amenity. There are no other material considerations to outweigh this conclusion.

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



### 3.4 Conditions/reasons/informatives

#### Conditions:-

1. i) Prior to the commencement of construction works on site:
  - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
  - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
2. The following noise protection measures to the proposed residential units as defined in the Stuart King Noise Impact Assessment' report (Ref SKAD-GG1FR-AP20-1 Issue 2), dated August 14 2020, shall be carried out in full and completed prior to the development being occupied:
  - Glazing units with a minimum insulation value of 45 Rw with acoustic ventilators having a minimum sound reduction level of 47Dnew shall be installed for the external doors and windows of the Living room areas.
3. No demolition or development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

The work would 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.
4. A surface water management plan shall be submitted for the further approval of the planning authority prior to the commencement of development

5. Cycle parking shall be implemented in accordance with the Edinburgh Design Guidance prior to the occupation of the development. Full details shall be submitted for the further approval of the planning authority
6. Adequate amenity space shall be provided at the rear of the retail unit for the use of the 2 residential flats. Details shall be submitted for the further approval of the planning authority and the amenity space shall be formed prior to the occupation of the flats.

**Reasons: -**

1. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
2. In order to protect the amenity of the occupiers of the development.
3. In order to safeguard the interests of archaeological heritage.
4. To ensure drainage is sustainably managed.
5. To ensure cycle parking provision is implemented.
6. To ensure the amenity of future occupiers.

**Informatives**

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. 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.
2. 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.

5. 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.
6. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.
7. The existing dropped kerb shall be removed and the and footway made good. This may require a pavement licence.

## **Financial impact**

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

There are no financial implications to the Council.

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

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

## **Equalities impact**

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

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

## **Sustainability impact**

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

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

## **Consultation and engagement**

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

There is no pre-application process history.

## 8.2 Publicity summary of representations and Community Council comments

The application was advertised on 3 February 2014 and 17 comments were received: 9 objecting and 4 supporting. These included comments from the Architectural Heritage Society of Scotland and the Leith Harbour Newhaven Community Council.

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

### **Background reading/external/references**

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

**Statutory Development****Plan Provision**

The site lies within the urban area of Edinburgh Local Development Plan where it lies within Leith Conservation Area.

**Date registered**

18 May 2020

**Drawing numbers/Scheme**

1,2,3,4,5,6A,7A,8A,9A11A,12A,

Scheme 2

**David R. Leslie**

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PLACE

The City of Edinburgh Council

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**Links - Policies**

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**Relevant Policies:****Relevant policies of the Local Development Plan.**

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 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 Env 5 (Conservation Areas - Demolition of Buildings) sets out criteria for assessing proposals involving the demolition of buildings within a conservation area.

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

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

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 Ret 5 (Local Centres) sets criteria for assessing proposals in or on the edge of local centres.

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

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

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

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

### **Other Relevant policy guidance**

**The Leith Conservation Area Character Appraisal** emphasises the area's unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value

# Appendix 1

## **Application for Planning Permission 20/01949/FUL At 120 Ferry Road, Edinburgh, EH6 4PG Demolish existing garage and create Class 1 convenience store with 2 x residential units above.**

### **Consultations**

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#### **Environmental Protection**

*Environmental Protection have provided comments on similar proposals in this area (18/01876/FUL) for demolition of existing car garage and erection of new residential block, (19 units)*

*The proposed development is on the site of an existing car garage and will involve demolition of said building and the erection of class 1 use at ground floor with residential above. The applicant has submitted a supporting noise impact assessment which has provided additional information on the possible impacts from proposed plant and transport noise impacts. It has highlighted that upgraded acoustic glazing will be required. Environmental Protection shall recommend a condition is attached to address this. An informative is recommend for the potential plant.*

*The applicant should also investigate the installation of photovoltaic panels and use ground and air sourced heat pumps linked to energy storage. The applicant should be aware of the Climate Emergency and Edinburgh's Zero Carbon targets. Therefore, no fossil fuels should be considered.*

*Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning & Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent (except where it is inappropriate to do so, for example where remediation of severe contamination might not be achievable).*

*Environmental Protection has no objection to the application, subject to the following conditions:*

1. *Prior to the commencement of construction works on site:*

*(a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning, 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 remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning. 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 to the satisfaction of the Head of Planning.*

*2. The following noise protection measures to the proposed residential units as defined in the Stuart King Noise Impact Assessment' report (Ref SKAD-GG1FR-AP20-1 Issue 2), dated August 14 2020:*

*- Glazing units with a minimum insulation value of 45 Rw with acoustic ventilators having a minimum sound reduction level of 47Dnew shall be installed for the external doors and windows of the Living room areas.*

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

#### *Informative*

*1. 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.*

*2. 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.*

#### **Roads Authority Issues**

*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. provide 4 cycle parking spaces in a secure and under cover location for the 2 residential units;*

*b. provide 1 cycle parking space for employees in a secure and under cover location;*

*c. provide 1 cycle parking space for customers;*

*d. remove the existing dropped kerb and make good the footway (see Note below);*

*2. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.*

#### *Note:*

*o The existing loading restrictions will continue to apply. A loading area is available on the opposite side of the road;*



- o *Zero car parking is acceptable for the proposed development. Cycle to be as set out in the Council's parking standards.*

## **Archaeology**

*The site lies on the edge of historic medieval port and town of Leith. Recent excavations within Leith on sites of the town's fortifications, have led to a re-examination of the Petworth Map a contemporary depiction of the 1559-60 Siege. This work, published in the 2015 volume of Post-Medieval Archaeology, has produced a more accurate geo-referenced plan of the siege works which indicates that this application site lies in the middle of a range of fortifications on the Northern side of the Water of Leith.*

*Based on the historical and archaeological evidence the site has been identified as occurring within an area of potential archaeological significance. Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP) PAN 2/2011, HES's Historic Environment Policy for Scotland (HEPS) 2019 and CEC's Edinburgh Local Development Plan (2016) Policy ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

*Demolition and construction will potentially require significant ground-breaking works which could reveal potentially nationally significant archaeological evidence (e.g. ditches) associated with the 16th century Siege of Leith. It is recommended therefore that if consented that a programme of archaeological work is undertaken prior to /during any ground-breaking works, in order to fully excavate and record any significant remains which may be impacted upon.*

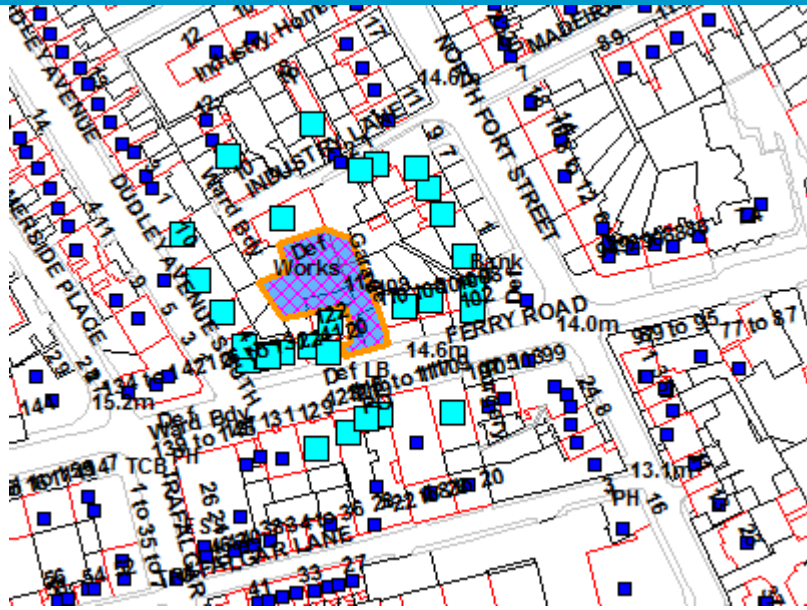
*It is recommended that the above programmes of archaeological work are secured by the following condition;*

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

*The work would 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.*

## Location Plan

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**END**