

# Development Management Sub Committee

**Wednesday 9 November 2022**

**Report for forthcoming application by**

**CCG Limited. for Proposal of Application Notice**

**22/04481/PAN**

**at land 20 metres north of 82, Niddrie Mains Road,  
Craigmillar.**

**Removal of existing partly vacant retail parade and new build  
development of circa 110 residential units over ground floor  
retail business and leisure units (Use Classes 1, 2, 3 and 4).**

**Item number**

**Report number**

**Wards**

B17 - Portobello/Craigmillar

## Summary

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The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for planning permission in principle for the overall site, and detailed planning permission for phase 1 for a mixed use development. The proposals will include the removal of existing retail units and new build development including residential, ground floor retail, business and leisure units (Class 1, 2, 3 and 4).

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicants submitted a Proposal of Application Notice 22/04481/PAN on 7 September 2022.

## **Links**

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**Coalition pledges**

**Council outcomes**

**Single Outcome Agreement**

## **Recommendations**

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- 1.1 It is recommended that the Committee notes the key issues at this stage and advises of any other issues.

## **Background**

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### **2.1 Site description**

The site is located on the south side of Niddrie Mains Road and has a total site area of 0.9 hectares. The site is currently occupied by a mix of uses formed by two main blocks situated along the west and east of the main road. The west of the site is occupied by an existing retail unit, bookmakers and hot food takeaway with associated car parking provision to the rear and separated from the eastern section of the site by Seacole Square road. The eastern section of the site is occupied by an existing row of retail and commercial units. The Tesco Express retail unit provides a bookend on the eastern end of the row of mixed use units, and the Lindsay and Gilmour Pharmacy provides a bookend to the west of the site, with a mix of uses provided in the units situated between both on the eastern section. There exists an area of derelict open space in the eastern section of the site to the rear of Tesco Express, which is partially covered in trees/shrubs. Existing car parking provision is located in a wedge section between the western and eastern sections of the site accessed from Seacole Square Road, and a larger dedicated parking area is located to the south east of the site to the rear of the pharmacy accessed directly from Niddrie Mains Road.

The northern boundary of the site is formed by Niddrie Mains Road. The western boundary of the site is formed by the boundary wall, fencing and parking area entrance associated with the units which form the western section of the site. The site's southern boundary is formed by the boundary walls of the residential garden grounds associated with the properties at both Craigmillar Castle Loan and Seacole Square. The site's eastern boundary is formed by the boundary wall and planting associated with the pharmacy unit in the eastern section of the site.

The site is adjacent to the following listed building:

The White House, 68-70 Niddrie Mains Road (Category B listed) - Reference: LB30325.

### **2.2 Site History**

Development site:

1 November 2016 - Application withdrawn for erection of mixed use development including, residential (houses + apartments), residential care homes (class 8), business (class 4), retail (class 1), food store (class 1) (including cafe), petrol filling station, classes 2 and 3, Community High School (including public library, cafe and sports/ leisure facility), Train Station, with associated landscaping, infrastructure and car parking at development site at Niddrie Mains Road, Edinburgh (application reference 08/02553/OUT).

28 July 2017 - PAN approved for proposed flatted residential development at former Lidl, 100 Niddrie Mains Road, Edinburgh (application reference 17/03400/PAN).

11 October 2017 - Application withdrawn for proposed flatted residential development at Unit 13, 80 Niddrie Mains Road, Edinburgh (application reference 17/03139/PPP).

Adjacent sites:

24 September 2015 - Planning permission granted for mixed use development inc. retail (class 1); financial, professional + other services (class 2); food + drink (class 3); business + employment (class 4); residential institutions (class 8); residential (class 9); assembly + leisure (class 11); sui generis flatted development + other associated works including car parking, public realm, access arrangements + works in general at the development site north of Niddrie Mains Road, Edinburgh (application reference 14/03416/PPP).

31 December 2015 - Planning permission granted for proposed class 1 retail unit, car parking, service road, temporary turning hammerhead and landscaping (Retail Unit 4 - 14/03416/PPP) at redevelopment site north of Niddrie Mains Road, Edinburgh (application reference 15/04443/AMC).

9 December 2016 - Planning permission granted for extension of the Craigmillar Town Square and public realm in front of the neighbourhood hub, connecting the two spaces through uniform materials and building on the existing design framework. The Town Square provides ample space for flexible use at redevelopment site at Niddrie Mains Road, Edinburgh (application reference 16/02697/AMC).

1 October 2019 - Planning permission granted for the erection of a new 3 and 4 storey secondary school with associated hard and soft landscaping, 'town square' proposal, external sports provision and car parking at redevelopment site at Niddrie Mains Road, Edinburgh (application reference 19/01771/FUL).

24 January 2020 - Planning permission granted for the demolition of existing Lidl building and erection of new build residential development comprising of 136 flatted units across 5 no. blocks; with associated parking, roads and landscaping at land at 100 Niddrie Mains Road, Edinburgh (application reference 18/02744/FUL).

7 October 2020 - Planning permission granted for mixed-use residential led development comprising of dementia care centre (Class 8), assisted living apartments (Class 8), student accommodation (Sui Generis) and commercial units (Class 1,2 or 3) with access, landscaping, SUDS and car parking at land 90 Metres South of 2 Peffer Place, Edinburgh (application reference 20/00292/FUL).

## Main report

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### 3.1 Description Of The Proposal

An application for planning permission in principle for the overall site, and detailed planning permission for phase will be submitted for a mixed use development. The proposals will include the removal of existing retail units and new build development including residential, ground floor retail, business and leisure units (Class 1, 2, 3 and 4).

No details have been submitted regarding, access, design, unit numbers, commercial floorspace or other aspects of the proposal.

### 3.2 Key Issues

The key considerations against which the eventual application will be assessed include whether:

**a) The proposed development will have a detriment impact on the setting of any listed buildings and structures or the character and appearance of the conservation area;**

There is a single listed building located just beyond the western boundary of the site.

The impact of the proposed development on the character, appearance and setting of the identified listed building will be considered in relation to Sections 14 and 59 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997.

**b) the principle of the development is acceptable in this location**

The site is within the urban area where a mixture of uses including residential, retail and leisure are acceptable in principle. The specific site proposals will be assessed against the relevant policies of the LDP. This includes policy Hou 1 Housing Development, which sets out criteria for considering the suitability of sites for housing, policy Emp 1 Office Development which sets out the policy criteria for commercial development per the proposed Class 4 provision on site.

Given the nature of the existing employment uses throughout the site, policy Emp 9 Employment Sites and Premises, will need to be considered in relation to the redevelopment of employment sites or premises in the urban area for uses other than business, industry or storage. This policy permits the introduction of non-employment uses on the proviso that they will not prejudice or inhibit the activities of any nearby employment use; and the proposal contributes to the comprehensive regeneration and improvement of the wider area.

In terms of assessing the proposed retail element of the proposals, policy Ret 5 Local Centres will be applicable, the policy sets out criteria for the suitability of retail proposals in Local Centres within which the site falls. Policy Ret 9 Alternative Use of Shop Units in Defined Centres outlines the policy requirements where the loss of retail space is concerned in defined centres, due to proposed loss of retail units policy Ret 9 will form part of the assessment.

**c) the Design, Scale and Layout are acceptable within the character of the area and whether the proposal complies with the Edinburgh Design Guidance**

The application will be for planning permission in principle for the overall site, and detailed planning permission for phase 1. A design and access statement will be required to accompany the application. The layout and design of the proposal will be assessed against the requirements of the Edinburgh Design Guidance and the Revised Craigmillar Urban Design Framework 2013.

**d) the proposal is acceptable in terms of residential amenity**

The application will need to ensure that there is no significant impact on residential amenity of neighbours. The proposals will be assessed to ensure that there is adequate level of amenity for the future occupiers of the development with the mix of uses proposed a consideration.

**e) access arrangements are acceptable in terms of road safety and public transport accessibility**

The application should have regard to the transport policies of the LDP and Designing Streets. Consideration should be given to prioritising pedestrian and cycle movement. Transport Information will be required to support this application.

**f) there are any other environmental factors that require consideration**

The applicant will be required to submit sufficient information to demonstrate that the site can be developed without having an unacceptable impact on the environment. In order to support the application, the following documents are likely to be expected (this list is not exhaustive):

- Pre-application Consultation Report;
- Planning Statement;
- Design and Access Statement;
- Daylighting, Sunlight and Privacy analysis;
- Townscape and Visual Impact Assessment;
- Transport Information;
- Archaeology Assessment;
- Flood Risk Assessment and Surface Water Management Plan;
- Contaminated land survey;
- Noise Impact Assessment;
- Air Quality Impact Assessment; and
- Sustainability Statement.

The proposal will need to be screened under the terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, to determine whether an Environmental Impact Assessment is required.

### **3.3 Assessment**

This report highlights the main issues that are likely to arise in relation to the various key considerations. This list is not exhaustive and further matters may arise when the new application is received, and consultees and the public have the opportunity to comment.

### **Financial impact**

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4.1 The forthcoming application may be subject to a legal agreement.

### **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 This is a pre-application report. When a planning application is submitted it will be assessed in terms of equalities and human rights.

### **Sustainability impact**

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7.1 A sustainability statement will need to be submitted with the application.

### **Consultation and engagement**

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

Pre-application discussions are taking place on this application.

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

The Proposal of Application Notice (reference: 22/04481/PAN) outlined:

Pre-event publicity including a dedicated website, emails to key stakeholders, press release in Edinburgh Evening News, social media posts, flyer distribution to 1000+ local residents and businesses, posters placed locally and a statutory advert.

A public exhibition on Wednesday 28th September 3pm - 7pm, including stakeholder preview 2pm - 3pm.

An online exhibition on Tuesday 4th October 3pm to 7pm, with reminders posted on social media.

Direct consultation with all relevant parties including local ward councillors, constituency MP and MSP, community organisations and immediate neighbours to the site, including existing tenants.

The results of the community consultation will be submitted with the application as part of the Pre-application Consultation Report.

## **Background reading/external references**

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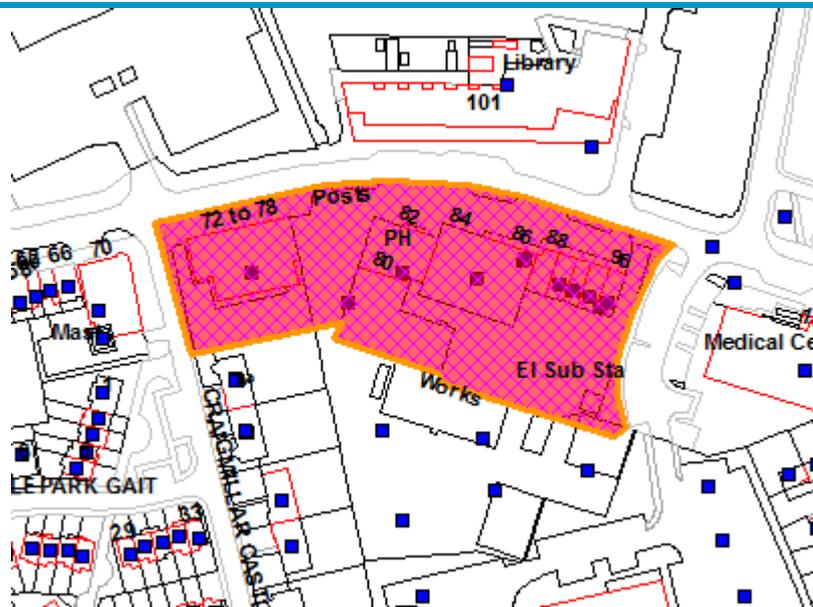
- To view details of the proposal of Application Notice go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)

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## Location Plan

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