

Development Management Sub-Committee Report

Wednesday 7 December 2022

**Application for Planning Permission
20 West Shore Road, Edinburgh, EH5 1QD.**

Proposal: Mixed-use development comprising creative studio and business incubation space, workshop manufacturing and storage with ancillary retail, events space, indoor and outdoor food market, food outlets, leisure uses and associated landscaping.

**Item – Committee Decision
Application Number – 22/01726/FUL
Ward – B04 - Forth**

Reasons for Referral to Committee

The application has been referred to the Development Management Sub-Committee because there is Council interest in the proposal. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

Recommendation

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

Summary

The principle of providing a mix of uses and bringing a vacant industrial unit back into use is acceptable. The industrial uses that form the main part of the proposals comply with the current designation of the site under EW 2d which recognises the potential for light industrial development to come forward while waiting for the longer term aspirations of the site are realised.

The design and alterations to the existing industrial unit and the proposed development within the curtilage is acceptable in scale and form given the industrial context of the site. The proposal is acceptable in relation to matters such as amenity, transport measures and flooding.

In all other aspects the proposal accords with the Development Plan and generally complies with the relevant Non-Statutory Guidance.

The proposal complies with the policy principles of sustainable development set out in Scottish Planning Policy (SPP). There are no other material considerations which outweigh this conclusion.

SECTION A – Application Background

Site Description

The site, covering 1.34 hectares, comprises a large vacant industrial unit with an approximate floor area of 4,694 sqm and the surrounding area. The unit is understood to have been previously occupied by an engineering company.

The steel framed industrial unit occupies the majority of the site and is set back from West Shore Road to the south. The external area comprises mainly hardstanding with some areas of grass. There are existing trees along the southern boundary and at the eastern part of the site. A security fence runs around the perimeter of the site.

To the north and east is the promenade separating the site from the Firth of Forth and to the west are existing industrial units. Further south is the B listed Doocot, Boundary Wall and Walled Garden (reference LB28139, listed 14 December 1970) and also the Social Bite Village, both are shielded from West Shore Road by existing trees.

There is an existing vehicular access from West Shore Road that leads to the extensive area of hardstanding that surrounds the warehouse.

The site is located within the Urban Area as shown on the Local Development Plan Proposals Map. It is within the Edinburgh Waterfront: North Shore (EW 2d) designation which identifies the site for housing-led mixed use development. To the north is the Edinburgh Waterfront Promenade Cycleway/ Footpath Safeguard. Further north is a local nature conservation site and the Firth of Forth Special Protection Area.

The application site is within the ownership of the City of Edinburgh Council.

Description of the Proposal

It is proposed to redevelop the existing building and associated external area to create a mixture of light industrial units, artists' spaces, street food market, events space as well as housing a rebuild workshop. The external area will also accommodate 38 reclaimed shipping containers/ welfare cabins and also a food market. An external area has also been identified as a sauna.

The main elements comprise:

- Class 4/5/6 (Business, Industrial and Storage) extending to 3,939 sqm within the existing building on the ground floor and a mezzanine level. These comprise of six larger units ranging from 142 sqm to 484, some storage areas and a 50 smaller studio spaces ranging in size from 16.5 sqm to 67 sqm. The 38 refurbished shipping containers provide a combined area of 468sqm of studio space. Some of the larger units will also contain ancillary Class 1 (Shops) use.
- Class 3 (Food & Drink) - internal floorspace for bakery and indoor food market covers 708 sqm.

- Externally, the proposal contains specific areas for the bakery garden (414sqm), adjoining public facing courtyard on the northern part of the site (136sqm) and the food market (459 sqm). The proposed food market is described as a street food focused market with the sale of hot and cold food from multiple traders for consumption on site. There will also be sale of hot and cold alcoholic and non-alcoholic drinks for consumption on-site with the potential of off sales.
- Class 11 (Assembly & Leisure) internal floorspace for events space of covering 622 sqm. Externally, a site area of 930 sqm has been designated for the Soul Water Sauna leisure use with detailed design to be brought forward by tenant.

Alterations to the warehouse building largely relate to the blocking up of some existing openings and the creation of new ones to accommodate the proposed interior layout. This includes new roller shutters on the southern elevation. On the northern elevation a gated cut out section is proposed to provide a public facing courtyard area. An existing large industrial ventilation exhaust tower is to be removed and new air extractions to the food market and bakery uses.

Internally the studios and workshop space are set around a central access corridor and this takes up the majority of the central and western part of the warehouse. There is a mezzanine level for further studio spaces. The indoor food market and event space are at the eastern part of the warehouse. The outdoor food market is at the north-eastern part of the site adjacent to an area identified as a parkland. The south-eastern part of the site has been identified for the sauna area.

The container/welfare cabin studios are shown in two separate parts of the external hardstanding areas. One to the west of the warehouse building and one to the south, both are to sit on timber decking.

The 'bakery garden' is located at the north-western part of the site.

The existing access from West Shore Road at the eastern part of the site is to be retained. A new access is also proposed at the western part of the site. These both provide access to service yards for parking, loading and bin stores.

Pedestrian access points are shown from the east and north of the site from the promenade.

Total parking provision is shown as 15 spaces (one accessible and four with Electric Vehicle charging points) with additional areas for loading. Seven public parking spaces are adjacent to the site, outwith the site boundary.

Cycle parking is provided in various locations across the application site. It is identified as containing Sheffield stands, but numbers have not been provided.

Supporting Information

- Planning Statement;
- Design Statement;
- Phase 1 Geo-Environmental Desktop Study;
- Flood Risk Assessment and Drainage Strategy and
- Transport measures report.

These are available to view on Planning and Building Standards Online Services.

Relevant Site History

No relevant site history.

Other Relevant Site History

None

Pre-Application process

There is no pre-application process history.

Consultation Engagement

NatureScot

Scottish Water

Archaeology Officer

Environmental Protection

Flood Prevention

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 29 April 2022

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 29 April 2022;

Site Notices Date(s): Not Applicable;

Number of Contributors: 1

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s), this report will first consider the proposals in terms of Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997:

- Is there a strong presumption against granting planning permission due to the development harming the listed building or its setting?
- If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

This report will then consider the proposed development under Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Do the proposals comply with the development plan?

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

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

In the assessment of material considerations this report will consider:

- the Scottish Planning Policy presumption in favour of sustainable development, which is a significant material consideration due to the development plan being over 5 years old;
- equalities and human rights;
- public representations and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals harm the listed building and its setting?

The following HES guidance is relevant in the determination of this application:

- Managing Change in the Historic Environment: Setting

To the south of West Shore Road are the B listed Doocot, Boundary Wall and Walled Garden. These are separated from the site by the existing tree cover meaning that the historic assets have limited visibility from the application site and the industrial style development proposed is appropriate in the context of the existing site. Consequently, the proposals will not have a detrimental impact on the setting of the listed structures.

Conclusion in relation to the listed building

The proposal will have no detrimental effect on the setting of nearby and adjacent B listed buildings. The proposal therefore is acceptable with regard to section 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) The proposals comply with the development plan?

The Development Plan comprises the Strategic and Local Development Plans. The relevant Edinburgh Local Development Plan 2016 (LDP) policies to be considered are:

- LDP Strategy policy Del 3
- LDP Design policies Des 1, Des 2, Des 3, Des 4, Des 5, Des 7, Des 8, Des 10
- LDP Environment Policies Env 3, Env 9, Env 12, Env 13, Env 14, Env 15, Env 16

- LDP Employment policies Emp 9
- LDP Shopping and Leisure policies Ret 6, Ret 7 and Ret 11.

The non-statutory Edinburgh Design Guidance is a material consideration that is relevant when considering the application. The Granton Waterfront Development Framework and the Edinburgh Waterfront Promenade Design Code are also material considerations.

Impact on the setting of the listed buildings

LDP policy Env 3 (Listed Buildings-Setting) states that development within the curtilage or affecting the setting of listed buildings will be permitted only if not detrimental to the architectural character, appearance or historical interest of the listed building, or its setting.

As discussed in section (a), the proposal will have no detrimental effect on the setting of nearby and adjacent listed buildings. The development therefore complies with LDP policy Env 3.

Principle

Policy Del 3 (Edinburgh Waterfront) states that planning permission will be granted for development which will contribute towards the creation of new urban quarters at Granton Waterfront (EW 2d is relevant in this instance). The policy sets out a number of requirements including maximising the development potential of the area, providing a series of mixed-use sustainable neighbourhoods that connect to the waterfront and the provision of local retail facilities and leisure and tourism attractions.

The LDP identifies the site as part of Edinburgh Waterfront: North Shore (EW 2d). This allocates the wider redevelopment area for housing-led mixed-use development for an estimate 850 residential units. The supporting text notes that implementation of this proposal is unlikely to come forward in the first part of the LDP period and temporary consents for light industrial development would allow productive use of this area and address the small business needs targeted by Policy Emp 9 (Employment Sites and Premises) without prejudicing residential amenity in new development to the south. Redevelopment of this area has not come forward as quickly as anticipated with other areas within the Granton area being developed as earlier phases.

The uses proposed meet with aspirations of Policy Del 3 in relation to providing a mix of uses and attractions at this location.

The Granton Waterfront Development Framework (GWDF) identifies the site as forming part of a new coastal park which is part of a wider strategy to set development back from the shoreline to create a flood resilient area.

In general terms, the re-use of the vacant industrial unit and placement of shipping containers within the curtilage is acceptable in principle and accords with the LDP. The proposed uses are considered further in the sections below. Whilst the GWDF has shifted the longer-term focus of the site, a meanwhile use of the site is appropriate - although not a planning matter, the supporting information indicates the applicant has agreed a 15-year lease with Council as landowner.

As there is already an existing building at this location the proposals will not impact on the regeneration of the wider area in accordance with Policy Des 2 Co-ordinated Development which seeks to ensure that proposals do not compromise the comprehensive development and regeneration of a wider area.

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 supports proposals which will contribute to the comprehensive regeneration and improvement of the wider area.

The policy also indicates that the introduction of non-employment uses should not prejudice or inhibit the activities of any nearby employment use. This point is considered later on in relation to amenity.

The proposals will introduce a range of employment uses in the form of classes 4,5 and 6 and the proposed container space providing a floor space of approximately 4,407 sqm. Accordingly, the proposals satisfy that element of Policy Emp 9.

Retail and Market

Policy Ret 6 (Out-of-Centre Development) sets out the criteria where proposals for out-of-centre retail development will be permitted. The criteria is: a) addresses a quantitative or qualitative deficiency; b) all potential sites have been assessed and discounted as unsuitable or unavailable; c) the proposal will not have a significant adverse effect on the vitality and viability of any existing centre; and d) the site is or can be made easily accessible by a choice of transport modes and will reduce the length and overall number of shopping trips made by car.

Policy Ret 11 (Food and Drink Establishments) states the change of use of a shop unit or other premises to a licensed or unlicensed restaurant, café, pub, or shop selling hot food for consumption off the premises (hot food take-away) will not be permitted: a) if likely to lead to an unacceptable increase in noise, disturbance, on-street activity or anti-social behaviour to the detriment of living conditions for nearby residents or b) in an area where there is considered to be an excessive concentration of such uses to the detriment of living conditions for nearby residents.

The proposed retail uses associated with the workshops will be small and ancillary so justifiable in the mix of uses.

There is no specific retail policy for markets. Ret 6 and Ret 11 have some relevance given the location of the proposed market, which has been explained as being predominantly a food market rather than straight retailing. This is a different offer to that within the local centre focused on the supermarket to the south of the site. The location within an industrial estate lends itself well to the type of uses being proposed.

Assembly and Leisure

LDP Policy Ret 7 (Entertainment and Leisure Developments - Preferred Locations) states planning permission will be granted for high quality, well designed arts, leisure and entertainment facilities and visitor attractions at Granton Waterfront and in a town centre, provided that the proposals can be integrated satisfactorily into its surroundings with attractive frontages to a high quality of design that safeguards existing character, be compatible with the surrounding uses in relation to amenity matters and be easily accessible by public transport, foot and cycle.

As a Granton Waterfront location the proposals for event space and the sauna area meet the first part of the policy and introduce, as part of mixed-use development, an alternative vibrant use to a vacant building whilst developing out the wider site. The proposed Class 11 uses are acceptable.

In summary, the proposed uses are acceptable in principle subject to the consideration of amenity and transport matters.

Design

The proposal will bring a vacant industrial unit back into re-use with a range of uses that will add some vibrancy to the area. The alterations to the building and the new structures proposed in its curtilage are of an appropriate industrial aesthetic. This accords with Policy Des 4 (Development Design - Impact on Setting) which sets out that development will be granted where it is demonstrated that it will have a positive impact on its surroundings.

The alterations to the existing warehouse are relatively minimal and are acceptable in the context of an industrial building. The proposals are compatible with the existing building and comply with Policy Des 12 (Alterations and Extensions).

LDP Des 7 (Layout Design) sets out, amongst other matters, that planning permission will be granted for development where a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces, services and SUDS features has been taken.

The two areas formed by old shipping container/cabins have been arranged to provide clusters of flexible space opening out into areas of timber decking. The western area sits in behind the existing neighbouring industrial building to the southwest, whilst the existing trees at the south of the site will provide some screening for the southern containers. The containers are to be painted green and are suited both to an industrial setting and the coastal location. Likewise, any food stalls / structures are located to the north of the site and will not detrimentally impact on the area which is currently industrial. The proposals also comply with Policy Des 1 (Design Quality and Context) as the design and siting of the structures are appropriate for the location.

Detailed plans have not come forward for the area allocated for the outdoor sauna at the eastern part of the site. The plans do show a general layout and the types of facilities proposed have been shown in a document supplied indicating structures such as a cylindrical wooden timber sauna building, a converted horse box for a small reception and changing rooms and wooden clad plunge pools alongside seating areas.

The general concept of the sauna, the layout and the images provided are acceptable at a coastal location. A condition is attached to ensure that full details come forward.

Proposals should come forward with full details of landscaping in accordance with Policy Des 8 (Public Realm and Landscape Design). The proposal contains basic information on landscaping, showing the existing trees retained, grassed areas and new access paths to the site.

In this instance, the applicant has indicated that it is the intention of Edinburgh Palette to develop the landscaping details at a later phase of the development and in consultation with gardening groups from the local community.

The planning statement sets out proposed phasing of development.

Phase 1 is the refurbishment and conversion to the existing building and includes the outdoor food market area, the new access point and car and cycle parking.

Phase 2 is when the containers/cabins are to come forward alongside the landscaped area.

The applicant has requested if the landscaping can come forward as part of the phase 2 works. Given the nature of the existing industrial environment this approach is acceptable and a condition for landscape works has been applied.

The proposal shows new access paths to the site from the promenade and the use of the site will help in activating this part of the promenade and also proposes new access points to the site and building from the promenade. In this sense it complies with LDP Policy Des 10 (Waterside Development) which, amongst other matters, sets out that planning permission will only be granted for development on sites on the coastal edge if it provides an attractive frontage and maintains public access to the water's edge.

Overall, the proposed development is acceptable in the context of the site.

Amenity

LDP Policy Des 5 (Development Design - Amenity) seeks to ensure that the amenity of neighbouring residents is not adversely affected by development and that future occupiers of residential properties have acceptable levels of amenity.

The existing site contains an industrial unit which could be brought back into an industrial use without planning permission. It is located within a predominately industrial area that houses a range of uses. The nearest residential site is the Social Bite village to the south, approximately 55 metres away and sits behind existing trees.

Environmental Protection has not objected to the proposal. Any future residential developments on surrounding sites will need to ensure that noise impact is taken into consideration.

Transport

The transport objectives set out in the Local Development Plan (page 126) state that development should:

- Minimise the distances people need to travel;
- Promote and prioritise travel by sustainable means, i.e. walking, cycling and by public transport and
- Minimise the detrimental effects of traffic and parking on communities and the environment.

Vehicular access to the site is from West Shore Road.

The site is not in a location identified as having high levels of general public transport accessibility. However, it is one which was last in use as an industrial premises and the majority of the uses proposed are similar workshop uses.

The proposed mix of uses on the site means that it will attract people to the site at different types of the day/evening which will influence the potential trip generation of the site. For example, the food market is likely to have a different travel pattern to the light industrial / business tenants which will minimise travel generation to the site. Given the nature of the proposed uses, it is unlikely that the development will be a major traffic generation during peak times when the transport network is at its busiest.

To the south of the site is an existing core path (part of CEC 8 North Edinburgh Paths) that leads along the side of Granton Walled Garden to Waterfront Avenue. There is a programme in place to upgrade this path which will improve accessibility to the bus services and local centre at Waterfront Avenue / Waterfront Broadway. Using this path, the site is approximately 450m from the bus stops on Waterfront Avenue (400m is generally considered to typically take five minutes to walk). The buses are Lothian Buses 24, 47, 47B and X37.

There is also the promenade running to the north site. This runs west from the site to Cramond offering an alternative sustainable route to the site, though the promenade to the east of the site is not in place.

The Edinburgh Waterfront Promenade Design Code sets out the objective behind the promenade project is to link communities along the coast with each other and with adjoining communities providing a safe and attractive corridor for pedestrians and cyclists. It will also include a number of nodes that will act as destination points offering opportunities for recreation and entertainment facilities whilst respecting the coastline. This proposal would create a node of activity at this location.

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 supporting text to Policy Tra 2 sets out that a purpose of the policy is to generally fulfil the wider strategy of encouraging sustainable, non-car modes.

Limited parking is proposed, the parking provision is shown as ten onsite tenant managed spaces (one accessible and four with Electric Vehicle charging points), five onsite public spaces adjacent to West Shore Road and also three loading areas. Additionally, there are seven existing spaces outwith the site on West Shore Road. This is a relatively low level of parking for the proposed uses. For example, the 4,407 sqm of class 4/5/6 use by itself would allow for 11 spaces. The low level of parking meets with the LDP objective of prioritising other modes of transport aside from the car.

LDP Policy Tra 3 (Private Cycle Parking) requires that cycle parking and storage within the development complies with Council guidance. Cycle parking has been shown as Sheffield stands in six locations, but the exact amount has not been specified. Considering Sheffield stands should be 1.2 metres apart, the areas shown could potentially provide spaces for approximately 95 bikes. A condition is recommended to secure full details.

Overall, this is a positive use of the site and the existing external area that currently contains excessive areas of hardstanding for car parking is to be covered over with new uses. The limited level of car parking proposed is acceptable in light of the objective of reducing reliance on the car and improvements to the core path to the south will provide a route to the nearby bus stops. The adjacent existing section of the promenade also provides an alternative route to the site from the west.

Trees

LDP policy Env 12 (Trees) states that development will not be permitted if likely to have a damaging impact upon a tree protected by a Tree Preservation Order (TPO) or on any other tree or woodland worthy of retention.

There are number of semi-mature trees that line the boundary of the site. None of these trees are covered by a TPO and nor are the trees within conservation area. The plans submitted do not show that any trees are to be removed to accommodate the development. The retention of the existing trees also complies with Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) as it retains features of the site that are worthy of retention.

A condition has been applied to the permission to ensure that the trees directly surrounding the site are protected during construction works.

Ecology

Policies Env 13 (Sites of International Importance), Env 14 (Sites of National Importance) and Policy Env 15 (Sites of Local Importance) seek to protect the integrity of the designations which are located to the north of the site.

Policy Env 16 (Species Protection) sets out that planning permission will not be granted for development that would have an adverse impact on species protected under European or UK law, unless for a limited number of reasons.

NatureScot note that this is a temporary proposal until the GWDF proposed coastal parkland is progressed. The original masterplan for the site and the current LDP, underwent Habitat Regulations Appraisals (HRAs). As such, there is no requirement for further HRA.

As part of the GWDF an HRA, which included appropriate assessment, has been carried out. This concluded that with mitigation measures there will be no likely significant effects on the Firth of Forth Special Protection Area (SPA) (a Natura 2000 site located further north of the application site), with ecology effects considered as development phases come forward.

As the proposal is for the conversion of an existing building and primarily development on existing hardstanding there will be limited impacts on ecology. A Construction Environment Management Plan has been added as an informative.

Flooding

Policy Env 21 (Flood Prevention) states that planning permission will not be granted for development that would increase a flood risk or be at risk of flooding itself, impede the flow of flood water or prejudice existing or planning flood defence systems.

A Flood Risk Assessment and Drainage Strategy has been provided. Flood Prevention has reviewed the information and has confirmed its acceptability. Scottish Water does not object to the application, but raises a number of points for the applicant to take into consideration.

The proposal complies with Policy Env 21 (Flood Prevention).

Archaeology

The Archaeology Officer response concludes that there are no archaeological implications arising from the proposals. Consequently, the proposal complies with Policy Env 9 (Development of Sites of Archaeological Significance) as no significant archaeological features are likely to be affected by the development.

Ground Conditions

A Geo-Environmental Desktop Study has been submitted. Due to the previously developed nature of the site, a condition is required to ensure the appropriate investigation and mitigation is undertaken.

The site is within an area identified by the Coal Authority as a development low risk area. The Coal Authority standing advice has been added as an informative.

Conclusion in relation to the Development Plan

The principle of providing a mix of uses and bringing a vacant industrial unit back into use is acceptable. The industrial uses that form the main part of the proposals comply with the current designation of the site under EW 2d which recognises the potential for light industrial development to come forward while waiting for the longer term aspirations of the site are realised.

The design and alterations to the existing industrial unit and the proposed development within the curtilage is acceptable in scale and form given the industrial context of the site. The proposal is acceptable in relation to matters such as amenity, transport measures and flooding.

In all other aspects the proposal accords with the Development Plan and generally complies with the relevant Non-Statutory Guidance.

b) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

SPP - Sustainable development

Scottish Planning Policy (SPP) is a significant material consideration due to the LDP being over 5 years old. Paragraph 28 of SPP gives a presumption in favour of development which contributes to sustainable development. Paragraph 29 outlines the thirteen principles which should guide the assessment of sustainable development.

The proposal complies with Paragraph 29 of SPP.

Emerging policy context

The Revised Draft National Planning Framework 4 was laid before the Scottish Parliament on 08 November 2022 for approval. As it has not completed its parliamentary process, only limited weight can be attached to it as a material consideration in the determination of this application.

The Planning Committee considered the objections received to City Plan 2030 on 30th November 2022. At this time little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Level access is to be provided throughout the external areas of the site and to all new entry points into the warehouse. Where existing entrances are used, internal step-free routes from new entrances are to be provided.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

One representation in support of the application has been received. A summary is provided below:

material considerations

Support:

- Support the proposals for a new sea front arts hub that will transform a vacant industrial unit - comment noted and principle of development assessed in section 3b).

General comments:

- urge every opportunity is taken to enhance the site's public realm and greenspace, to link the site to the adjacent promenade and to support active travel to and through the site - active travel and landscape measures assessed in section 3b).

Conclusion in relation to identified material considerations

None of the identified material considerations outweigh the proposals compliance with the Development Plan.

Overall conclusion

The principle of providing a mix of uses and bringing a vacant industrial unit back into use is acceptable. The industrial uses that form the main part of the proposals comply with the current designation of the site under EW 2d which recognises the potential for light industrial development to come forward while waiting for the longer term aspirations of the site are realised.

The design and alterations to the existing industrial unit and the proposed development within the curtilage is acceptable in scale and form given the industrial context of the site. The proposal is acceptable in relation to matters such as amenity, transport measures and flooding.

In all other aspects the proposal accords with the Development Plan and generally complies with the relevant Non-Statutory Guidance.

The proposal complies with the policy principles of sustainable development set out in Scottish Planning Policy (SPP). There are no other material considerations which outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions :-

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. Prior to the commencement of development, details of the proposed cycle parking regarding location, specification and design shall be submitted to the Planning Authority for approval. This should meet the standards of the Council's Edinburgh Design Guidance. Thereafter, before the associated part of the development is brought into use, the cycle parking shall be completed and available for use.

3.
 - 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.
4. Prior to Phase 2 of the development, as shown on page 17 of the Planning Statement (dated March 2022) and identified on plan L(GA)01 Rev A (CEC ref: 05B) as areas T10 and T11, full landscape details shall be submitted to the Planning Authority for approval. There after the development shall be carried out in accordance with the approved landscaping scheme. 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. A fully detailed plan showing details of the structures in area T13 (sauna) as identified on plan L(GA)01 Rev A (CEC ref: 05B) shall be submitted to and approved in writing by the Planning Authority before work is commenced on that part of the site.
6. The trees surrounding 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".

Reasons:-

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to ensure that the level of cycle parking is adequate.
3. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
4. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
5. In order to enable the planning authority to consider this/these matter/s in detail.
6. In order to safeguard protected trees.

Informatives

It should be noted that:

1. 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.
2. 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.
3. Coal Authority - Standing Advice - Development Low Risk Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

4. The applicant should develop a green travel plan.
5. The applicant should consider the following measures:
 - The preparation of a Construction Environment Management Plan (CEMP), which sets out commitments to: - Adherence to best practice in relation to pollution prevention. - A Surface Water Management Plan - A Waste Management Plan - The appointment of an Environmental Clerk of Works (ECoW) to provide advice and support during construction stages.
 - A Lighting Strategy that demonstrates attempts to limit unnecessary light spill, particularly onto the adjacent European Sites.
 - Avoidance of works in sensitive areas during the winter period, where possible.
 - Where works during the winter cannot be avoided, a general ban on piling activities and a 'slow start' approach to noise generating activities during the winter months.
 - The Appointment of an Ornithological Clerk of Works (OCoW) to monitor the effects on works on adjacent European Site qualifying features during the winter months. The OCoW will have authority to temporarily suspend works where he/she considers their impact on adjacent European Site qualifying features is unacceptable. Prior to consent, developers will be required to agree the full scope of the OCoW role with the Planning Authority and NatureScot.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 31 March 2022

Drawing Numbers/Scheme

01-04, 05B, 06A, 07A, 08, 09, 10A, 11 - 13

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Kenneth Bowes, Senior Planning officer
E-mail: kenneth.bowes@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

NAME: NatureScot

COMMENT: Noted that this is a temporary proposal that fits with current Local Development Plan (LDP) requirements

DATE: 23 May 2022

NAME: Scottish Water

COMMENT: No objection. The full response contains a number of points for the applicant to be made aware of including information in relation water capacity, waste water capacity, assets within the proximity of the site and surface water connections.

DATE: 9 May 2022

NAME: Archaeology Officer

COMMENT: The site is formed by modern deposits and as the proposals will not require significant ground works there are no archaeological implications regarding this scheme.

DATE: 4 May 2022

NAME: Environmental Protection

COMMENT: No objection to the planning application. Recommend a condition in relation to site investigation.

DATE: 4 November 2022

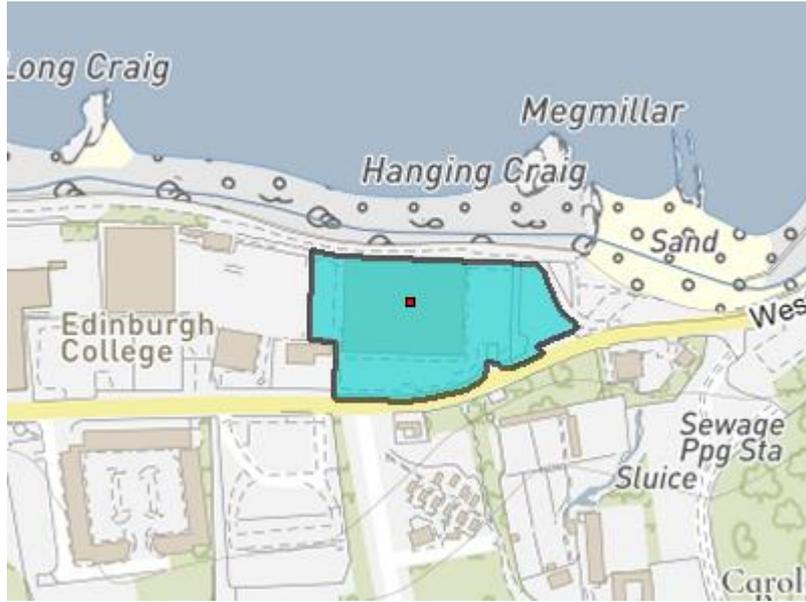
NAME: Flood Prevention

COMMENT: Proposal can proceed to determination with no outstanding comments from Flood Prevention

DATE: 29 September 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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