

Development Management Sub-Committee Report

Wednesday 25 January 2023

**Application for Planning Permission
Gas Holder North Of, Waterfront Broadway, Edinburgh**

Proposal: Public realm improvements to the site surrounding the Gas Holder. The design proposals for the public realm element have been set out to create a multi-functional public space, which aims to respect and complement the existing Listed-B Gas Holder frame, whilst remaining flexible to future change and uses.

**Item – Committee Decision
Application Number – 22/05318/FUL
Ward – B04 - Forth**

Reasons for Referral to Committee

The application has been submitted by the Council and is for more than a routine minor development. It is also significant in terms of the wider public interest as it is associated with a significant listed structure in this part of the city.

Recommendation

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

Summary

The proposal is acceptable with regard to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the listed building.

The proposals will not have an impact on the setting of the A listed Caroline Park House. The proposals are well designed, and the public realm works will enhance the immediate setting of the listed structure.

The public realm works which open up this historical asset for public use is acceptable in principle and the design and layout is appropriate. The proposal is acceptable in relation to matters such as ecology, transport measures and flooding.

In all other aspects the proposal accords with the Development Plan and generally complies with the relevant Non-Statutory Guidance. There are no other material considerations which outweigh this conclusion.

SECTION A – Application Background

Site Description

The site relates to the category B listed gasholder (LB reference 45793, listed 10/11/1998) and the surrounding land.

The gasholder was designed by WR Herring and was built between 1898 and 1902. It was part of the Granton Gasworks which served the City of Edinburgh and the surrounding district throughout the 20th Century.

The steel frame consists of a series of double lattice columns positioned equidistantly around its perimeter, with curved lattice box girders spanning between the columns to complete the circular configurations at four levels. Lateral stability is provided by two planes of diagonal cross bracing between the lattice columns, over the full height of each bay. The entire holder frame is founded on the circular perimeter wall of the substantial brick and concrete tank recessed into the ground. It is approximately 76 metres wide and 46m tall above ground level. Much of the frame is now in poor condition.

The land around the gasholder that forms the application site is vacant scrubland. The northern edge is defined by an existing stone wall, which runs east/west and will be retained as part of the initial works to the gasholder and associated public realm. There is a significant level change from the gasholder 'plateau' down to the wall.

To the north are various industrial uses which sit at a much lower level to the site. To the northeast is the Social Bite village which supports people affected by homelessness. Vacant land is to the east, south and west of the site. Further to the southwest is the Forthquarter Park and to the southeast is the Scottish Gas office building. The wider area is one of ongoing development and regeneration.

Access to the site is currently from the junction of Waterfront Broadway and Caroline Park Avenue.

The site is located within the Urban Area as shown on the Local Development Plan proposals map. The land is identified as being within Edinburgh Waterfront. Proposal EW 2a (Forth Quarter) states that the area is for a housing-led mixed-use development. It sets out a number of Development Principles for the area.

Description of the Proposal

The application is for public realm improvements to the land surrounding the gasholder. The purpose is to open up the area to create a multifunctional public space.

The proposals contain a large central area within the centre of the gasholder which is proposed to be kept free of physical features to allow it to be used as a flexible space for public events. The central space is ringed by a number of new trees and hedging. An inner ring walk is proposed to provide access around the internal gasholder space, and this is to be finished in resin bound aggregate. This inner ring area has been split into six mixed space areas including three areas identified for play. The play areas will be finished with a safety surface.

The areas external to the gasholder are to be grassed. The existing gasholder inlet and outlet valve surface structures, which are positioned near the southwestern and south-eastern edges of the guide frame, will be restored, and retained in the site.

The main access route links the central ring path area to the southeast of the site, where access is taken from the existing roundabout at the junction of Waterfront Broadway and Caroline Park Avenue. A palisade fence is to run around the perimeter of the site with future access opened up as the surrounding land becomes developed.

Lighting is proposed on the gasholder itself and also along the access path. The proposals also include details of street furniture such as benches and also 20 standard cycle parking spaces and three non-standard spaces. Electric power points are also proposed to help facilitate future events.

SUDs is incorporated into the scheme through open grade stone subbase attenuation and filter drains.

Previous Scheme

The proposals were amended to provided additional cycle parking.

Supporting Information

- Planning Statement.
- Design and Access Statement.
- Granton Gas Holder Heritage Assessment.
- City of Edinburgh Public Engagement Report.
- Granton Gasholder Arboricultural Report.
- Drainage Statement/Flood Risk Assessment
- Granton Gasholder Derivation of Infill Criteria Report
- Granton Gasholder Preliminary Dismantling Assessment (including Ground Investigation Report).
- Preliminary Ecological Appraisal; and
- Granton Gasholder Ecological Constraints Report (July 2022).

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

Relevant Site History

00/01169/OUT

11 West Shore Road

Edinburgh

EH5 1RH

(4 Marine Drive/ 11 West Shore Rd) Outline planning permission for mixed use development (including retail, food and drink, public house, residential, education, business, leisure/assembly/hotel, open space, and assoc. landscaping) (as amended)

Granted

28 February 2001

00/01169/LBC

11 West Shore Road

Edinburgh

EH5 1RH

(4 Marine Drive/ 11 West Shore Road) Listed Building Consent for the demolition of Gas Holder Number 1, the fitting shop, the stores block, and the control house

Granted

13 March 2001

08/02357/LBC

11 West Shore Road

Edinburgh

EH5 1RH

Demolition of category B listed gasholder

Refused

25 November 2010

22/01327/LBC

Gas Holder North Of

Waterfront Broadway

Edinburgh

To repair and refurbish the existing Granton Gas Holder Category B Listed Guide Frame.

Granted

26 August 2022

22/05147/LBC

Gas Holder North Of

Waterfront Broadway

Edinburgh

Proposed external illumination of the existing Granton Gasholder guide frame.

Granted

11 January 2023

Other Relevant Site History

Planning Committee approved the Granton Waterfront Development Framework as non-statutory planning guidance to guide development, service delivery and investment decisions for the regeneration of Granton Waterfront.

29 February 2020

Pre-Application process

There is no pre-application process history.

Consultation Engagement

Historic Environment Scotland

Archaeology Officer

Environmental Protection

Flood Prevention

Edinburgh Airport

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

Publicity and Public Engagement

Date of Neighbour Notification: 1 November 2022

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 4 November 2022

Site Notices Date(s): 1 November 2022

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: Engineering Structures; and
- Managing Change: Setting

The listed assets near or within the site are:

- A listed Caroline Park House to the east of the site; and
- B listed Gasholder

Caroline Park House

Caroline Park House (LB reference 28040, listed 14 July 1966) is located to the east of the site. It is separated by a band of trees. Given the nature of the proposed works and the improvements to the area around the gasholder the proposed development will not have an impact on the setting of this historic asset.

Historic Environment Scotland consider that the proposals will have no impacts on Caroline Park House.

Gasholder

The recently granted listed building consent application for the works to the gasholder concluded that the works to restore the listed structure and the associated alterations were relatively minor and proposed in a sympathetic manner to allow the long-term survival of the gas holder.

The gasholder provides a distinctive connection to the local history of the area. It was an essential piece of the gasworks and the most visible representation of it. Although previous demolitions and redevelopment of the wider site have weakened its setting, the gasholder survives largely in its original form and much as it was when added to the statutory list.

The proposed changes will alter the setting of the listed building; however, this is currently made up of scrub land of little value. The proposed public realm works will open up the immediate surrounding area and provide increased public value.

The local setting of the gasholder will be enhanced through the proposed works and lighting. The proposals will not impact on the silhouette of the gasholder on the skyline.

Historic Environment Scotland are supportive of the landscaping works as part of the wider project of refurbishment of the gasholder's guide frame.

Conclusion in relation to the listed building

The proposals will not impact on the setting of the A listed Caroline Park House. The proposals are well designed, and the public realm works will enhance the immediate setting of the listed structure. The longer views of the gasholder will not be impacted upon by the proposal.

Historic Environment Scotland is supportive of the proposals. The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and relevant HES guidance.

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 7, Des 8.
- LDP Environment policies Env 3, Env 9, Env 12, Env 13, Env 16, Env 21, Env 22.
- LDP Shopping and Leisure Ret 7.
- LDP Transport Tra 2 and Tra 3.

The non-statutory Guidance 'Edinburgh Design Guidance', 'Listed Buildings and Conservation Area' guidance and the Granton Waterfront Development Framework are material considerations that are relevant when considering some of the above policies. Where relevant, it will be considered in the assessment below.

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 of Development

The site is located within the Edinburgh Waterfront: Forth Quarter (EW 2a) in the LDP. The gasholder is not designated for a specific use and is surrounded by land identified for housing-led development.

LDP Policy Del 3 (Edinburgh Waterfront) sets out that planning permission will be granted for development which will contribute towards the creation of new urban quarters at Granton Waterfront. This requires (amongst other matters) comprehensively designed proposals which maximise the development potential of the area, the provision of a series of mixed-use sustainable neighbourhoods, the provision of open space in order to meet the needs of the local community, create local identity and a sense of place and transport measures such as the provision of a network of paths for pedestrians and cyclists.

The Granton Waterfront Development Framework identifies the gasholder as an existing heritage asset, which should be conserved. It indicates a new use for the gasholder would be to act as a focus for arts, culture and community uses. The site is also within the Forthquarter Park character area. This is described as an active, green landscape for living, working, and learning.

LDP Policy Ret 7 (Entertainment and Leisure Developments - Preferred Locations) states that planning permission will be granted for high quality, well designed arts, leisure and entertainment facilities and visitor attractions Granton Waterfront (alongside other locations), provided that the proposal can be integrated satisfactorily into its surroundings with attractive frontages to a high quality of design that safeguards existing character, it is compatible with surrounding uses and not detrimental to amenity and easily accessible by public transport, foot and cycle.

The proposed restoration of the gasholder and introduction of public realm with potential for events fits in with the designations in the LDP and the aspirations within the GWDF. The potential use of the space for events in the future is acceptable when considered at this location against Policy Ret 7 and Del 3 as it is of a high-quality design, compatible with a housing-led mixed-use development and will be accessible by a range of transport measures. It will also form a central part of the wider redevelopment of Granton. The principle is acceptable.

Layout and Design

LDP Des 1 (Design Quality and Context) states that planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place and design should be based on an overall design concept that draws upon positive characteristics of the surrounding area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) states that planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area, have been identified, incorporated, and enhanced through its design.

LDP Policy Des 4 (Development Design - Impact on Setting), notes that where surrounding development is fragmented or poor quality, development proposals should help repair urban fabric, establish model forms of development, and generate coherence and distinctiveness, i.e., a sense of place. These requirements are further reinforced through the Edinburgh Design Guidance.

LDP Policy Des 7 (Layout Design) supports development which takes a comprehensive and integrated approach to the layout of buildings streets open spaces, public paths, and SUDs features. Layouts should encourage cycling and walking, promote safe access throughout the site and have regard for the needs of people with limited mobility.

LDP Policy Des 8 (Public Realm and Landscape Design) states that planning permission will be granted for development where all external spaces, and features, including streets, footpaths, civic spaces, green spaces boundary treatments and public art have been designed as an integral part of the scheme as a whole.

The design of the public realm has been sensitively considered to take design cues and elements from the existing gasholder with circular/ringed public realm elements matching the shape of the listed structure. It creates a design approach centred on the hub of the gasholder with secondary spaces on the periphery and east of the site. The inclusion of a central grass area provides flexibility of the site and areas for play and relaxation around the site add interest and a multi-functional space.

The inclusion of planting and trees within the gasholder and wider public realm will bring a new lease of life to a structure and site that has been left vacant and neglected for a number of years. The proposed development meets the requirements of Policy Des 1 by having a concept driven by the gasholder itself. It incorporates existing features and also places part of the gasholder regulators within the public realm. As the public realm is linked to the restoration of the gasholder a strong sense of place is retained by the iconic heritage asset in this part of the city. The proposals comply with Policies Des 3 and Des 4.

The proposed lighting, as demonstrated within previous lighting schemes on the gasholder, will enhance the structure. The Edinburgh Airport Safeguarding Team do not object to the proposal.

A palisade fence runs around the perimeter of the application site. The Design and Access Statement shows how the site could potentially be opened up to the surrounding areas as development plots come forward alongside how a more focused main entrance to the public realm and gasholder can be created from the east when wider redevelopment comes forward. In this regard the proposals comply with Policy Des 2 (Co-ordinated Development) which sets out that development should not compromise the effective development of adjacent land, or the regeneration of a wider area as provided in a development brief.

Overall, the proposal to create a multi-functional space has the gasholder at the centre of the design both taking inspiration from it and allowing to have a renewed purpose. The design incorporates features including paving and planting that remains sensitive to the listed structure with focus on the central area and then more secondary spaces around the gasholder. The proposals comply with Design Policies Des 1, Des 3, Des 4, Des 7 and Des 8.

Trees

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

There are no Tree Preservation Orders affecting trees on or close to the site and it is not located within a conservation area.

An aboricultural survey has been provided in support of the application. This considered eight individual trees and 12 groups of trees. The individual trees, all either ash or sycamore, are all located out with the site to the north. The majority of the groups are located on the site and contain a variety of species dominated by silver birch and goat willow.

None of the trees are classed as category A (high quality value). One individual sycamore tree and two tree groupings (identified as G1 and G2) are category B (moderate quality and value). The remaining trees and groupings are either category C (low quality and value) or category U (unsuitable for retention).

It is proposed to fell all the trees within the site to allow for the construction of the new public realm area. This will involve the removal of 11 groups of trees. These include one group of semi-mature trees in the north-east identified as category B. The remaining trees to be removed are younger self-seeded trees and scrub which are classes as category C.

Given the proposals relate to the positive restoration and redevelopment of the gasholder and public realm the loss of the groupings of trees with a formal area for public use the loss of the trees within the site is acceptable. Furthermore, the trees are not protected by a TPO or within a conservation area.

It is also intended to remove six trees out with the site to help facilitate the proposals and allow the construction of a gabion retaining wall close to the boundary. These trees have identified as category U or C trees because they are in a poor condition and their loss is also acceptable.

Policy Env 12 (Trees) also requires replacement planting of appropriate species to offset the loss. The proposals also include 44 new trees consisting of sweetgum and greenspire species. Various shrubs and plants are also included within the layout.

In summary, the proposals remove a number of groupings of trees that have grown around the vacant site which are largely of a lower quality. The proposals will open up public access to the site and the gasholder and formalises the landscaping and planting providing an overall benefit.

Protected Species

Policy Env 13 (Sites of International Importance) states that development likely to have a significant effect on a 'Natura 2000 site' will be permitted only, amongst other matters, if the development will not adversely affect the integrity of the area.

Policy Env 16 (Species Protection) ensures development will not have an adverse impact on species protected under European or UK law.

As part of the Granton Waterfront Development Framework (GWDF) a Habitat Regulations Assessment (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.

The submitted Preliminary Ecological Assessment and further Ecological Constraints Report have not identified any significant constraints to the development of the site. The constraints report recommends the use of a Construction Environmental Management Plan. It is recommended that this is secured through a condition.

The proposals will not have a damaging effect on the Firth of Forth SPA which is located further north of the site in accordance with Policy Env 13 (Sites of International Importance) and it will not have an adverse impact on the protected species in accordance with LDP Policy Env 16 (Species Protection).

Transport

The transport objectives set out in the Local Development Plan 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.
- To ensure that development does not prejudice the implementation of future road, public transport and cycle and footpath proposals.

Access and Co-ordinated Development

General access to the site is from the southwest from Waterfront Broadway and the proposals will open up public access to the gasholder and associated public realm. The site is well located near to the existing park, local centre, and bus stops on Waterfront Avenue. The design of the proposal allows for additional access to the gasholder as the surrounding development plots are developed out.

The LDP development principles for EW 2a (Forthquarter) show a route of a new major street running along the eastern part of the site linking Waterfront Broadway to the partially built access point to the north that connects with West Shore Road.

Policy Des 2 (Co-ordinated Development) states planning permission will be granted for development which will not compromise: a) the effective development of adjacent land; or b) the comprehensive development and regeneration of a wider area as provided for in a master plan, strategy or development brief approved by the Council.

There is a large change in levels between the Gas Holder site and the land to the north making the implementation of such a street difficult.

The GWDF sets out a series of design principles for the Gas Holder and surrounding sites and now shows a pedestrian / cycle route linking the two areas together. The diagram illustrates that to deal with the change of levels there should be a ramped access with terraces.

The redline boundary of this application does not contain the land which would be needed to implement this route and indicatively shows a route and a link and would not hinder future proposals or options for such a link in the future.

Accordingly, the proposal complies with the GWDF and does not exclude the possibility of a link as shown in the LDP development principles diagram. The proposals complies with Policy Des 2 and the access arrangements are acceptable.

Parking

LDP Policies Tra 2 (Private Car Parking) and Tra 3 (Private Cycle Parking) require car parking and cycle parking to meet the standards set out in the guidance. With regards to car parking, lower provision will be pursued subject to the consideration of a number of factors including, impact on amenity of neighbouring occupiers; accessibility of the site including public transport, walking, and cycling; availability of existing off-street parking spaces; and complementary measures such as access to car clubs.

There is no car parking proposed with the application and the proposal will form part of a wider regeneration development. There is a local centre focused on the supermarket to the south of the site and bus stops on Waterfront Avenue.

Cycle parking in the form of 20 Sheffield stands and three non-standard stands have been provided at various locations around the gas holder. The Council's parking standards in the EDG do not set out specific levels of cycle parking for this type of proposal. However, EDG Factsheet C7 Cycle Parking does contain a section on community destinations and indicates that for sites such as parks a minimum of 20 spaces for visitors should be provided.

The proposal is acceptable in relation to transport measures and parking.

Contaminated Land

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) seeks to ensure that development will have no significant adverse effects for health, the environment and amenity and where relevant appropriate mitigation can be provided.

Due to the previously developed nature of the site, Environmental Protection has recommended a condition 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.

Flooding and Drainage

Policy Env 21 (Flood Protection) seeks to ensure development does not result in increased flood risk or be at risk of flooding by demonstrating sustainable drainage measures.

The applicant has provided the relevant flood risk assessment and surface water management information. Flood Prevention has confirmed the acceptability of the details.

Archaeology

LDP Policy Env 9 (Development of Sites of Archaeological Significance) is to protect and enhance archaeological remains where possible by preservation in situ in appropriate setting.

The Archaeology Officer notes that the gasholder is of historic and industrial archaeological significance and that the site also has the potential for earlier remains. Although there will be localised significant adverse impacts from the works, these are seen as necessary to restore and rejuvenate this nationally important industrial structure and wider area.

Accordingly, the Archaeology Officer supports the proposals and recommends a condition for a programme of archaeology work. A condition is recommended requesting that an archaeology survey is undertaken.

The proposals comply with LDP Policy Env 9.

Conclusion in relation to the Development Plan

The proposals will not impact on the setting of the A listed Caroline Park House. The proposals are well designed, and the public realm works will enhance the immediate setting of the listed structure.

The public realm works which open up this historical asset for public use is acceptable in principle and the design and layout is appropriate. The proposal is acceptable in relation to matters such as ecology, transport measures and flooding. In all other aspects the proposal accords with the Development Plan and generally complies with the relevant Non-Statutory Guidance.

c) 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, particularly in terms of promoting and preserving important listed structures and supporting sustainable development in a predominantly landscape setting.

Emerging policy context

The Revised Draft National Planning Framework 4 was approved by the Scottish Parliament on 11 January 2023 to proceed to adoption. On adoption the Revised Draft NPF 4 (2022) will form part of the Council's Development Plan, but at present it remains a material consideration. As adoption of the Revised Draft NPF 4 (2022) is understood to be imminent, and it is now the settled position of Scottish Ministers and the Scottish Parliament, it requires to be given significant weight. Revised Draft NPF 4 (2022) lists various policy provisions under the themes of Sustainable Places, Liveable Places and Productive Places.

Policy 1 of the Draft NPF 4 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. The application addresses this through:

- The proposals are part of wider regeneration area and seek to de-contaminate the land and restore and repurpose a significant listed structure in this part of the city. The works will provide an area of public realm and landscaping that will support mixed-use activity and support local living.
- The submitted ecological assessments did not identify any significant constraints on the site and a Construction Environmental Management Plan has been recommended as a condition.
- SUDs measures are incorporated into the scheme through open grade stone subbase attenuation and filter drains.
- No car parking is proposed within the development with the site accessible by alternative transport modes and on-site cycle parking is to be provided.

The proposed development is considered to broadly comply with the provisions of NPF 4 and there is not considered to be any significant issues of conflict.

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. 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.

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 has been received raising the following matters.

material considerations

Objection:

- proposals should ensure safe cycle access to the site. Dropped bollards should be adequately spaced to allow for safe cycle access - distance between bollards approximately 1.2m.
- additional cycle parking should be provided and in additional locations within the site. This should include spaces for those who may staff events and for non-standard cycle types. - additional cycle spaces added to the scheme.

Support:

- general support for the proposals to regenerate the Granton Gas Holder as a key part of Edinburgh's waterfront regeneration - comment noted.
- support the provision of electrical hook up points to prevent the use of fossil fuel power generators at events - comment noted.

Conclusion in relation to identified material considerations

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

Overall conclusion

The proposal is acceptable with regard to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the listed building.

The proposals will not have an impact on the setting of the A listed Caroline Park House. The proposals are well designed, and the public realm works will enhance the immediate setting of the listed structure.

The public realm works which open up this historical asset for public use is acceptable in principle and the design and layout is appropriate. The proposal is acceptable in relation to matters such as ecology, transport measures and flooding.

In all other aspects the proposal accords with the Development Plan and generally complies with the relevant Non-Statutory Guidance. 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. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, excavation, analysis & reporting, conservation/preservation, interpretation, public engagement, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
3. Prior to the commencement of construction works on site:
 - (a) A site survey (including initial desk study as a minimum) 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.

4. No development shall take place until a construction environmental management plan, relating to biodiversity (CEMP: biodiversity), has been submitted to and approved in writing by the planning authority.

The CEMP (biodiversity) shall include recommendations in the Ecology Constraints Report dated July 2022 and the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologist needs to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of ecological clerk of works (ECoW) or similar competent person.

- h) The use of protective fences, exclusion barriers and warning signs.
5. Prior to the commencement of development, a Tree Protection Plan in accordance with BS5837:2012 "Trees in relation to design, demolition and construction" to demonstrate how trees to be retained on and adjacent to the site will be protected, including the location of tree protection fences, must be submitted to, and approved by the Planning Authority.
 6. Prior to the commencement of development, the tree protection measures as approved in condition 5 must be implemented in full.
 7. 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.
 1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
 2. In order to safeguard the interests of archaeological heritage.
 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 safeguard the interests of nature conservation.
 5. In order to safeguard trees.
 6. In order to safeguard trees.
 7. In order to ensure that the approved landscaping works are properly established on site.

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.

Background Reading/External References

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

Further Information - Local Development Plan

Date Registered: 31 October 2022

Drawing Numbers/Scheme

01-06, 07A, 08B -13B, 14-29, 30A

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: Historic Environment Scotland

COMMENT: The proposals do not raise historic environment issues of national significance and therefore HES do not object. Satisfied the proposed public realm works will not have any adverse impacts on Caroline Park House.

DATE: 11 November 2022

NAME: Archaeology Officer

COMMENT: No objection, a condition is recommended.

DATE: 17 November 2022

NAME: Environmental Protection

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

DATE: 2 November 2022

NAME: Flood Prevention

COMMENT: This application can proceed to determination, with no further comments from CEC Flood Prevention.

DATE: 30 November 2022

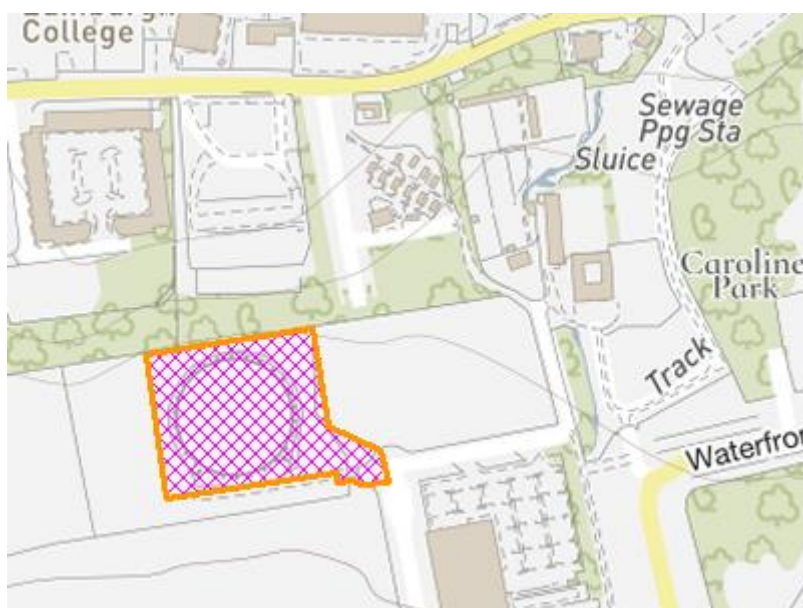
NAME: Edinburgh Airport

COMMENT: No objection. The proposed development does not conflict with safeguarding criteria.

DATE: 17 November 2022

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

Location Plan



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