

# Development Management Sub-Committee Report

**Wednesday 1 March 2023**

## **Application for Planning Permission**

**Centrum House, 108 - 114 & 116 Dundas Street, Edinburgh**

**Proposal: Proposed demolition of existing office buildings and erection of a mixed-use development comprising 49 No. flats with 3 No. commercial units (Class 1, 2 and 3 uses), amenity space, landscaping, basement level car and cycle parking and other associated infrastructure.**

## **Item – Other Item at Committee**

**Application Number – 22/05886/FUL**

**Ward – B05 - Inverleith**

## **Reasons for Referral to Committee**

The application has been referred to the Development Management Sub-Committee because 18 material objections have been received and it is recommended for approval. 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**

Overall, the development is in accordance with the development plan. The proposals will deliver a sustainable and well-designed, predominantly residential scheme that will contribute to climate mitigation and adaptation and the restoration and enhancement of biodiversity. The design draws on the character of the surrounding area to create a strong sense of place and is consistent with the six qualities of successful places as set out in NPF4. The development is also in keeping with the overall aims of the Edinburgh Local Development Plan 2016 (LDP).

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Other material considerations support the presumption to grant planning permission.

## **SECTION A – Application Background**

### **Site Description**

The application relates to a site measuring approximately 0.167 hectares in area located at the north-west corner of Dundas Street and Fettes Row, bounded by Henderson Place to the rear (west).

The existing buildings on site comprises two adjoining office blocks: 108-114 Dundas Street 116 Dundas Street, dating from the 1980s. Both blocks are seven storeys high in total with a combined internal floor area of approximately 4,600sqm and two below ground levels including a car park with 35 spaces at basement level.

Several category B listed buildings are in proximity to the site, the nearest being the adjacent buildings to the south at 13-24 Fettes Row (inclusive numbers) and 104 and 106 Dundas Street (reference LB28755, listed on 10 November 1966). The other listed buildings are on the opposite corner to the site at 1-12 Fettes Row (inclusive numbers) and 99-103 Dundas Street (reference LB28754, listed on 15 July 1965), 87-97A Dundas Street (reference LB28712, listed on 13 September 1964) and 79-85 Dundas Street and 34B Cumberland Street (reference LB28711, listed on 13 September 1964). All these buildings are category B listed.

The site is within the New Town Conservation Area and the Old and New Towns of Edinburgh World Heritage Site boundary runs adjacent to the southern edge of the site.

The former Royal Bank of Scotland offices occupy the corner site opposite on the east side of Dundas Street and north side of Fettes Row. A recent residential development at 120 Dundas Street, built around 15 years ago, adjoins the site to the north and there are residential flats to the north-west of the site on Henderson Row.

The site is mainly level, with a gradual rise from north to south up Dundas Street. There are nine street trees located within the hard landscaping of the basement lightwell to the front of the buildings which is enclosed by a plinth with railings. The land to the rear of the site comprises a tarmac car park and the north boundary is marked by a residential block and its communal garden wall.

The main pedestrian access to the site is via a level bridge over the basement well on Dundas Street and vehicles have access from Henderson Row.

The surrounding area is predominantly residential with mixed commercial uses, including retail and cafes at ground level on Dundas Street. There are also office blocks in the vicinity, notably a modern office development at the west end of Fettes Row.

### **Description of the Proposal**

The application is for the demolition of the existing buildings on the site and erection of a mixed-use development comprising 49 flats, including 12 affordable units, with three commercial units in Class 1 (retail), 2 (office) and 3 (café/restaurant) uses at ground and lower ground level, private and communal amenity space, landscaping and basement level car and cycle parking.

The residential accommodation is as follows:

- general housing - five-bedroom x 2, three-bedroom x 15, two-bedroom x 19 and one-bedroom x 1 = 37
- affordable - two-bedroom x 4 and one-bedroom x 8 = 12

The commercial units are as follows: Unit A 121sqm Unit 165sqm Unit C 538sqm at ground and basement level.

An associated application for conservation area consent has been submitted for the demolition of the existing buildings on the site (application number 22/05884/CON).

### Building

The proposed building is L-shape in plan with a feature corner element to Fettes Row and comprises eight levels in total with a basement, lower ground floor and top storey set back from the front building lines. On Dundas Street, the building line will follow that of the Victorian tenements to the north, with a 1.4 m set-back section adjacent to the recent residential development at no. 120. The proposed building line on Fettes Row will continue that of the modern residential blocks to the west, including the basement lightwell.

The architectural style of the proposed building is contemporary with three distinct sections and two stair/lift cores, incorporating modern interpretations of traditional tenemental detailing and ground floor shopfronts. The principal elevations to Dundas Street and Fettes Row will be finished in natural blonde coloured ashlar sandstone, with a rusticated lower ground façade on Fettes Row and the rear elevation will be in blonde coloured brick with natural sandstone string courses. The top floor will have extensive areas of glazing within dark-grey finished, rusticated aluminium clad framing with chamfered perimeter edges. The windows and door frames will be formed in dark-grey finished aluminium and this material will also be used for the window fascia panels between the first and second floors and recessed infill bay on Fettes Row. All safety balustrades will be in dark-grey coloured metal.

The stone and aluminium window reveals on Dundas Street will have chamfer detailing and the shopfronts and commercial unit frontage to the rear will be framed in dark-grey coloured aluminium with stone piers for the shopfronts within the section furthest north on Dundas Street. A biodiverse brown roof will occupy most of the flat roof surface and there will be two plant/lift cap enclosures at either end of the Dundas Street section formed in dark-grey coloured aluminium acoustic louvres. An extensive array of photovoltaic panels will occupy a large area of the Fettes Row section of the roof.

### Landscaping/Amenity

All the existing street trees will be removed. A raised communal garden will be formed over part of the basement car park to the rear with a blonde coloured brick elevation incorporating a dark-grey coloured aluminium garage door and central flight of steps. A brick boundary wall will be erected on the north boundary where the existing building stood extending approximately 2.2 metres high from the garden terrace level. The commercial unit occupying the lower ground floor will have access to two private rear courtyards on this level and there are two private rear gardens serving the rear-facing and dual-aspect flat at lower ground level on Fettes Row.

The latter flat and two remaining flats at this level facing Fettes Row will have private terraces within the front basement lightwell and the flats at top floor level will have private external terraces facing Dundas Street and Fettes Row.

The rear landscaping will comprise areas of porous clay paving in blonde and red tones laid in stretcher bond and herringbone patterns respectively. Evergreen hedges and shrubs will form boundaries between the private and public areas and climbing plants will be trained up the boundary walls. Six trees will be planted within the area. A Siberian Larch pergola will run along the west edge of the terrace with communal seating areas and a barbeque area at the north end. The seats and tables will also be in larch.

The private courtyards to the front will be formed in natural sandstone (Yorkstone) pavers, including the cladding of the car park ventilation louvres and the private courtyard of commercial Unit C facing Fettes Row.

### Access

The residential flats will be accessed via a level bridge link on Fettes Row and a level access within the north block on Dundas Street. The flats will also have accesses from the rear terrace. The three commercial units will have level access from Dundas Street and the lower floor of commercial Unit C will be accessed from Fettes Row. Vehicular access to the car/cycle park will be via Henderson Row and there are two stair/lift accesses from the basement to the upper levels.

### Services

Centralised heating and hot water plant, cold water storage and electrical plant will be housed within the basement car park and rainwater attenuation tanks will also be located in this area. A waste store will be provided at side of the vehicular ramp access to the basement.

### Car/Cycle Parking

Within the basement car park, a total of 32 car parking spaces, including three accessible and seven with electric vehicle charging spaces and 118 cycle parking spaces are proposed.

### Scheme 1

The original scheme proposed a roof terrace for Flat 07-01 on Dundas Street extending the whole width of the flat and full depth of the area between the penthouse building line and main building line.

### Previous Planning Application (reference 20/05645/FUL)

The 2020 application proposed 50 flats within an almost identically designed building to one currently proposed, but with two key amendments:

1. the facade of the corner block on Fettes Row has been pushed back by 1 metre to align with the main facade on Fettes Row and the cantilevered element at ground floor now comprises a continuation of the stone facade to ground level as piers framing the commercial shopfronts.
2. the north section of the building on Dundas Street has been moved back from the building line of 120 Dundas Street line by 1.4 metres to maintain the immediate outlook of the south facing windows in the latter block.

### **Supporting Information**

- Planning Statement.
- NPF4 Policy Response.
- Sustainability Statement and S1 Form.
- Drainage Strategy and Flood Risk Assessment.
- Landscape Management and Maintenance Plan.
- Tree Survey and Report.
- Heritage Statement.
- Design and Access Statement.
- Air Quality Screening Assessment.
- Noise Impact Assessment.
- Daylight and Sunlight Report.
- Affordable Housing Statement; and
- Transport Statement.

### **Relevant Site History**

20/05645/FUL  
Centrum House  
108 - 114 Dundas Street  
Edinburgh

Proposed demolition of existing office buildings and erection of a mixed-use development comprising 50 flats with 3 commercial units (Class 1, 2 and 3 uses), amenity space, landscaping, basement level car and cycle parking and other associated infrastructure (as amended).

Refused  
7 October 2021

20/05646/CON  
Centrum House  
108 - 114 And 116 Dundas Street  
Edinburgh

Complete demolition of existing buildings  
Refused  
7 October 2021

## **Other Relevant Site History**

Appeals against refusal of above planning permission (application number 20/05645/FUL) and conservation area consent (application number 20/05646/CON) dismissed on 7 July 2022 (DPEA references PPA-230-2364 and CAC-230-2005). The Reporter concluded that the general principle of the proposed mixture of uses within the appeal site is supported. However, the Reporter dismissed the appeal on the following specific grounds that tip the balance out of favour of the development:

- the detrimental impact on the amenity of the neighbouring properties on 120 Dundas Street due to blocking the existing unimpaired outlook from the gable windows and specifically, the severe impact on the outlook from the large feature windows of the top floor property; and
- the negative effects that the floating corner projection element of the design would have on the setting of the listed buildings and special character and appearance of the surrounding area.

## **Related Planning History**

### Former RBS site (on the opposite corner of Dundas Street/Fettes Row)

1 September 2021 - planning permission granted for demolition of existing buildings and erection of mixed-use development comprising residential, hotel, office, and other commercial uses, with associated landscaping/public realm, car parking and access arrangements at 34 Fettes Row (application number 20/03034/FUL).

26 February 2021 - conservation area consent granted for complete demolition in a conservation area at 34 Fettes Row (application number 20/03661/CON).

### 120 Dundas Street (adjacent the application site to the north)

19 January 2009 - planning permission granted to demolish office building and erect mixed use residential development (24 units) and commercial development (classes 1, 2 and 4) at 118 Dundas Street (formerly 120 Dundas Street) (application number 06/00946/FUL).

18 July 2006 - conservation area consent granted for demolition of office building at 118 Dundas Street (formerly 120 Dundas Street) (application number 06/00946/CON).

## **Pre-Application process**

Pre-application discussions took place on this application.

## **Consultation Engagement**

Archaeologist

New Town/Broughton Community Council

Historic Environment Scotland

Affordable Housing

Environment Protection

Communities and Families

Edinburgh World Heritage

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

## **Publicity and Public Engagement**

**Date of Neighbour Notification:** 29 November 2022

**Date of Renotification of Neighbour Notification:** Not Applicable

**Press Publication Date(s):** 9 December 2022

**Site Notices Date(s):** 6 December 2022

**Number of Contributors:** 42

## **Section B - Assessment**

### **Determining Issues**

Due to the proposals relating to a listed building(s) and being within a conservation area, this report will first consider the proposals in terms of Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- a) Is there a strong presumption against granting planning permission due to the proposals:
  - (i) harming the listed building or its setting? or
  - (ii) conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?
  
- b) 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 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

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?

In the assessment of material considerations this report will consider:

- 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) **Compliance with Planning Legislation on Listed Buildings and Conservation Areas**

#### Setting of Listed Buildings

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

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

Historic Environment Scotland's document 'Managing Change in the Historic Environment - Setting' states.

*"Setting' is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced."*

The document states that where development is proposed it is important to:

- *identify the historic assets that might be affected.*
- *define the setting of each historic asset; and*
- *assess the impact of any new development on this".*

The listed buildings affected to any significant extent by this development in terms of setting comprise those at 13-24 Fettes Row (inclusive numbers) and 104 and 106 Dundas Street, 1-12 Fettes Row and 99-103 Dundas Street, 87-97A Dundas Street and 79-85 Dundas Street and 34B Cumberland Street. All these buildings are category B listed.

The south side of Fettes Row/Royal Crescent represents the northern most expansion of the Second New Town in its completed form. The corner blocks within Dundas Street form a visual 'gateway' into the Second New Town from the north.

The character of the south side of Fettes Row is that of a planned classical style residential development built in blonde Craigleith sandstone, dating from the 1820s, with the key characteristics of a monumental palace block with unifying symmetrical and rhythmic elevational treatment, no projecting elements in the wall planes and shallow roof pitches and slightly advanced terminal pavilions that are a storey higher.



The monumental palace designs of the east-west streets of the Second New Town were not possible to achieve on its steep south-north slopes, so the buildings on these streets are mostly tenement blocks. Whilst there is regularity and symmetry within the blocks, they step down as on Dundas Street as emphasised by the eaves and cornice.

The corner blocks of the east-west streets facing Dundas Street are usually on a level and of the same height (for example, in Great King Street). In order to deal with the Dundas Street slope, some east-west streets did not include terminal pavilion blocks, such as Cumberland and Northumberland Streets and the downwards 'step' continues on the north side of the street.

In contrast, the current and previous buildings on this site have not formed part of any planned development, although a residential development was planned for the area between Fettes Row and Henderson Row, probably by William Burn in the 1820s. Only a small part of this scheme was built, and the remainder of the area became occupied by an assortment of light industrial buildings constructed in the later 19th century and replaced by the current offices in the 1980s.

The existing buildings forming Centrum House form part of a small group of early 1980's structures of corporate character that are at odds with their predominantly residential context. BUPA house and Centrum House were design by Ian Burke Associates. The group includes the former Royal Bank of Scotland Computer Centre by Michael Laird and Partners, dating from 1978 on the opposite side of Dundas Street and Fettes Row, the subject of a recently granted application for conservation area consent to demolish the building (reference 20/03661/CON). "The Buildings of Scotland: Edinburgh" by Gifford, McWilliam and Walker, 1985 describes Centrum House and its adjoining office BUPA House as parodies of the RBS Computer Centre.

Some features of the buildings are unsympathetic to their location, particularly in terms of building lines design and landscaping. On Dundas Street, the two buildings are set back approximately 9.5 metres from the building line of the recent flatted block at No. 120. Whilst this line equates to that of the RBS Computer Centre opposite, it does not relate to the historic building line of the late Victorian tenements at 122-160 Dundas Street, nor to the Second New Town tenements at 78-106 Dundas Street. The mansard roofs are out of character with the shallow-pitch roofs of the listed Georgian buildings and later tenements.

The existing structures on the site are not without merit in terms of the setback building line on Fettes Row, natural sandstone frontages and inclusion of modern interpretations of traditional features, including basement lightwells, entrance platts and boundary railings. However, they are not particularly sensitive to the setting of the nearby listed tenements and should not provide design precedents for any replacement buildings.

The proposed building will create an appropriate setting for the listed buildings in keeping with the 1820's planned layout for the area, through the establishment of building lines on Dundas Street and Fettes Row which relate to the historic context, matching that of the circa 1900 tenement on Dundas Street, except for the set-back section, and the recently established building line at 26-29 Fettes Row, which takes its reference from the listed Georgian buildings on the south side of Fettes Row.

The proposed development of the former RBS office site directly opposite (reference 20/03034/FUL) includes building lines advanced from the existing set back structures to establish a layout more characteristic of the historic context. The cumulative effect of these over-extensive setbacks is to create a gap in the built enclosure of the street entrances to Fettes Row and stepping down effect along Dundas Street, contrary to the form originally planned for these streets. The 1.4-metres set back section of the proposed building on Dundas Street is an acceptable deviation of the established building line in order to protect the immediate outlook of the adjacent flats at no. 120.

The eaves line of the new structure will relate better to the historic eaves line of Dundas Street and Fettes Row than that of Centrum House which is too low in this context. The eaves line is the defining feature of the roofscape of the 1820's tenements rather than the roof line and whilst there is no 'correct' solution to establishing a new eaves line, it relates more successfully to that of 104-106 Dundas Street opposite the development to the south. In the case of the palace façade on the south-west side of Fettes Row there is no mirror image block on the north side of the street, so there is no necessity for the new building to match the eaves line of 104-106 Dundas Street.

In terms of height, massing, form and detailing the proposed scheme loosely reflects the original 1820's buildings opposite incorporating visually distinct sections, sandstone frontages, a feature corner pavilion with double height first/second floors, a recessed penthouse storey, rhythmic fenestration, a basement lightwell on Fettes Row and rusticated stone tooling at lower ground level to reflect the elevational hierarchy of the nearby listed buildings. These design elements, along with the proposed building lines will result in a new structure that will cause no harm to the setting of the listed building and enhance it instead.

The current landscaping includes large specimen trees in front of the buildings. Street front trees are not characteristic of the New Town Conservation Area where trees are restricted to the planned communal gardens and back greens. In this respect, the removal of these trees will have no adverse impact on the setting of the listed buildings.

Historic Environment Scotland (HES) did not consider the proposals in the previous application to have an adverse impact on any of the category A listed buildings in the vicinity and had no concerns with the siting of the new building.

In the appeal decision for this application, the Reporter is satisfied that the overall design of the proposed buildings would respond positively to the listed buildings through the use of sympathetic materials, proportions, and the proposed rhythm of the architectural bays with their stronger vertical emphasis. However, the Reporter specifically states that the projecting corner element would have an adverse impact on the street scene and would diminish the status of the listed buildings due to its prominence. This projection is omitted in the current scheme which proposes a corner building line matching that of the main section on Fettes Row. The fenestration pattern has also been amended on the Dundas Street section of the corner block to be less formal, in keeping with that of the Victorian tenements to the north. This further reduces the visual prominent of the corner block.

## ***Conclusion in relation to the listed building***

The proposals preserve the setting of the adjacent listed buildings in accordance with the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and relevant HES guidance.

## **Character and Appearance of Conservation Area**

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

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

The New Town Conservation Area Character Appraisal identifies the key characteristics of the Second New Town as:

- *grand formal streets lined by fine terraced buildings expressing neo-classical order, regularity, symmetry, rigid geometry, and a hierarchical arrangement of buildings and spaces with controlled vistas and planned views.*
- *the generally uniform height ensuring that the skyline is distinct and punctuated only by church spires, steeples, and monuments; and*
- *the important feature of terminated vistas within the grid layouts and the long-distance views across and out of the conservation area.*

The proposed demolition of the existing buildings is assessed in associated application for conservation area consent. However, it should be noted that in the appeal decision for the previous planning application, the Reporter concludes that the existing buildings do not contribute to the special character and appearance of the conservation area.

The key aspects that are assessed below are the impacts of the proposed development on the formal planned alignment, setting and edges, height and skyline, design quality, materials palette, and land use of the New Town.

The assessment of the existing buildings in terms of their contribution to the character and appearance of the conservation area is assessed thoroughly in the associated application for conservation area consent.

### *Formal Planned Alignment, Setting and Edges*

There are various existing building façade lines around the site, although the predominant building line of Dundas Street is the Georgian building line running from Heriot Row to Fettes Row where it terminates, marking the northern extent of the Second New Town.

The building line of the block in which this site is located, between the north side of Fettes Row and Henderson Row, is dominated by that of the late Victorian tenements which are positioned closer to the street edge.

The existing buildings on the site do not follow either of these historic building lines, sitting approximately 9.5 metres back from the Victorian building line and approximately 7 metres back from the Georgian building line. The Victorian industrial building that once stood on the site followed the same line as the tenements to the north. Whilst the 1820's listed buildings of Fettes Row and Dundas Street provide the most significant historic contexts, the site is part of a later block that was never constructed to its original plan, so following the building line of the Victorian tenements on Dundas Street is appropriate for the proposed building and in keeping with the building line of the recent development at 120 Dundas Street. The existing building line on both sides of this section of Dundas Street deviates at present, so the proposed set back section of the new building is acceptable.

The proposed building line on Fettes Row follows that of the modern neo-classical developments on the north side of Fettes Row, dating from the late 1990s. Centrum House and the adjoining contemporary flats at 30-31 Fettes Row are the only parts of the street that do not have a consistent building line or neo-classical design. The new development will complete this side of the street, leaving the adjacent flatted block as the only anomaly. Although the basement areas of 26-29 Fettes Row are wider than those of the 1820s buildings on the opposite side of the street, they are not excessively so and are now consistent for much of the north side of the street which includes a neo-classical style office development by Reiach and Hall, dating from 2000-2010, at 5-6 St Vincent Place which continues from Fettes Row at its west end.

In the appeal decision against the previous application, the Reporter singles out the projecting corner element of the building onto Fettes Row as being incongruous and out of place in the streetscape, undermining the positive characteristics of the proposed building. The omission of this projection in the current scheme and inclusion of stone piers at ground floor level will negate the detrimental impacts of this projecting, "floating" corner element.

The depth of the proposed development at its widest part matches that of the neighbouring building at 120 Dundas Street and is keeping with the various depths of the buildings on the north side of Fettes Row.

In terms of setting and edges, the impact of the development on these aspects has been set out in the section on the impact on the setting of the adjacent listed buildings.

The proposed building will establish a building alignment on this important street corner that is appropriate within the context of the Second New Town, which is lacking in the existing buildings on the site.

### *Height, Skyline and Views*

The proposed building height is approximately 0.58 metres higher than the existing buildings on the site, but lower than the Georgian building on the opposite corner of Fettes Row in order to continue the characteristic stepping of buildings down Dundas Street. The eaves height of the new building is only slightly higher with that of the modern neo-classical blocks on the north side of Fettes Row and lower than that of the later office development at 5-6 St Vincent Place. The proposed structure's ridge height is marginally lower than the ridge height of 26-29 Fettes Row.

The revised scheme has increased the setback of the penthouse storey to further alleviate the overall massing and reflect the subservience of the Georgian roofs. The development will be most visually prominent within the views up and down Dundas Street. These views contribute to the clarity of the urban structure of the Second New Town and alignment of key buildings.

Verified views of the proposed development have been produced from a series of key vantage points. The two locations which best illustrate the effect of the development on views up and down Dundas Street are View 1 from the east side of Dundas Street opposite the Victorian tenements looking south and View 2 from Hanover Street looking north.

At present, views of the corner pavilion of the Georgian building on the west corner of Dundas Street and Fettes Row is uninterrupted, apart from the street trees which are deciduous. From this viewpoint, the proposed structure will obscure the Fettes Row façade of this pavilion, with the exception of the outer edge and top of the gable end. However, the existing view of this corner pavilion is completely at odds with views of the equivalent corner pavilions within Dundas Street. The plan and built form of this section of the Second New Town provides the equivalent level of sight of its pavilion ends from views up and down Dundas Street to that proposed by this development. The current visual exposure of the Dundas Street/Fettes Row pavilion corner is not in keeping with this historic pattern or the planned extension of the Second New Town northwards to Henderson Row in similar fashion. Whilst the current 'gateway' status provided by the existing buildings on site is an attractive feature in terms of views southwards, it is not an essential characteristic of the New Town Conservation Area, so its retention is not required in order to preserve the character of the historic environment.

The proposed building is visible in View 2, but not in any intrusive way in terms of the historic street scene. The corner block will be more prominent than the equivalent Georgian corner pavilions, but only due to the fact that it will sit on the building line of the Victorian tenements on Dundas Street which is further forward than that of the buildings to the south on Dundas Street.

The new structure will be virtually imperceptible from the other two viewpoints (the west side of Calton Hill and east side of Inverleith House) which illustrates the fact that the height and roof treatment has been carefully considered to ensure that the building will sit inconspicuously within elevated views.

### *Design Quality*

The New Town Conservation Area Character Appraisal states that new buildings should be a stimulus to imaginative, high-quality design and seen as an opportunity to enhance the area. Direct imitation of earlier styles is not encouraged, but rather new buildings should be designed with respect for their context.

The proposed design is a contemporary interpretation of the Georgian and Victorian tenements in the immediate vicinity in terms of spatial pattern, height, massing, proportions, and detailing.

The block facing Fettes Row and turning the corner into Dundas Street reflects the 1820's buildings opposite in terms of height and prominence of the end pavilion (the latter on Fettes Row only), double height detailing of the first/second floor piano nobile and windows ordered within a horizontal hierarchy.

The adjoining section on Fettes Row is visually subservient to the corner block, although greater in height than the Georgian terrace directly opposite. The deviation in height between the north and south sides of Fettes Row is acceptable given that a north side matching the original south side was never constructed and the modern established building height on the north side varies. The vertical break on the lower Fettes Row block will enhance the prominent and separation of the corner piece and add visual interest to this section. At lower ground level, the rustication tooling of the stone façade will reflect the hierarchy of stonework detailing typical of the Second New Town terraces.

The design of the block facing Dundas Street takes its lead from the Victorian tenements to the north which are of repetitive design without any overall architectural conception and the key elements of ground floor shopfronts hard on the building line and prominent vertically aligned window bays are included. The proposed structure incorporates four storeys and a fifth recessed storey above the shopfront where the Victorian tenements only have three, but the overall height is appropriate in terms of stepping up the street and the number and arrangement of storeys matches that of the adjacent modern tenement at 120 Dundas Street. The composition of the façade includes a visual step to reflect the gently sloping topography of this section of Dundas Street and characteristic historic feu pattern of the area, although this pattern was never established on this site. The sandstone shopfront piers help to break up the massing of the Dundas Street block and provide visual support for the upper floors.

In general terms, the top storey is conceived as a visually lightweight structure in comparison to the masonry elevations, with the massing in the revised scheme split into distinct elements to respond to the rhythm of chimney stacks on Dundas Street. The setback has been increased to ensure that the penthouse level reflects the subservience of the shallow roofs of the Georgian and Victorian tenements. The chamfered metal edge detail at the perimeter of each capping box gives depth and definition to the façades.

The proposed sawtooth chamfers and cassette panelling within the Dundas Street windows reveals are contemporary design elements but are interesting features which are an acceptable means of refining the mass of the stone elevation.

The rear elevations are different in design and material to the principal facades, and this is appropriate to reflect the distinct character of the area to the rear of the site, which was formerly industrial and is now mainly occupied by flatted blocks, many with rendered elevations. The proposed random arrangement of windows is acceptable as a modern interpretation of the less regular fenestration patterns of the rear elevations of Victorian tenements.

### *Materials Palette*

The prevailing materials within the Second New Town are natural sandstone, slate and timber and the palette is limited.

The specified materials palette is appropriate and suitably restrained in this context, using a blend of traditional and contemporary materials, including natural blonde sandstone, dark-grey aluminium, and glass.

A similar blend of materials has been used in other modern developments within the New Town Conservation Area, including those on the east side of Dundas Street. The dark-grey tone for the aluminium elements has been selected to ensure that the penthouse floor visually blends in with the historic slate roofs.

Whilst brick is not characteristic of the Georgian terraces and Victorian tenements within this area, the area between Fettes Row and Henderson Row was occupied by industrial buildings in the late 19th century, some of which were likely to have been constructed in brick, although there is no definitive photographic evidence. Red brick has been used in the 1980s redevelopment of the Silvermills area, so the use of buff coloured brick to tone in with the blonde sandstone street elevations of the proposed building is acceptable in this context. The specified brick is more likely to produce a higher quality finish than render and will break up the visual monotony and white tone of the neighbouring buildings to the rear which does not blend in with the grey-buff tones of the Second New Town.

The proposed brown roof will not be visible from street level, nor be highly conspicuous from elevated views. This is a suitable location to incorporate such a roof to assist with rainwater attenuation and encourage biodiversity, without it having a detrimental impact on the historic environment. The same applies to the arrays of photovoltaic panels to be installed on the flat roof in terms of minimal visual impact and environmental benefits.

A condition has been applied to ensure that the materials specifications are acceptable in terms of finer detailing, precise finish/tone, and sustainability.

The Reporter concludes in the appeal decision for the previous application that the scale, massing, alignment, and materials of the proposed development would respect the special character of the surrounding conservation area. The Reporter also accepts the removal of the nine street trees on Fettes Row and Dundas Street, despite stating that the trees, whilst not a common characteristic of the conservation area and in poor condition, have a positive impact on the amenity of the area. However, the Reporter makes the case that the redevelopment of the former RBS Data Centre on the opposite side of Dundas Street includes replacement buildings closer to the street than the former buildings on the site, so the proposed building line for the Centrum House site would have a positive year-round effect on the views from the north. On balance, therefore, the removal of the trees is justified.

### *Land Use*

The proposed residential flats with commercial uses at ground and lower ground level are in keeping with the predominantly residential character and built form of the Second New Town and will contribute to the vitality of the conservation area.

### ***Conclusion in relation to the conservation area***

The proposals preserve the character and appearance of the conservation area in accordance with the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

## **b) Compliance with the Development Plan**

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4.

The relevant NPF4 and LDP policies to be considered are:

- NPF4 climate and nature crises policies 1, 2, 3 and 9
- NPF4 historic assets and places policy 7
- NPF4 infrastructure policy 18
- NPF4 successful places policies 14 and 15
- NPF4 affordable housing policy 16
- NPF4 infrastructure policy 18
- LDP environment policies Env 12 and Env 16
- LDP Des 1, Des 3, Des 4, Des 5, Des 6, Des 7 and Des 8
- LDP housing policies Hou 1, Hou 2, Hou 3 and Hou 4
- LDP shopping and leisure policies Ret 5 and Ret 11
- LDP transport policies Tra 2, Tra 3 and Tra 4
- LDP delivery policy Del 1
- LDP employment policy Emp 10

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering NPF4 Policy 7.

The 'Edinburgh Design Guidance' is a material consideration that is relevant in the consideration of several LPD housing, design, shopping and leisure and transport policies.

### **Uses**

NPF4 Policy 27 supports development proposals that enhance and improve the vitality and viability of city, town, and local centres, including proposals that increase the mix of uses. The site lies within an urban area and Local Centre as defined in the Edinburgh Local Development Plan (LDP). The proposed mix of uses in this application is appropriate within this urban location.

In terms of office use, the viability of this site for large-scale office accommodation is rapidly approaching an end as there is now greater demand for office locations within the city centre where all public transport networks converge and there are key nodal locations which benefit from suitable infrastructure and scale.



The loss of the existing office use complies with Policy Emp 9 as the proposed residential development will contribute to the regeneration and improvement of the site and wider area and will not prejudice or inhibit the activities of any nearby employment use. While the site is smaller than one hectare and does not trigger the need for business floorspace, the proposed floorspace at ground and lower ground level is designed to provide for a range of business users.

Policy Hou 1 gives priority to the delivery of the housing land supply on suitable sites within the urban area provided proposals are compatible with other policies in the plan. Given the surrounding residential character, this is a suitable site for housing. Compatibility with other policies is assessed elsewhere in this report.

Policy Ret 5 supports retail development in a Local Centre which can be satisfactorily integrated into the centre, is compatible, in terms of scale and type, with the character and function of the centre and makes a positive contribution to the shopping environment and appearance of the centre.

The proposed commercial units are integrated into the development at ground and lower ground level on Dundas Street and on the corner of Fettes Row, which is keeping with the established pattern of the centre in terms of retail below residential. The extensive glazing of the units enclosed by modern interpretations of traditional shopfront piers will create active frontages which contribute to the character and vitality of the area. The proposed Class 2 (office) use would contribute to the appearance of the Local Centre in the same manner.

Policy Ret 11: Food and Drink Establishments presumes against the change of use to Class 3 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 in an area where there is considered to be an excessive concentration of such uses to the detriment of living conditions for nearby residents.

There are café, restaurants, and bars within this area, but not in any concentrated sense and Environmental Protection is satisfied that Class 3 use would not cause any significant disruption for residents, if taken up in any, or all, of the proposed commercial units.

### ***Conclusion in relation to uses***

The proposed development is in accordance with NPF4 Policy 27 as it will enhance and improve the vitality and viability of this area. The uses proposed are sustainable in terms of allowing people to live and stay in their area with access to local shops, services, and facilities. This will reduce car dependency and is consistent with NPF4 Policy 15 which supports developments that contribute to local living, including 20-minute neighbourhoods. The location of housing on a prominent and frequented north-south route within the city will support the prioritisation of women's safety.

### **Climate Mitigation and Adaptation**

NPF4 Policy 1 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 proposed development contributes to the spatial principles of 'Compact Urban Growth' and 'Local Living' through the use of a brownfield site for sustainable, energy-efficient housing within an existing community.

NPF4 Policy 2 a) supports development proposals that are sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and in 2 b) those that are sited and designed to adapt to current and future risks from climate change. NPF4 Policy 9 intends to encourage, promote, and facilitate the reuse of brownfield, vacant and derelict land, and empty buildings, and to help reduce the need for greenfield development. Part d) supports development proposals for the reuse of existing buildings, taking into account their suitability for conversion to other uses and emphasises the need to conserve embodied energy, with demolition regarded as the least preferred option.

The Sustainability Statement submitted compares the embodied and operational carbon of the re-use of the existing building (stripping back to the bare structure and extending to suit the proposed layouts), with the proposed new-build option (involving demolition of the existing building and erection of a new building of an appropriate height within this sensitive historic environment) over a 60-year life cycle.

Whilst the existing buildings are in reasonable structural condition, due to their age the mechanical and electrical systems are at the end of their service life and require replacement. If the buildings were to remain in office use, such a comprehensive refurbishment to meet modern occupational specification requirements would involve a considerable cost that could not be justified without a significant increase in the rental values, and this would render office use unviable in this location. Even if it were, the build performance would preclude optimum air tightness, thermal bridging, and use of Air Source Heat Pumps (ASHPs) and Solar/Photovoltaic energy sources. There would also be no option to provide a brown self-seeding roof to reduce rainwater runoff, allow rainwater harvesting and promote biodiversity, due to the load-bearing capacity of the existing structures.

Apart from the build performance identified above, the conversion to residential would result in nine less apartments than proposed in the new-build option, given that an additional storey would have to be added to the existing structure, and this would result in a harmful impact on the setting of the adjacent listed buildings. Also, the existing buildings are set back significantly from the established building line on Dundas Street, so the new residences would lack high-quality amenity space, as there would be a disproportionate amount of open space to the front of the buildings. Similarly, there is also no opportunity to extend outwards whilst retaining an acceptable level of external amenity space.

In terms of embodied carbon, the proposed all-electric new build option is far more efficient than the retained buildings with a gas or part-gas heating system, creating less total carbon emissions, and targeting an Energy Performance Certificate (EPC) 'A' rating. The applicant has submitted the sustainability form in support of the application. Part A of the standards is met through the provision of low and zero carbon air source heat pump technology for heating and hot water for the residential properties and no fossil fuel use is proposed on site. In addition, roof mounted photovoltaic (PV) arrays will facilitate on-site electricity generation and the installation will serve the communal areas of the development with any excess energy generated being exported to the grid.

The proposal meets the essential criteria with additional desirable measures including communal recycling and rainwater harvesting. A further sustainability measure will be the provision of dedicated recycling holding areas within the development in accordance with the requirements of the Edinburgh Design Guidance.

The development site is near the city centre Air Quality Management Area (AQMA) which has been declared for exceedances in NO<sub>2</sub> and traffic from this development could feed into this AQMA and the Inverleith Row AQMA to the north.

Whilst 32 parking spaces are being provided, the site is close to local services and the city centre commercial core and will be well served by local public transport, so many local journeys by private car will not be necessary. Also, 118 cycle parking spaces will be provided to encourage active travel. The provision of seven electric vehicle charging points within the basement car park is an additional measure to encourage the use of electric vehicles where car journeys are made.

In addition, the development proposes sustainable spatial and water heating systems which will assist with air quality management.

The proposed development is therefore appropriate in terms of sustainability as it involves the location of housing on an accessible brownfield location and the replacement of the existing buildings, which are poor in terms of current environment standards, with a new structure conforming to current standards. This will contribute to climate change mitigation in the short and long term.

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

### Flooding and Drainage

The applicant has provided the relevant flood risk assessment and surface water management information for the site as part of the self-certification (with third party verification) process. The proposal includes permeable paving within the rear landscaping, a brown roof and storage tanks in the basement parking area.

As regards surface water management, there will be no increase in the volume of surface water discharged from the site as the existing footprint will not increase and Scottish Water has accepted this approach. Surface water will be discharged via gravity to a rainwater harvesting tank with an overflow connection to the public combined sewer on Henderson Place and foul water will be discharged to the combined sewer network. Scottish Water has confirmed that there is capacity in both Glencorse and Edinburgh PFI Water Treatment Works to service the development.

The proposals satisfy the Council's Flood Prevention requirements.

### Biodiversity

NPF4 Policy 3 requires that proposals for local development include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance.

The loss of the existing nine perimeter trees on the site is unfortunate, but the tree survey concludes that these trees, comprising seven Limes and two Elms, all Category C, semi-mature and between six and eight metres high, are in poor condition. The trees were planted as part of office development within retained structures below street level and have been subjected to major crown reduction from heavy pruning. The quality and longevity of these trees is limited, so their removal is acceptable.

To mitigate this loss, six small deciduous, ornamental trees will be planted within the rear terrace area. The species proposed are of appropriate scale and type to provide visual interest and shelter within this relatively shaded area without the capability of growing to height and spread where heavy pruning would be required. These new trees will encourage and support biodiversity along with the proposed low-level planting which will suit the local environment.

The proposed brown self-seeding roof will further enhance local biodiversity by creating a natural habitat that supports various plants, invertebrates, and birds.

A condition has been applied to ensure that swift bricks are included on the rear elevation.

No bat survey was required given that there is virtually no likelihood of roosting bats on this site.

The development will therefore support and encourage local biodiversity and have no adverse impact on protected species or significant trees, in accordance with NPF4 Policy 3 and LDP Policies Env 12 and Env 16.

### ***Conclusion in relation to climate mitigation and adaptation***

In conclusion, the development will meet the sustainability requirements of NPF4 Policies 1, 2 and 9 and LDP Policy 6 in terms of location on a brownfield site, energy efficiency and surface water management. The development will also support and encourage local biodiversity and will have no adverse impact on protected species or significant trees, in accordance with NPF4 Policy 3 and LDP Policies Env 12 and Env 16.

### **Historic Assets and Places**

NPF4 Policy 7 requires that proposals with a potentially significant impact on historic assets or places should be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.

#### Setting of Listed Buildings

NPF4 Policy 7 c) supports proposals for the alteration or extension of a listed building, or works that impact on its setting, where its character, special architectural or historic interest are not adversely affected.

This has been assessed in section a) and the proposals comply with NPF4 Policy 7.

#### Character and Appearance of Conservation Area

NPF4 Policy 7 d) only supports development proposals in conservation areas where they preserve or enhance the character and appearance of the conservation area and its setting.

This has been assessed in section a) and the proposals comply with NPF4 Policy 7.

### Outstanding Universal Value of World Heritage Site

The Outstanding Universal Value (OUV) of the Old and New Towns of Edinburgh World Heritage Site is defined as the remarkable juxtaposition of two clearly articulated urban planning phenomena: the contrast between the organic medieval Old Town and the planned Georgian New Town which provides a clarity of urban structure unrivalled in Europe.

NPF4 Policy 7 l) only supports development proposals affecting a World Heritage Site or its setting where their Outstanding Universal Value is protected and preserved.

The site is on a prominent corner within the New Town Conservation Area and sits to the immediate north of the World Heritage Site boundary.

Edinburgh World Heritage Trust EWH identifies five overarching themes of the key qualities of the OUV and considers the two most likely to be affected are as follows:

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

The site is within the Second New Town developed in the earlier half of the 19th century, and its character is a continuation and development of the planning ideals established in the First New Town, including the grid-iron urban plan, aesthetic and spatial hierarchy of 'streets and storeys', consistent building lines and spatial character, architectural character informed by classical forms and ideals, residential use, separation of entrances from public realm over basement level and consistent/high quality materials.

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

Edinburgh's architectural form responds to the dynamic views and topography on approach/exit from the World Heritage Site, in a manner that reinforces the New Town planning ideals and character, including the stepping down of eaves levels in response to topographical slope, heights consistent with local character and the traditional forms of roofscapes which are more visible due to the topography.

EWH does not object to the principle of developing this site, on the basis that the existing buildings do not make a positive contribution to the OUV and supports the proposed building lines which reinforce local character.

However, EWH considers that important elements of the design do not adequately respond to local character and, as a result, would disrupt the key qualities outlined above, causing harm to the OUV through insensitive development within its setting.

HES, in contrast, did not consider that the previous, similar scheme would impact significantly on the OUV of the adjacent World Heritage Site, even although the proposed building was clearly more pronounced and visible than the existing 1980's development.

EWH acknowledges the improvement of using more contextual materials for the ground floor commercial space but maintains that the proposed scheme does not adequately address the insensitivity of the development within its setting.

#### *Conclusion in relation to the World Heritage Site*

The development will therefore have no detrimental impact on the character or appearance of the Georgian New Town, nor its relationship with the medieval Old Town and will cause no harm to the Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site, in compliance with NPF4 Policy 7.

#### Archaeological Remains

NPF4 Policy 7 o) states that non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible.

The site is within an area associated with medieval industry and farming, but it is highly likely that the construction of the 1980's office blocks removed any significant archaeology across the site, so the development will have no adverse impact on any important remains.

#### ***Conclusion in relation to Historic Assets and Places***

The proposed development will have an acceptable impact on the historic assets affected, in accordance with NPF4 Policy 7 c), d), l) and o).

#### **Design, Quality and Place**

NPF4 Policy 14 supports development proposals that are designed to improve the quality of an area and are consistent with the six qualities of successful places.

#### Built and Landscape Design

LDP Policy Des 1 provides that the design of a development should be based on an overall concept which draws upon the positive characteristics of the surrounding area, to create or reinforce a sense of place, security, and vitality. It further provides that planning permission will not be granted for poor quality or inappropriate design, or for proposals which would be damaging to the area's character or appearance, particularly where this has a special importance. Likewise, LDP Policy Des 3 supports development where it is demonstrated that the 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 states that development should have a positive impact on its surroundings in terms of height and form, scale and proportions and materials and detailing.

The proposed scheme will contribute to a sense of place by reinforcing the established pattern of development and uses within this Dundas Street block between Henderson Row and Fettes Row which comprises residential uses on the upper floors with active uses at street level.

The design concept seeks to address the different architectural conditions between Dundas Street and Fettes Row whilst at the same time creating an elegant building that compliments its surroundings at the edge of the Second New Town. Centrum House and the contemporary flats at 30-31 Fettes Row are the only parts of these streets that do not have a consistent building line or neo-classical influenced design. Whilst the proposed development cannot resolve all issues arising from the competing conditions surrounding the site, the building's key function of turning the corner from Dundas Street into Fettes Row in a way that is both elegant and sensitive to its context will be achieved.

The site's existing office use along with the deep setback from the Victorian building line creates a significant break in the otherwise unified building uses and frontages, so the proposed development will complete the block and restore the urban grain, creating active frontages at street level. The proposed building lines also provide the opportunity to improve the visual character of the rear of the site through the creation of green landscaping and this reflects the back gardens of the Second New Town.

Architecturally, the building volume is conceived as three separate forms with breaks on Fettes Row and Dundas Street. The style is contemporary and incorporates elements influenced by characteristic features of the adjacent Georgian terraces and Victorian tenements on Dundas Street and similar features to those of the modern development at 5-6 St Vincent Place which is contemporary and minimalist in style.

The importance of the development's setting within the townscape of the Second New Town has been recognised in the design and key views from the north and south, particularly with regard to the planned views up and down Dundas Street, have been considered in the proposed siting, massing, height, roof form, elevational treatment, and materials. The result is a coherent and integrated design in terms of both close up and longer views.

In the appeal decision on the previous application, the Reporter acknowledges that whilst the massing and form of the proposed scheme loosely reflects the traditional tenement buildings in the vicinity, it is not an accurate representation of the buildings that historically occupied the site. However, the Reporter finds that the design and detailing of the proposal responds positively to the surrounding environment, without being pastiche, and is clearly an innovative product of its time. The one element of the proposed building that the Reporter describes as "...jarring and discordant with the wider street scene", i.e., the projecting corner section on the Fettes Row elevation, has been omitted in the current application.

LDP Policy Des 7 supports development which enhances community safety and urban vitality and provides direct and convenient connections on foot and by cycle.

The site is in a central city location within a short distance of local bus stops and within easy walking distance of other modes of public transport, including tram and bus and rail links. Also, secure off-street cycle parking will be provided to encourage active travel.

LDP Policy Des 8 supports development where all external spaces and features have been designed as an integral part of the scheme as a whole. The containment of the proposed green landscaping to the rear of the building follows the established pattern of the area in which the streetscape is austere and private or communal gardens are either concealed to the rear of the terraces or contained within formal shared residents' gardens.

The proposed landscaping layout is designed to be in keeping with the historic context whilst, at the same time, be suited to the specific site conditions given that sunlight will be restricted within the north-facing rear gardens. The proposed sandstone paving within the private terraces on Fettes Row reflects the characteristic sandstone flagstones within the basement lightwells of the Second New Town and the hard and soft landscaping materials specified are suited in type and durability to damp and shaded conditions. Surface pavements will be porous to assist with rainwater attenuation and public safety. The proposed pergola, hedging, trees, and sunken levels will provide shelter for users of the gardens.

The design will contribute to a pleasant and distinctive place to live in terms of respecting local and wider building heights, forms, and materials, creating visual interest through the careful choice of finishes and detailing, including active frontages at street level and the creation of green outdoor amenity space where there is currently tarmac. Also, the buildings will be adaptable, allowing for flexibility so that they can meet the changing needs and accommodate different uses over time, such as hotel, office, student accommodation, co-working space, or a different mix of residential flats.

### Density

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

The proposed 49 units is comparable in terms of density to the recent flatted development at 120 Dundas Street which contains 24 flats. Although this is higher than that of the Victorian tenements in the block, such a density is acceptable in this urban environment which is close to the city centre. Also, the number of units proposed is linked to the viability of the scheme with an affordable element included, so a higher density than that of the historic tenements is acceptable in this context.

### Housing Mix and Sizes

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



The flat for sale on the open market are predominantly two- and three-bedroom units with two five-bedroom units. Seventeen of the units (46%) contain three or more bedrooms designed for growing families, which meets the requirements of the Edinburgh Design Guidance. The affordable units are two- and one-bedroom only, but this deviation from the required standards is acceptable in order to accommodate the required 25% affordable element within a viable scheme.

The Edinburgh Design Guidance includes minimal internal floor areas for flats and the units for open market sale and affordable flats all comply with these recommended minimum sizes, ranging from 52-58sqm for one-bedroom, 72-94sqm for two-bedroom, 117-150sqm for three-bedroom and 154-166sqm for five-bedroom.

The number of single aspect dwellings make up 51% of the overall units and this complies with the criterion of the Edinburgh Design Guidance.

### Affordable Housing

NPF4 Policy 16 supports development proposals for new homes where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes.

LDP Policy Hou 6 states that planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units proposed. For proposals of 20 or more dwellings, the provision should normally be onsite.

The applicant has engaged early with both the Council and Registered Social Landlords (RSL) to find an onsite affordable housing solution and has submitted an Affordable Housing Statement which proposes the delivery of 12 affordable homes on-site.

There will be a mix of eight one-bedroom flats and four two-bedroom flats within a contained stairwell. The homes will be close to regular public transport links and next to local amenities. The affordable homes will be tenure blind and fully integrated with the rest of the development.

Although the proposal will not deliver a representative mix, the proposed flat sizes are most viable and terms of the overall scheme and most attractive to RSLs. The applicant has engaged with an RSL who is interested in delivering the 12 units as mid-market rent. A letter of support has been submitted by the RSL which confirms that the proposed affordable units will make a positive addition to the provision of affordable housing in the area. Also, 66% of the affordable units are dual aspect which will partly mitigate for their relatively small scale in comparison to the market rent flats.

The applicant has submitted a cost plan for review which shows that the construction costs for the revised scheme will still be higher than for other residential schemes across the city because of site constraints and that the design and materials reflect the prominent location of the development within the New Town Conservation Area and adjacent to the World Heritage Site.

Initial discussion between the developer, the RSL and Housing Management and Development has indicated that the delivery of on-site affordable housing could still be viable based on the current cost plan. However, the use of commuted sums is likely to be required. This could be justified because of the opportunity to get affordable housing in a location this close to the city centre. The site is within the Inverleith ward but immediately adjacent to the city Centre ward.

Any alteration on the delivery of the on-site affordable units would require further planning approval based on the information available at that time.

The provision of 12 on-site affordable housing units complies with LPD Policy Hou 6 and will be secured by a Section 75 legal agreement.

### Residential Amenity

LDP Policy Des 5 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 proposed residential use and commercial uses are compatible with the predominantly residential character of this area and will not lead to an unacceptable loss of amenity for any residential properties in the vicinity.

### *Communal/Private Outdoor Space*

Residents will have access to the communal landscaped garden at the rear which has seating and sheltered areas. In addition, some flats will have private gardens or terraces and others will have full-length windows with small balconies. Those living on the upper floors will enjoy views across the city and beyond.

Approximately 33% of the total site area will be provided as usable green space, exceeding the 20% target set out in LDP Policy Hou 3. The private rear gardens are approximately 2.6 metres deep, which is only marginally short of the 3-metre minimum specified in the Edinburgh Design Guidance. The site is also close to King George V Park opposite Royal Crescent and within easy walking/bus distance of the Royal Botanic Garden and Princes Street Gardens.

The commercial units will also have separate areas of external amenity space at lower ground floor level.

### *Daylighting and Sunlight*

A Daylight and Sunlight Report has been submitted which tests the effect of the proposed development on daylighting levels for the neighbouring residential properties and future occupants of the new flats. The daylighting levels will meet the requirement as set out in the Edinburgh Design Guidance within this urban context.

As regards the effect on the daylighting of the south-facing (gable) windows in 120 Dundas Street, daylight to gables and side windows is generally not protected under the standards set out in the Edinburgh Design Guidance.

This building was constructed in 2009-10 to replace a 1980's office building and the design did not anticipate the possibility of the redevelopment of the Centrum House site in its inclusion of these windows.

In the appeal decision for the previous application, the Reporter concludes that there would be an adverse impact on the levels of daylight to these south-facing gable windows lighting dining rooms/kitchens at 120 Dundas Street to the extent that the levels would fail the standards set out within the EDG, even although the additional east-facing windows lighting the same rooms would mitigate these effects to an extent. To address this situation, the current scheme proposes a 1.4 metres set back section to the Dundas Street element of the new building adjacent to 120 Dundas Street. The effect of this set back is that the extent of failure of the gable windows is reduced significantly to between a marginal range of 0.62 to 0.67% under the Vertical Sky Component (VSC) measurement. Furthermore, only one window of the east-facing windows of these rooms fails the VSC criterion and overall, this is not significant given that this room has another east-facing window on the Dundas Street elevation.

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

As the site lies to the north of existing buildings on Dundas Street and Fettes Row, overshadowing is inevitable. This is illustrated by a solar study that has been carried out to the specifications set out in the Edinburgh Design Guidance. The study shows that the minimum standard for sunlight hours will not be met, although sunlight will reach certain areas of the rear terrace at the Spring Equinox. However, this level of sunlight for the new amenity areas is acceptable, given the proximity of the site to a public park and other outdoor amenity spaces.

#### *Privacy/Overlooking/Outlook*

Only the windows in the south elevation of the new development (facing Fettes Row) will directly face the windows of neighbouring residences. Fettes Row is a relatively wide street and the separation distance between any directly facing windows will be approximately 23 metres.

There are no overlooking issues regarding the proposed raised terrace at the rear or rooftop terraces. The terminal wall of the proposed rear deck adjacent to the communal area of 120 Dundas Street is 2.2m high so this will provide adequate screening and no other existing residential amenity spaces are in sufficiently close proximity to be overlooked from the rear terrace. The revised scheme has significantly reduced the extent of the private terrace of the proposed penthouse flat immediately adjacent to the existing penthouse flat at the south end of 120 Dundas Street. This amendment, along with the introduction of a planter screen at the north end of the new terrace, will mitigate any loss of privacy to an adequate extent.

As regards outlook for the residents of 120 Dundas Street with dining room/kitchen windows facing south, the proposed building in the previous application would have blocked the immediate outlook of these windows, i.e., directly south up Dundas Street. The Reporter judges in the appeal decision that this outlook would be severely compromised, especially as it would be largely restricted to a blank wall in very close proximity to the affected windows.

The current scheme, incorporating a 1.4 metres set back section on the north part of the new building's Dundas Street elevation, will maintain an immediate south-facing outlook for these neighbours, albeit different to the current view. Sight of the west side of Dundas Street southwards beyond Fettes Row will be replaced by views of the front elevation of the new building. The immediate outlook for the top floor property at 120 Dundas Street will be further improved, compared to those in the previous application, through the reduced scale of the external terrace for the neighbouring penthouse property in the new building.

The level of impact on the immediate outlook of these south-facing windows within 120 Dundas Street is acceptable given that the proposed development seeks to reinstate the prevailing Victorian building line on Dundas Street. This would not be achieved, as well as losing vital accommodation space, were the 1.4 metres set back extended to the entire Dundas Street elevation.

### *Noise*

The nearest residential properties are at 120 Dundas Street, 31 Fettes Row and 15 Henderson Place. A Noise Impact Assessment (NIA) has been submitted which recommends minimum wall and ceiling specifications for the commercial units and maximum plant noise levels to protect the amenity of the neighbouring residential properties and future occupiers of the development. The NIA also includes glazing specifications to address road traffic noise which could affect residents within the new flats.

Environmental Protection recommends the application of conditions to ensure that these noise reduction measures are implemented, and the specified noise levels are met. A specific issue is that the no suitable ventilation details or specific equipment has been proposed for commercial Unit C that would allow it to operate in Class 3 use without causing potential odour issues for residents. This is due to practical reasons of providing this level of detail at this stage. Conditions have therefore been applied in line with Environmental Protection's recommendations to address this specific issue and general noise/odour matters.

As regards noise generated from the proposed rooftop and rear terraces, noise can be generated at present from existing domestic and commercial external amenity spaces at present and planning legislation has no control over the behaviour of future occupiers of the development using these spaces.

### *Ground Contamination*

Due to the previously developed nature of the site, a condition has been applied requiring a site contamination investigation to be carried out and any necessary mitigation measures to be put in place in the interests of future occupiers of the development, as recommended by Environmental Protection.

### Road Safety and Infrastructure

NPF4 Policy 18 supports development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs.

### *Access and Traffic Generation*

A Transport Statement has been submitted in support of the application which provides an assessment of the transport considerations associated with the proposal. The vehicular access to the site remains as currently in place, which is a single vehicular access point from Henderson Place. The main existing pedestrian routes to the site are safe and there is level access into each proposed residential stair and commercial unit. The Roads Authority has requested the upgrading of the footway on the east side of Henderson Place to tie in with the existing concrete paved footway to the north-west of the site.

The site is in an accessible location within easy walking distance to a range of local services and the city centre amenities (approximately 0.5 miles from Princes Street) and has good linkages to public transport. The nearest bus stops are adjacent to the site on the west side of Dundas Street and approximately 100 metres away on the opposite side of Dundas Street. An informative has been applied recommending the development of a Travel Plan by the applicant to encourage the use of sustainable modes of travel. This is in keeping with the NPF4 principles of connected and healthy places that make moving around easy and reduce car dependency.

### *Car and Cycle Parking*

LDP Policy Tra 2 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 Council's parking standards contain no minimum levels for car parking and the proposed 32 spaces for this development is a reduction of over 30% in terms of the maximum number permissible in Zone 1. Included within this total number are three accessible spaces, one motorcycle space and seven electric vehicle spaces which complies with the minimum standards.

The Roads Authority has requested that the applicant contributes the sum of £7,000 towards the provision of one car club vehicle in the area this will be secured through a Section 75 legal agreement.

LDP Policy Tra 3 requires that cycle parking and storage within the development complies with Council guidance. A total of 118 cycle parking spaces will be provided at basement level within defined secure spaces, in excess of the minimum requirement of 106 spaces.

The cycle stands will be all two-tier and no parking spaces are shown on the plans for a range of non-standard bicycles. Whilst this type of provision does not comply with the Council's cycle parking Factsheet, it was accepted in the previous application and was considered an acceptable compromise in order to accommodate 100% parking provision on this constrained site, along with a viable level of living space. However, a condition has been applied requiring the applicant to provide an area to accommodate non-standard bicycles to cater for cyclists of varying needs, even if this reduces the proposed number of cycle spaces to the minimum level required.

### *Waste/Serviceing*

Waste will be collected via Henderson Place and a Swept Path Analysis has been provided to demonstrate that an appropriately sized vehicle can enter the site.

There are also the requirements for trade waste producers to comply with other legislation, in particular the Waste (Scotland) Regulations. The Council's Waste Planning services supports the proposed waste and recycling strategy.

### *Education Infrastructure*

This site falls within Sub-Area CB-3 of the Craigmoynton/Broughton Education Contribution Zone.

The proposed development is required to make a financial contribution of £39,200 towards the delivery of the identified education infrastructure actions and current delivery programme within this zone based on the established 'per house' and 'per flat' rates for the appropriate section. This sum is calculated on the basis of 40 proposed flats (excluding the 8 one-bedroom flats within the development) and will be secured through a Section 75 legal agreement.

### ***Conclusion in relation to the Design, Quality and Place***

The development is in accordance with NPF4 Policy 14 in terms of improving the quality of this urban area and being consistent with the six qualities of successful places.

### **Conclusion in relation to the Development Plan**

The proposed development broadly complies with the provisions of NPF4 and the LDP and there is not considered to be any significant issues of conflict.

### **c) Other matters to consider**

The following matters have been identified for consideration:

#### **Emerging policy context**

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. The scheme provides accessible access to all uses within the development and there are internal lifts to access all floors. Three accessible parking spaces are provided within the basement car park.

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**

A summary of the representations is provided below.

### *material objections*

#### New Town and Broughton Community Council (NTBCC)

##### Building Line

The major concern raised by local residents is with regard to the proposed bringing forward of the building line of the new development.

The set-back included in the current scheme mitigates to a degree the impact on the amenity on the majority of the residents in the adjoining 120 Dundas Street block and also improves the immediate streetscape fronting Dundas Street in terms of creating a more active frontage. NTBCC acknowledges the provision of more amenity space to the rear of the building but notes that this space is shielded by the new development and existing buildings as well as facing predominantly north, so it may not be used frequently.

##### Street Trees

NTBCC regrets the loss of all of the trees fronting the existing building. The trees in front of 108-116 Dundas Street have been a major feature of this part of the New Town for around forty years and are seen as a natural break in the local landscape and serve to frame the entrance from the north into the Second New Town and the World Heritage site. Street trees in an urban environment also contribute to carbon net-zero targets and improvements to biodiversity, so some trees should be retained on this lower stretch of Dundas Street - either existing or more appropriate replacements.

##### Residential Amenity (Daylight/Sunlight)

The set-back building line now proposed has significantly improved the daylight/sunlight assessment for the front elevation windows of 120 Dundas Street. However, the penthouse flat at 120 Dundas Street, which has deeper floor to ceiling south facing windows, will suffer in terms of outlook and privacy.

##### Building Height/Massing

NTBCC believes that EWH's suggestion to remove the top storey of the development and introduce a roof scape design which reinforces local character, along with a further stepping down of the height of the Fettes Row elevation after the corner block may help to address some of the concerns raised.

##### Active Frontage

A set-back, tree-shaded terrace at the front of the building providing outside space for the proposed commercial (Class 3) units would be more successful in this regard than the current proposal and contribute to place-making.

## General

### Sustainability

- the sub-structure of the existing buildings should be retained due to embodied carbon
- loss of street trees

### Historic Environment

- inappropriate building lines on Fettes Row and Dundas Street that do not preserve the "gateway" to the New Town
- does not respect the character of the surrounding listed buildings
- does not take into account the architectural features of the New Town Conservation Area

### Design

- does not contribute to a sense of place
- over-large height and scale
- mundane, ugly, and imposing architectural style
- does not respect the quality of the surrounding residences

### Amenity

- negative impact on daylighting, privacy, and outlook of adjacent residences
- noise and disturbance from the proposed communal gardens and roof terraces

### Transport

- added pressure on existing on-street parking difficulties
- increase of traffic at all times of the day and night that will cause additional noise and pollution

### Services

- increased demand on recycling facilities/bins at the corner of Fettes Row/Dundas Street which are already regularly overflowing

*These points have been assessed in section a) and section b) in the paragraphs on "Climate Change and Mitigation", "Biodiversity", "Architecture and Landscaping", "Residential Amenity" and "Road Safety and Infrastructure". The existing recycling facilities/bins at the corner of Fettes Row/Dundas Street will not be used by occupiers of this development and the proposals include a dedicated recycling area within the basement.*

*support comments*

## New Town and Broughton Community Council

- the retention of the undercroft/basement parking provision



- the re-instatement of basement wells along Fettes Row West
- a residential-led development on this site and inclusion of affordable housing.
- the commercial units at street level which could improve the active street frontage and the vitality of the streetscape
- the integration of refuse and recycling storage into the design

### General

- the proposal will facilitate and reinvigorate a tired brownfield site and is a good use of land available
- the location is central, accessible, and highly sustainable with excellent active travel links/public transport facilities
- the inclusion of green energy sources, recycling facilities and ample cycle parking will assist with climate change mitigation
- much needed housing, including 25% affordable will be provided
- the proposed residential and commercial uses will boost the local economy
- the development will really enhance the attractiveness of the area and contribute to a sustainable community
- the re-design of the projecting corner bay along Fettes Row improves the setting of nearby listed buildings
- the character and appearance of the New Town Conservation Area will be preserved
- the outstanding universal value of Edinburgh's World Heritage Site will be maintained
- the design will create an improved 'place' at a scale/density appropriate to a city centre location
- the proposed building is better aesthetically than the existing and will align with the neighbouring buildings in style and appearance
- the building set back improves the immediate outlook and amenity for immediate neighbours.
- the amendments address the previous reasons for refusal

### *non-material comments*

- noise and disruption during construction works
- potential damage to property as a result of construction works
- the structural stability of neighbouring properties
- payment for any damages during construction
- access to roof of 120 Dundas Street for maintenance
- access to recessed area at street level beside 120 Dundas Street
- timing of application submission

*Whilst the issues raised regarding the effects of the associated construction works are non-material in planning terms, an informative has been added recommending that the proposed demolition/construction management plan is discussed with adjacent residents to identify possible impacts and mitigation measures. Dilapidation surveys are also recommended to be carried out in the adjacent properties before the works start and upon completion.*

## ***Conclusion in relation to other matters considered***

The proposals do not raise any issues in relation to other material considerations identified.

### **Overall conclusion**

Overall, the development is in accordance with the development plan. The proposals will deliver a sustainable and well-designed, predominantly residential scheme that will contribute to climate mitigation and adaptation and the restoration and enhancement of biodiversity. The design draws on the character of the surrounding area to create a strong sense of place and is consistent with the six qualities of successful places as set out in NPF4. The development is also in keeping with the overall aims of the Edinburgh Local Development Plan 2016 (LDP).

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Other material considerations support the presumption to grant planning permission.

## **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. 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.
3. A detailed specification, including trade names where appropriate and sources, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.

4. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
5. Swift bricks shall be installed on the rear elevation of the development. The proposed specification and locations shall be submitted to and approved in writing by the planning authority prior to construction works commencing on site.
6. The electric vehicle parking spaces (as shown on drawing L(PL)051 Rev D and dated 04/12/2020) shall be served by at least a 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. These points shall be installed and operational in full prior to the development being occupied.
7. Notwithstanding the cycle parking layout shown on L(PL)051 Rev D and dated 2020 12 04, an area to accommodate non-standard bicycles to cater for cyclists of varying needs, shall be provided, even if this reduces the proposed number of cycle spaces to the minimum level required. Details of this area shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

8. Noise from Commercial Units (internal)

The minimum octave band noise reductions to be provided by the partitions (walls and floors) between the proposed commercial units and the closest proposed noise sensitive receptor at each octave band shall be incorporated within the development in accordance with the levels set out in Table 9, page 16 of the ITP Energised Noise Impact Assessment (dated 14 November 2022) prior to the uptake of the approved commercial uses on site. Confirmation should be provided from a suitably qualified building engineer that the above sound insulation levels have been met.

9. Plant Noise

- a) The enclosure proposed for plant located on the roof should be continuous (close boarded with no gaps) and have a density of at least 10 kg/m<sup>3</sup>.
- b) The maximum cumulative octave band noise levels from roof plant shall comply with the levels at 1 metre as set out in Table 14, page 19 of the ITP Energised Noise Impact Assessment (dated 14 November 2022).

These measures shall be implemented prior to the uptake of the residential use on site and confirmation from a suitably qualified building engineer should be provided to confirm that the above maximum cumulative plant specifications have been met.

10. Use Classes

Unit C shall be restricted to Class 1 or 2 only. If units A and/or B are taken up as a Class 3 then the following information should be provided and agreed with Planning in advance of the premises beginning operations:

## Noise

A noise impact assessment should be provided which confirms that noise from the fan, flue and extraction point will all be within NR25 noise level.

- i) inside the nearest residential property with the window open for ventilation purposes (for external noise coming into the nearest residential property) and.
- ii) within the upstairs/adjacent residential properties with the window closed (for internal noise transference through the floor/wall) and.
- iii) all noise mitigation measures required to meet the NR25 criterion are shown on a referenced and dated drawing including all specifications (including position and specification of silencers/attenuators, fan specifications including maximum noise levels).

## Ventilation

In any case where Units A and/or B operate as a Class 3 premises, then the ventilation details as shown on drawing L(PL)058 Rev D and dated 2020 12 04 (including risers to roof through all floors) and drawing L(PL)059 Rev C and dated 2020 12 04 (including roof extraction area) shall be installed and operational prior to start of commercial operations on site.

Confirmation from a suitably qualified ventilation specialist which confirms the following shall also be provided:

- i) The system will be able to attain a minimum of 30 air changes per hour.
- ii) All internal ventilation system features and requirements (including fan(s) positions, specifying/showing number of fans, flue exit point from Class 3) are all shown on a referenced and dated drawing.

All noise and ventilation measures specified within a noise impact assessment and on drawings shall be installed and operational prior to the start of commercial operations beginning on site and with written confirmation provided by a suitably qualified person that the above requirements have been achieved.

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. In order to ensure that the approved landscaping works are properly established on site.
5. In order to safeguard protected species.
6. In the interests of sustainable transport.

7. In order to cater for a range of cycle types.
8. In order to safeguard the amenity of neighbouring residents and other occupiers.
9. In order to safeguard the amenity of neighbouring residents and other occupiers.
10. In order to safeguard the amenity of neighbouring residents and other occupiers.

## **Informatives**

It should be noted that:

1. Planning permission shall not be issued until a suitable legal agreement has been concluded to secure the following:

### Affordable Housing

25% of the residential units to be of an agreed affordable tenure. The affordable housing within this development is intended to be delivered as mid-market rent. If there is a change to the intended tenure prior to the formation of the legal agreement the housing shall be delivered in accordance with the Council's affordable housing policy and guidance.

### Transport

- the sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of one car club vehicles in the area
- the upgrading of the footway on the east side of Henderson Place fronting the proposed development/existing car park to concrete pavement to tie in with the concrete paved footway to the immediate north, to the satisfaction of and at no cost to the Council.

### Education

The sum of £39,200 (£980 per unit - flats with two or more bedrooms only) towards education infrastructure for Sub-Area CB-3 of the Craigroyston/Broughton Education Contribution Zone.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6-month period, a report will be put to committee with a likely recommendation that the application be refused.

2. The proposed demolition/construction management plan should be discussed with adjacent residents to identify possible impacts and mitigation measures. Dilapidation surveys are also recommended to be carried out in the adjacent properties before the works start and upon completion.

## **Background Reading/External References**

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

## **Further Information - Local Development Plan**

**Date Registered: 22 November 2022**

**Drawing Numbers/Scheme**

01.05-07,09,10,11A-16A,17,18,19A,20A+21-23

Scheme 2

**David Givan**  
**Chief Planning Officer**  
**PLACE**  
**The City of Edinburgh Council**

Contact: Clare Macdonald, Senior Planning Officer  
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Appendix 1

**Summary of Consultation Responses**

NAME: Archaeologist  
COMMENT: No known, significant, archaeological implications regarding this application.  
DATE: 6 December 2022

NAME: New Town/Broughton Community Council  
COMMENT: Comments submitted as a representation (full summary within the assessment).  
DATE: 30 December 2022

NAME: Historic Environment Scotland  
COMMENT: No comments to make on the proposals.  
DATE: 16 December 2022

NAME: Affordable Housing  
COMMENT: No comments received.  
DATE:

NAME: Environment Protection  
COMMENT: No objection, subject to conditions on ground contamination and noise and ventilation.

DATE: 24 January 2023

NAME: Communities and Families

COMMENT: No comments received.

DATE:

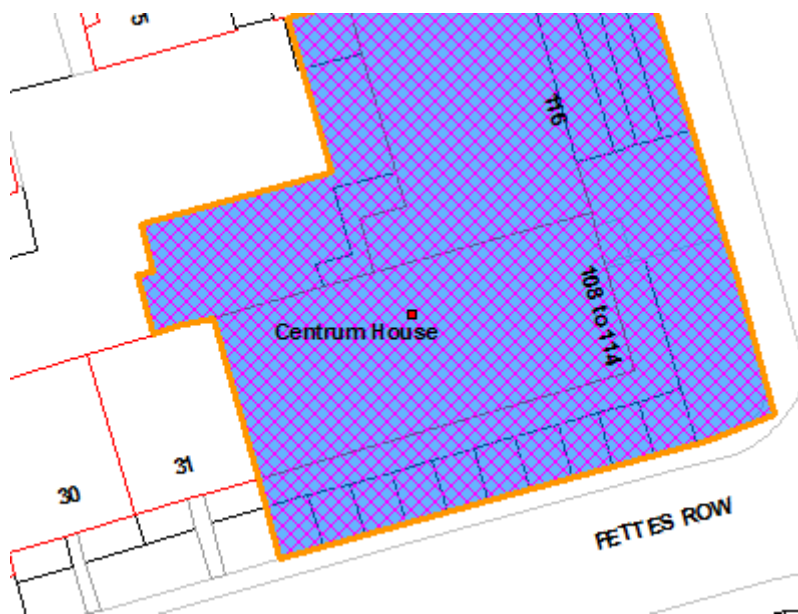
NAME: Edinburgh World Heritage

COMMENT: Acknowledges the improvement of using more contextual materials for the ground floor commercial space but cannot support the current proposals as they would cause harm to the OUV of the World Heritage Site.

DATE: 13 December 2022

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

## Location Plan



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