

Development Management Sub Committee

Wednesday 7 June 2023

Report for forthcoming application by

Vita Group for Proposal of Application Notice

23/01777/PAN

**At Land East of Sibbald Walk, Edinburgh,
Erection of mixed-use development comprising student
accommodation, affordable housing and
commercial/community uses with associated
landscaping, infrastructure, and access arrangements.**

Item number

Report number

Wards

B11 - City Centre

Summary

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming full planning application for the erection of mixed-use development comprising student accommodation, affordable housing and commercial/community uses with associated landscaping, infrastructure, and access arrangements at Land East of Sibbald Walk.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicants submitted a Proposal of Application Notice 23/01777/PAN on 24th April 2023.

Links

Coalition pledges
Council outcomes

Single Outcome
Agreement

Recommendations

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

Background

2.1 Site description

The application is for the approved PA2 site within the wider Caltongate Site. It comprises the last section of cleared land which historically formed part of the bus depot.

To the north, it borders Calton Road. To the west is Sibbald Walk with office buildings beyond this. This development, in tandem with modern buildings for residential and commercial uses to the south facing onto a public square, form part of this Caltongate re-development. To the west, is an older residential development.

There is a steep, downward slope evident on-site from south to north.

It is located within the Edinburgh World Heritage Site.

This application site is located within the Old Town Conservation Area.

2.2 Site History

21 February 2006 - Conservation Area Consent granted for demolition of entire building - former bus garage - application reference: 05/01777/CON.

October 2006 - Caltongate Master plan approved for wider Caltongate Site

30 October 2008 - Planning permission granted for erection of buildings for residential and business (Class 4) and/or community facility, and retail (Class1) and/or food + drink (Class 3) purposes. Podium structure (including ground source heating and cooling system), car parking, access, open space, and landscaping including public square and pend / arcade route off Canongate, works to south end of New Street, and associated works at Land Adjacent to New Street, 221 - 223 Canongate - application reference: 07/04400/FUL

Since the above permission, there has been an extensive planning history associated with the application site and wider Caltongate Site. This full planning history can be viewed on the Planning and Building Standards Online Service.

Main report

3.1 Description of the Proposal

The forthcoming application will be a full planning application for the erection of a mixed-use development potentially comprising student accommodation, affordable housing and commercial / community uses with associated landscaping, infrastructure, and access arrangements.

3.2 Key Issues

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

a) Principle

The site is located within New Street (Proposal reference CC 2) as identified in the adopted Edinburgh Local Development Plan (LDP). The LDP sets out a number of development principles for the area which is shown as a commercial-led, mixed-use development in the supporting diagram.

As the site forms part of the City Centre Area, LDP policy Del 2 (City Centre) will be of relevance to the assessment of the proposals. This policy supports development which retains and enhances its character, attractiveness, vitality, and accessibility and contributes to its role as a strategic business and regional shopping centre and Edinburgh's role as a capital city.

LDP policy Hou 1 (Housing Development) supports housing development at suitable sites within the Urban Area, subject to other LDP policies. Proposals for residential development would be expected to address the principles of LDP Housing policies. These include policy Hou 2 (Housing Mix), Hou 3 (Private Green Space in Housing Development) and Hou 4 (Housing Density). In addition, LDP Policy Hou 6 (Affordable Housing).

LDP Policy Hou 8 (Student Housing) supports purpose-built student accommodation where the location is appropriate in terms of access to university and college facilities and provided that the proposal will not result in an excessive concentration of student accommodation. This policy will be applicable in assessing the acceptability of the proposed student use alongside the Student Housing Guidance and Caltongate Masterplan.

For the commercial and community uses proposed, the LDP policies that are applicable will depend on the specific use class/es proposed. However, a number of employment and retail policies are likely to apply.

The development will also require to be assessed against the National Planning Framework 4 (NPF 4). The proposal would be expected to address the following policy principles:

Sustainable Place Policies gives significant weight to the global climate and nature crises. The policy outcome being the delivery of zero carbon, nature positive places.

Liveable Places Policies refers to development being well-designed and applying the Place Principle. This principle has a focus on places that deliver healthy, pleasant, distinctive, connected, sustainable and adaptable qualities.

Productive Place Policies principle is for a new strategic approach to economic development that provides a practical model for building a wellbeing economy at local, regional, and national levels. The policy outcome includes local economic development that focuses on community and place benefits as a main consideration.

b) Historic Environment

The site is located within the Old Town Conservation Area, and it is in the vicinity of a number of listed buildings. The proposals will therefore be considered in terms of Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. In addition, any potential impact on the Edinburgh World Heritage Site will be assessed.

To inform this assessment, NPF 4 policy 7 (Historic asset and places) and Historic Environment Scotland guidance notes will be relevant. Supporting information will be required including a Heritage Statement.

c) Design, Scale and Layout

The layout and design of the proposal will be assessed against the requirements of relevant NPF 4 policies, LDP Design Policies, Edinburgh Design Guidance and principles set out in the Caltongate Masterplan. A design and access statement will be required to accompany the application.

d) Residential Amenity

The proposals will need to ensure that there is no significant impact on residential amenity of neighbours. In addition, that an adequate level of amenity for the future occupiers of any new residential development can be achieved.

e) Access and transport

The proposals should have regard to the transport policies of the NPF 4, LDP, Edinburgh Design Guidance and Cycle Parking Factsheet. Consideration should be given to prioritising active travel including pedestrian and cycle movement. Transport Information will be required to support this submission.

f) 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 future application.

However, the applicant should note that it is possible the status of City Plan 2030 may change and there is potential for it be adopted during the period that this Proposal of Application Notice (PAN) is valid. In this event, it will be a material consideration in determination of the planning application and the development will require to be assessed against all relevant policies of this plan.

g) there are any other environmental factors that require consideration

The applicant will be required to submit sufficient information to demonstrate that the site can be developed without having an unacceptable impact on the environment. The proposal will need to be screened for an Environmental Impact Assessment.

In order to support the application, the following documents are likely to be expected (this list is not exhaustive):

- Pre-application Consultation Report.
- Planning Statement.
- Design and Access Statement.
- Daylighting, Sunlight and Privacy analysis.
- Flood Risk Assessment and Surface Water Management Plan.
- Sustainability Statement and Form
- Heritage Statement
- Landscape and Visual Impact Assessment.
- Transport Information.
- Contaminated land survey.
- Noise Impact Assessment.
- Odour Impact Assessment and Ventilation information (dependent on specific detail of proposals).; and
- Air Quality Impact Assessment.

3.3 Assessment

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

Financial impact

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

Risk, Policy, compliance, and governance impact

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

Equalities impact

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

Sustainability impact

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

Following receipt of the proposal of application notice (PAN) the applicant has given details of two public exhibitions one on Wednesday 17th May 2023 and one on Monday 19th June 2023 at Storytelling Court, Scottish Storytelling Centre, 43-45 High Street, Edinburgh, EH1 1SR between 2pm and 7pm.

The Proposal of Application Notice was sent to City Centre Ward Councillors Councillor Margaret Arma Graham, Councillor Finlay McFarlane, Councillor Claire Miller, Councillor Joanna Mowat. Other Councillors including Councillor Cammy Day (Leader of the Council), Councillor Hal Osler (Convener of Development Management Sub - Committee), Councillor Jane Meagher (Convener of Housing, Homelessness, and Fair Work Committee). In addition, Angus Robertson MSP, Tommy Sheppard MP, Old Town Community Council, New Town and Boughton Community Council, Cockburn Association, Edinburgh World Heritage, and Edinburgh Old Town Association.

The results of this consultation will be submitted with the future planning application as a Pre-application Consultation (PAC) Report.

Background reading / external references

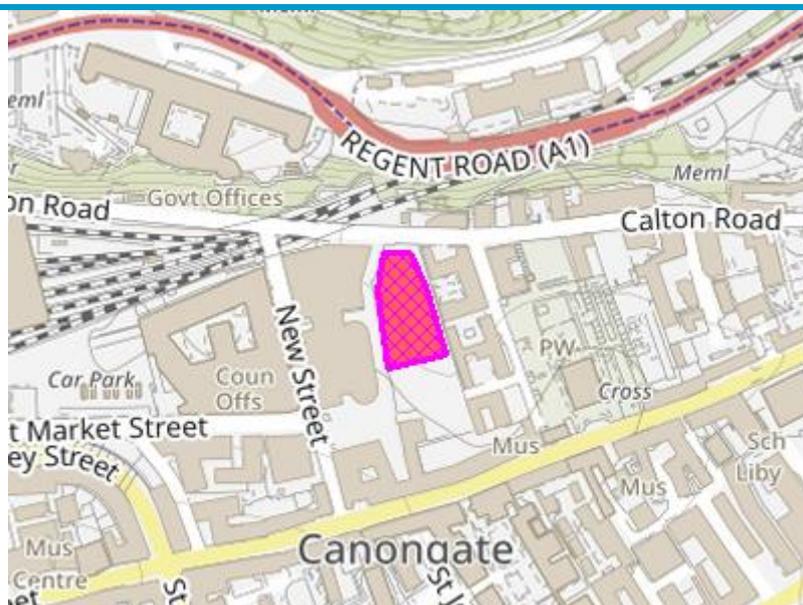
- To view details of the proposal of Application Notice go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)

– Edinburgh Local Development Plan

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Location Plan



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