

Development Management Sub-Committee Report

Wednesday 21 June 2023

Application for Planning Permission

**124 Salamander Street, 1 - 3 Salamander Yards, South Leith,
Edinburgh.**

**Proposal: The proposals comprise a 5 - 6 storey building providing
99 residential apartments with associated access, parking &
landscape (as amended).**

Item – Committee Hearing

Application Number – 22/03430/FUL

Ward – A13 - Leith (Pre May 2017)

Reasons for Referral to Committee

The application is referred to the Development Management Sub-Committee as it falls under the definition of a National Development under NPF4 as a major application within Edinburgh Waterfront. Consequently, under Section 38A of the Town and Country Planning (Scotland) Act 1997 a pre determination hearing is required prior to determination.

Recommendation

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

Summary

The proposed development is in compliance with the development plan. It complies with the aims and objectives of the above policies of National Planning Framework 4 and the Edinburgh Local Development Plan, providing a sustainable use, within a site allocated in the Local Development Plan for residential led redevelopment. It is in compliance with NPF4 Policy 1, which underpins NPF4 in seeking to tackle global climate crises.

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 site comprises of two vacant low-rise industrial buildings as well as a larger single storey industrial building which is currently in use as a carpet warehouse on a site extending to 5040 sqm. A large surface car park is located on the east side of the site.

The site is bounded to the north by Salamander Street, to the east by a detached industrial building, to the west by the recently developed Ropeworks residential area and to the south by Leith Links.

The wider area along Salamander Street is characterised by industrial units with gradually increasing numbers of residential units as plots are redeveloped. Salamander Street itself is proposed be realigned to accommodate a segregated cycle path adjacent to the proposed development as part of the Leith Connections project.

Although the site itself is relatively level, there is a significant level change between the southern edge of the site and Leith Links where it meets the elevated Restalrig Railway Path. The cycle path connects Leith to Portobello.

The boundary of the Leith Conservation area lies outwith the site but adjoins the southern site edge, covering Leith Links.

Description of the Proposal

The application proposes the demolition of all existing buildings on the site, and the erection of a new mixed use development comprising of residential accommodation and commercial uses. A total of 99 residential units are proposed of which 64 will be open market and 35 (35%) are classed as affordable housing which will be pepper-potted throughout the development.

The breakdown in unit sizes across all tenures proposed are;

One bed units - 38 (38 %)

Two bed units - 41 (42 %)

Three bed units - 20 (20 %)

The new building will be U-shaped with six storeys to the frontage with Salamander Street, dropping to five storey at Leith Links. Two commercial units are proposed at ground floor level facing Salamander Street. Proposed materials include a predominantly red brick front to Salamander Street with the two five storey side blocks will be finished in buff brick. The building will have a flat roof with balconies located throughout the development.

The proposed commercial units will feature full height glazing and face onto Salamander Street. The combined area of the units is approximately 230.8 square metres.

Proposed landscaping will consist of private gardens to ground floor units, and a large communal area enclosed within the block.

The proposals include 18 car parking spaces and four motorcycle parking spaces. One of the car parking spaces will be designated as wheelchair accessible while the proposed parking arrangement would include four twin EV charging points. In addition, 220 secure external cycle parking spaces are proposed as well as 44 non-standard internal cycle stores. These will be provided at the ground floor of the accommodation or within dedicated external storage.

Supporting documents

The following documents have been provided to support the application:

- Planning Statement
- Design and Access Statement
- Pre-Application Consultation Report
- Daylight & Sunlight Assessment
- Noise Impact Assessment
- Transport Statement
- Sustainability Statement
- Air Quality Impact Assessment
- Odour Statement (Within Design & Access Statement)
- SUDs
- Flood Risk Assessment
- Sustainability Form
- Tree Constraints Plan
- Landscape & Visual Appraisal

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

Relevant Site History

22/01181/PAN
124 Salamander Street, 1 - 3 Salamander Yards
South Leith
Edinburgh

5-6 storey building providing 99 residential apartments with associated access, parking and landscape.

Pre-application Consultation approved.

28 March 2022

Other Relevant Site History

No additional history.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Transport Planning

Leith Links Community Council

Archaeology

Affordable Housing

Waste Services

Flood Planning

Scottish Water

Environmental Protection

Children and Families

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

Publicity and Public Engagement

Date of Neighbour Notification: 12 July 2022

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 15 July 2022

Site Notices Date(s): Not Applicable

Number of Contributors: 1

Section B - Assessment

Determining Issues

Due to the proposed development falling within a conservation area, this report will first consider the proposals in terms of Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997:

- Is there a strong presumption against granting planning permission due to the development conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?
- 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?

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

In the assessment of material considerations this report will consider:

- equalities and human rights;
- public representations and
- any other identified material considerations.

Assessment

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

a) The proposals harm the character or appearance of the conservation area?

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

- Historic Environment Policy for Scotland (HEPS)
- Managing Change: Setting

The Leith Conservation Area Character Appraisal notes that *"development is confined to the outer side of all the roads surrounding the Links and while the sense of containment by development is greater to the west nearly all the edges are dominated by mature trees. The exception is that part of the north east edge fringed by industrial premises."*

The proposals will be a contemporary addition that will be sympathetic to the surrounding conservation area but does not propose a pastiche reproduction of the historic buildings found along the southern boundary of Leith Links. The design and layout of the building is appropriate and respects the emerging urban grain of the area to the north of Leith Links. There will be a neutral impact on the setting of the Leith Conservation Area.

Conclusion in relation to the conservation area

The proposal preserves 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 sustainable places policies 1, 2, 3, 4, 7, 9, 13,
- NPF4 liveable places policies 14, 15, 16, 18, 19, 20, 22, 23
- NPF4 productive places policies 25
- LDP environment policies Env 12, Env 21 and Env 22
- LDP housing policies Hou 1, Hou 2, Hou 3, Hou 4,
- LDP design policies Des 1, Des 2, Des 3, Des 4, Des 5, Des 7, Des 8, Des 11
- LDP transport policies Tra 2 Tra 3 and Tra 4.
- LDP delivery policies Del 1, Del 3

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 LDP design, and transport policies.

The non-statutory 'Affordable Housing' guidance is a material consideration that is relevant when considering NPF 4 Policies 15, 16 and LDP Policy Hou 6.

Principle

The site lies within the 'Edinburgh Waterfront' which is defined as a national development to support the regeneration of strategic sites along the Forth Waterfront in Edinburgh. This national development supports high quality mixed use proposals that optimise the use of the strategic asset for residential, community, commercial and industrial purposes.

This will help maintain and grow Edinburgh's position as a capital city and commercial centre with a high quality and accessible living environment. Development locations and design will need to address future resilience to the risks from climate change, impact on health inequalities, and the potential to incorporate green and blue infrastructure.

The proposal is for a predominantly housing led mixed use development within the defined area. An assessment against climate change and quality of living environment is made in subsequent sections of this report.

The proposal complies with the National Development - Edinburgh Waterfront of NPF 4.

Within the urban area, LDP Policy Hou 1 gives priority to the delivery of housing as part of mixed use regeneration proposals at Edinburgh Waterfront. The proposal for residential dwellings and commercial use at ground floor at this site, complies in principle with the requirements of this policy (subject to other policy considerations).

The Edinburgh Local Development Plan identifies the site as part of EW1C (East of Salamander Place). EW1C is identified as an area where housing led, mixed use development is supported. Table 11 sets out development principles for this area, including the need to provide streetscape improvements to Salamander Street and the design of new housing to mitigate any significant adverse impacts on residential amenity from existing or new general industrial development.

In relation to this proposal, the provision of housing-led mixed-use development is supported in principle within the context of policies Hou 1 and EW1C.

Del 3 of the LDP (Edinburgh Waterfront) states that planning permission will be granted for development which will contribute towards the creation of new urban quarters at Leith waterfront. Requirements in principle are for:

- a) comprehensively designed proposals which maximise the development potential of the area
- b) the provision of a series of mixed use sustainable neighbourhoods that connect to the waterfront, with each other and with nearby neighbourhoods
- c) proposals for a mix of house types, sizes and affordability
- d) the provision of open space in order to meet the needs of the local community, create local identity and a sense of place.

The proposal is compliant with Del 3 as it will contribute towards the emerging residential character of the area. The application provides a range of house types, sizes and affordability and helps create a new residential character and sense of place along this section of Salamander Street.

LDP policy Hou 2 (Housing Mix) states that the Council will seek a mix of house types and sizes where practicable to meet a range of housing needs. Although the proposals feature a single house type, there will be an appropriate mix of unit sizes including 20% three bedroom flats to meet the needs of larger families. The proposals also include accessible units along with 35% of units meeting the affordable housing policy. This meets the need for family homes within the immediate area and complies with Hou 2.

Loss of employment Uses

LDP Policy Emp 9 (Employment Sites and Premises) supports the redevelopment of premises in the urban area for uses other than business provided that the introduction of non-employment uses will not prejudice or inhibit the activities of any nearby employment use and the proposal will contribute to the comprehensive regeneration and improvement of the wider areas. As the site area falls under one hectare, there is no requirement for replacement business spaces to be provided.

The surrounding area is mainly industrial in character, although the former industrial land to the south and west has recently been developed with a residential led scheme in the Ropeworks site.

The neighbouring industrial unit to the east is restricted by condition for personal sports training only within Class 11 of the Town and Country Planning (Use Classes) (Scotland) Order 1997. To the east, lie three retail wholesale units which are not protected under the agent of change principle. The proposed residential use in this location would not inhibit these nearby uses. The proposal complies with LDP policy Emp 9 and NPF 4 policy 23.

Affordable Housing

LDP Policy Hou 6 (Affordable Housing) sets out the requirement for affordable housing amounting to 25% of the total number of units proposed. Affordable housing will account for 35% (35 units) of the proposed new homes. The affordable housing would consist of flatted apartments of a range of sizes and will have 19 homes for social rent and 16 mid-market rent homes. This split is supported as the number of social rent homes represent 76% of the 25 affordable homes required on site under the current affordable housing policy. This offers a representative and integrated mix of affordable homes delivered on site.

The proposed affordable housing mix is;

14 x1 Beds (40%)

15 x 2 Beds (43%)

6 x 3 Beds (17%)

The application complies with LDP Policy Hou 6. The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.

Climate mitigation

NPF4 Policy 1 (Tackling the climate and nature crisis) 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 an existing developed site for alternative uses.

NPF4 Policy 2 a) (climate mitigation and adaption) 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 encourages the use of previously developed land over greenfield development. In particular, criterion a) states development proposals that will result in the sustainable reuse of brownfield land will be supported.

Measures are proposed to ensure building fabric performance and overall energy consumption will meet relevant building standards. The energy strategy removes all requirements for fossil fuels and includes ground source heat pumps for water and space heating. The proposal is for an Ambient Heat Network with an array of boreholes located below the building footprints and individual heat pumps within each dwelling.

Sustainable transport is prioritised by the low car parking levels proposed in the new development, private cycle storage and accessibility to the wider city for active residents.

Historic Environment

NPF4 Policy 7 (Historic assets and places) 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. This policy 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 parts d)- g).

The aim of NPF 4 Policies 7 (n) and 7(o) is to preserve archaeological remains in situ as a first option and alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be acceptable. It has been identified that this site has potential for unrecorded remains and the proposals have the potential to disturb significant remains associated with the Georgian and latter Victorian workers housing and potential evidence associated with 1559/60 Siege of Leith. Therefore a condition could be attached to ensure a programme of archaeological work is carried out prior to/during development to excavate, record and analysis of any surviving archaeological remains that may occur.

Design and Materials

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

LDP Policies Des 1 (Design Quality and Context), Des 3 (Development Design - Incorporating and Enhancing Potential Features) and Des 4 (Development Design - Impact on Setting) ensure that developments will create or contribute towards a sense of place, based upon positive characteristics of the surrounding area, and planning permission will not be granted for poor quality or inappropriate design that would damage the surrounding character of the area.

The Edinburgh Design Guidance (EDG) seeks to ensure that new developments will have a positive impact on their surroundings through height and form, scale and proportions, site layouts and materials utilised.

The proposed building will form a U shaped block, with a 6 storey frontage to Salamander Street, and 5 storey wings facing east and west. The building will have a flat roof throughout.

Proposed materials have been chosen to contrast between the 5/6 storey elements with red brick facing Salamander Street, and buff brick proposed for the side wings which will give the impression of the development being broken into parts. On the outer faces, balconies are included on the corner units to engage with Salamander Street as well as key locations facing the courtyard elevation.

The existing building is located in an area which is currently characterised by low density industrial warehouse buildings. The proposals form part of a newly emerging character of residential led mixed use development. The site achieves a density of 196 dwelling per hectare which is appropriate, and in keeping with other recently developed sites.

The proposed development does not rise above the prevailing height of buildings in the vicinity of the site, and is of a comparable scale at the Ropeworks Development. A Townscape and Visual Impact Assessment has been submitted to show that the proposed development would not adversely impact on existing protected viewcones across the city.

Co-ordinated development

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

The applicant has submitted an indicative masterplan to show how allocated sites within the EW1C allocated development site could be developed to the east and west of the application site. Sites to north side of Salamander Street remain allocated under the LDP general industrial, storage and business development and port-related uses. It is not anticipated that these sites will come forward for residential uses.

Landscaping

LDP Policy Des 8 (Public Realm and Landscape Design) supports proposals where all external spaces, and features, including streets, footpaths, green spaces and boundary treatments have been design as an integral part of a scheme as whole.

An outline landscaping plan has been provided. It contains areas of paving and grass with planters to the front garden. A condition has been added requiring specification details on an updated landscape plan, and that the landscaping is carried out within a specified timescale.

LDP Policy Hou 3 (Private Green Space) sets out that adequate provision for green space should be made to meet the needs of future residents. The overall site area is 5040m² and the proposal shows a total amenity provision of 1403.5 sqm. This comprises of private gardens (205 sqm), private communal open space (951 sqm) and a pocket park (247.5 sqm). Therefore, the overall percentage of amenity provision is 27.8%

Each of the ground floor flats will contain a private garden space which will be directly accessible from these properties. When the communal rear open space and private gardens are considered, the equivalent of 11.67 sqm of green space is provided per dwelling. The garden will be at a raised level to provide ground floor access to properties on the east/west of the development.

The EDG target is for 50% of a space to achieve two hours or more of sunlight on 21 March. The submission has included to show a shadow path analysis of the external amenity areas assessed will exceed the BRE overshadowing target criteria. The open space benefits from a southerly aspect facing onto Leith Links and will provide a good standard of space for future occupiers. Natural surveillance onto communal areas has been encouraged by design to create safer and more communal shared amenity.

LDP Policy Des 8 Public Realm and Landscape Design supports development where all external spaces and features, including streets, footpaths, civic spaces, green spaces, boundary treatments and public art have been designed as an integral part of the scheme as a whole.

The proposal includes the formation of a 'pocket park' along Salamander Street. This will act as a screen to the proposed parking area and form part of the wider public realm with resting spaces within the landscape features. The proposed landscaping will include elements of native planting and tree species which are chosen to provide optimum absorption of air pollutants. The inclusion of this landscaped space will also assist in preventing a future canyoning effect of air pollutants at this end of Salamander Street and allows spaces for air circulation.

Amenity for existing neighbours and future occupiers

LDP Policy Des 5 (Amenity) sets out criteria for ensuring existing neighbours and future occupants have acceptable levels of amenity in relation to noise, daylight, privacy or immediate outlook.

There is a limited impact on neighbouring residential properties, with no significant impact on the existing occupiers of the Ropeworks development. The impact on future coordinated development has also been noted.

In terms of housing mix, LDP Policy Hou 2 (Housing Mix) seeks the provision of a mix of house types and sizes where practical. The proposal contains a range of house/flat types and sizes. The Edinburgh Design Guidance (EDG) expects that 20% of units should be homes for growing families with at least three bedrooms which the proposal meets. The unit sizes meet the minimum internal floorspace requirements as set out in the EDG.

The EDG recommends that no more than 50% of the total units should be single aspect. A total of fifty-one of the ninety-nine flats are dual aspect (51.5%). The flats have been designed as open plan layouts which maximise the amount of usable space and allow natural daylight to filter in. The open plan layout also accommodates a wide range of potential future users.

The daylight to all the habitable rooms in the proposed development have been assessed. The tests were undertaken in accordance with the methodology set out in the EDG. The daylight results show that 49 of the rooms tested fail to achieve the guideline No Skyline (NSL) values. Part of the reason for some of these rooms failing to meet the NSL value includes the provision of balconies to the upper storey flats which will enhance the access to external daylight provision. In addition, the proposed flats contain large, combined kitchen/diners which make it difficult for direct daylight to reach 50% of the floor area at the working plane.

Although not a standard identified in the EDG the applicant has completed an Average Daylight Factor study of the 49 rooms which fail the NSL. This has found that of the 49 rooms affected, this would reduce to 3 rooms based on a 1.5% ADF analysis. On this basis the marginal infringement to LDP Policy Des 5 Development Design - Amenity is acceptable.

NPF 4 Policy 23 (Health and safety) seeks to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.

Planning Advice Note on Noise (PAN 1/2011) advocates a pragmatic approach to the location of new development within the vicinity of existing noise generating uses. On Salamander Street both adjacent and opposite the application site are existing industrial premises which have the potential for noise. In addition, the road traffic along Salamander Street is a significant noise generator in the local area. A Noise Impact Assessment (NIA) has been submitted to assess impact from these sources on habitable windows of the proposed development.

The Noise Impact Assessment (NIA) submitted with the application identifies potential disturbance from these sources, including deliveries to existing premises to the west. In terms of noise assessment on future occupiers, a closed window standard with mechanical ventilation has been used, similar to neighbouring development sites. The closed window standard is required to windows on the north, east and west elevations which are affected by traffic noise from Salamander Street.

An Air Quality Impact Assessment has also been submitted and assessed. The Salamander Street Air Quality Management Area lies outwith, but directly adjacent to the application site with the boundary covering Salamander Street itself. The data from the Council's monitor in Salamander Street from June 2022 showed that levels are now below the Scottish Government's air quality objective in terms of PM10, PM2.5 and NO2 particles. The nearest affected residential property is approximately 10 metres back from the current road edge and at first floor level. On this basis future occupiers of the development will not be unduly exposed to harmful levels of air quality.

The proposed development is in accordance with NPF4 Policy 23 in terms of protecting people and places from environmental harm.

Flooding and Drainage

A Flood Risk Assessment and Surface Water Management Plan (SWMP) has been submitted which includes a drainage strategy. The proposed SUDS includes 3 bioretention areas with a total area of 283m². It is anticipated that partial infiltration will be feasible which will significantly reduce the overall volume of surface water discharging from the development. Permeable paving is also proposed for the parking areas.

However, due to the low discharge rate required when discharging to a combined sewer additional attenuation is required. Given this is a constrained brownfield development it is proposed that this is provided via below ground cellular storage. The current proposals show 138m³ of cellular storage located under a private parking area. If the design was amended to incorporate 1500m² of green roof this would reduce the cellular attenuation requirement to around 40m³.

However, the applicant has advised that based on current market rates the green roof would cost somewhere in the order of £675,000 (£450/m²). A balance has been made between the provision of high level SUDS and the increased affordable housing provision at this site.

The proposal causes no flood risk to the surrounding area, and Scottish Water comments offer no objection to the proposal. The proposal complies with NPF policy 22 and LDP policies Env 21 (Flood Protection) and RS 6 (Water Supply and Drainage) which all seek to ensure sustainable water management and flood risk measures are in place for new development.

Biodiversity and Trees

NPF4 Policy 3 (Biodiversity) seeks to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. NPF4 Policy 4 (Natural Places) seeks to protect, restore and enhance natural assets making best use of nature-based solutions.

Outwith, but adjoining the application site on its southern edge is a designated Local Nature Conservation Site which forms part of the children's orchard within Leith Links.

The existing site has little in the way of biodiversity value, with extensive hard surface car parks only small areas of self-seeded planting. Biodiversity enhancements will be delivered through the landscape plan. The position of the site will allow this landscaping to link into the existing nature network on Leith Links. This will considerably improve the biodiversity value of the site from the existing situation.

As the development site is located directly to the north of the Local Nature Conservation Site, the area will not be significantly affected by overshadowing from the proposed development. In addition, an Arboricultural Impact Assessment and Tree Survey have been submitted with the application. This identifies that although canopies of trees located within the children's orchard overhang the site to some degree, the presence of the existing wall along the southern boundary of the application site as a barrier means that root penetration into the site is likely to be minimal.

It is recommended that a condition be added requiring swift bricks in the new roof form to further increase habitat opportunities in the development.

Transport

NPF4 Policy 13 (sustainable transport) requires proposals to demonstrate that the transport requirements generated have been considered in line with sustainable travel priorities.

LDP policy Tra 3 (Private Cycle Parking) and Tra 4 (Design of Off-Street Car and Cycle Parking) ensures that private car parking and cycle parking in new developments complies with and does not exceed the parking levels set out in the Edinburgh Design Guidance with appropriate design and layout.

The proposals include 18 car parking spaces and four motorcycle parking spaces. One of the car parking spaces will be designated as accessible while the proposed parking arrangement would also include four twin EV charging points.

Vehicular access to the parking area is provided via Salamander Street which is an existing vehicular access to the site.

Direct pedestrian and cycle connections are also available via this existing access. Access to the site can also be achieved via the adjacent Ropeworks development.

In addition, 220 secure external cycle parking spaces are proposed as well as 44 non-standard internal cycle stores (20%). These will be provided at the ground floor of the accommodation or within dedicated external storage. More than 50% of these cycle spaces do not require any lifting.

The nearest bus stops to the proposed development are on Seafield Place around a three-minute walk (200m) from the edge of the proposed development. Along the western boundary of the site there are new parking restrictions proposed as part of the Leith Controlled Parking Zone which will include double yellow lines on both sides of Salamander Yards. This will reduce the car dominance around the proposed development compared to the existing situation.

The Edinburgh Design Guidance permits a maximum of 99 off street parking spaces for this scale of development. The low levels of parking proposed, and accessible nature of the site, ensure that the proposal complies with Policy 13 of NPF4.

The applicant has identified a potential location for a future car club space on Salamander Street. However given the intended road alignment changes proposed by the Leith Connections project it would not be appropriate for this to be delivered by the applicant.

Infrastructure

NPF4 Policy 18 (Infrastructure First) states that development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported. LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) requires contributions to the provision of infrastructure to mitigate the impact of development.

Residential development of greater than one bedroom in size (61 units) is required to contribute towards the cost of education infrastructure to ensure that the cumulative impact of development can be mitigated. The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development. A contribution of £627,446 (£327,692 primary infrastructure and £299,754 secondary infrastructure) (Quarter 4 2022 subject to indexation) should be secured through a Section 75 legal agreement.

In addition, a contribution towards the provision of new Healthcare facilities in the Leith Links practice catchment is identified in the Developer Contributions and Infrastructure Supplementary Guidance. A per unit cost of £945 per dwelling, indexed from the date of signing is the appropriate contribution level to mitigate the impact from future occupiers. This gives a total healthcare contribution of £93.555.

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.

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 development should be built out in accordance with the relevant building standards in terms of equalities and accessibility.

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 comments - neutral:

One neutral comment was received requesting consideration of the use swift nesting bricks within the proposed development. This has been addressed above.

Conclusion in relation to other matters considered

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

Overall conclusion

The proposed development is in compliance with the development plan. It complies with the aims and objectives of the above policies of National Planning Framework 4 and the Edinburgh Local Development Plan, providing a sustainable use, with good access to local facilities, without reliance on private car use. It is in compliance with NPF4 Policy 1, which underpins NPF4 in seeking to tackle global climate crises.

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. A detailed specification, including trade names where appropriate, 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.
3. No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, historic building recording, analysis & reporting, publication & public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
4. 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.
5. Prior to occupation of the development, the noise mitigation measures as specified within KSG Acoustics noise impact assessment dated 1 July 2022 shall be implemented.
6. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

7. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
8. Prior to the commencement of development, details shall be submitted to show the location of proposed swift bricks/boxes on the proposed building. Thereafter, the building shall be constructed in accordance with these details as approved by the Planning Authority.
9. Prior to the occupation of the proposed development, the EV car chargers as detailed in the approved plans shall be installed and operational.
10. Proposed commercial units shall be restricted to Class 1, Class 2 or Class 4 uses under The Town and Country Planning (Use Classes) (Scotland) Order 1997.
11. For the avoidance of doubt, prior to the commencement of works on site, additional flood protection measures for the residential properties shall be submitted to the Planning Authority for approval. These measures shall then be implemented as per the agreed details.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to safeguard the interests of archaeological heritage.
4. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
5. In order to protect the amenity of the occupiers of the development.
6. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
7. In order to ensure that the approved landscaping works are properly established on site.
8. In order to safeguard the interests of nature conservation.
9. In the interests of preserving local air quality
10. In order to protect the amenity of the occupiers of the development.
11. In the interests of flood management.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded in relation to education and affordable housing, as set out below:

Affordable Housing

The proposal is required 35 units of affordable housing.

Education

The proposed development is required to contribute a maximum of £627,446 towards the delivery of actions.

Healthcare

The proposed development is required to contribute a maximum of £93,555 towards the delivery of actions.

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. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. For the duration of development, between the commencement of development on the site until its completion, a notice shall be: displayed in a prominent place at or in the vicinity of the site of the development; readily visible to the public; and printed on durable material.
5. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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

6. The applicant should explore the provision of a suitable cycle and pedestrian link between Salamander Street and the cycle track on Leith Links, and plans shall be submitted to the Planning Authority in this regard.

Background Reading/External References

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

Further Information - Local Development Plan

Date Registered: 12 July 2022

Drawing Numbers/Scheme

01-04, 05A, 07-24

Scheme 2

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Rachel Webster, Planning Officer
E-mail: rachel.webster@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

NAME: Transport Planning
COMMENT: No objections.
DATE:

NAME: Leith Links Community Council
COMMENT: No comments received.
DATE:

NAME: Archaeology
COMMENT: No objection subject to conditions.
DATE: 14 July 2022

NAME: Affordable Housing
COMMENT: No objection.
DATE:

NAME: Waste Services
COMMENT: No objections.
DATE: 29 July 2022

NAME: Flood Planning
COMMENT: No objections - condition added.
DATE:

NAME: Scottish Water
COMMENT: Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced.

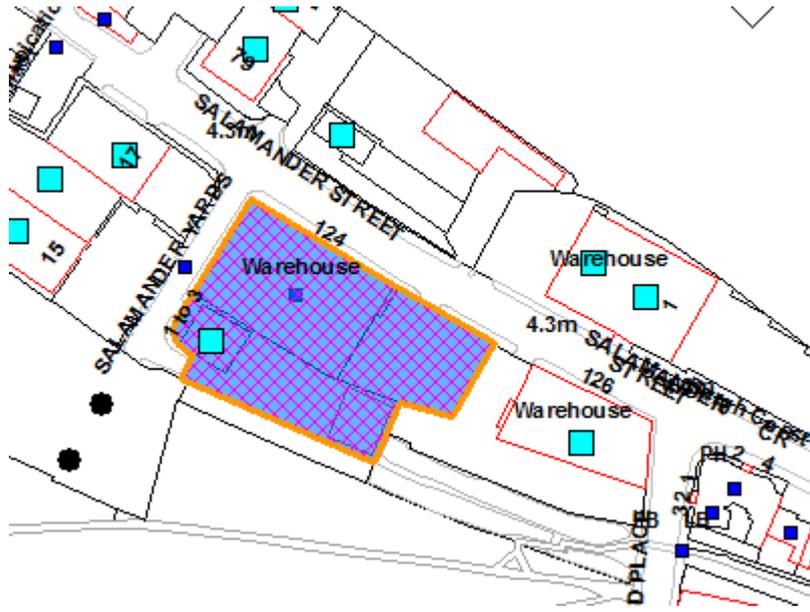
DATE: 18 July 2022

NAME: Environmental Protection
COMMENT: No consultation response - informal comments provided.
DATE:

NAME: Children and Families
COMMENT: No objection subject to contribution.
DATE:

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

Location Plan



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