

# Development Management Sub Committee

**Wednesday 25 September 2019**

**Report for forthcoming application by**

**Izar V Lux S.a.r.l for Proposal of Application Notice**

**19/03803/PAN**

**At 34 Fettes Row, 7,9,11,13 Eyre Terrace, Edinburgh  
Demolition of existing buildings and erection of mixed-use  
development comprising residential, hotel, office, student  
accommodation, senior living retirement housing and other  
commercial uses including food and drink and healthcare  
uses, with associated landscaping/public realm, car  
parking and access arrangements.**

**Item number**

**Report number**

**Wards**

B05 - Inverleith

## **Summary**

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The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming full planning application for demolition of existing buildings and erection of a mixed use development comprising residential, hotel, office, student accommodation, senior living retirement housing, and other commercial uses including food and drink, and healthcare uses, with associated landscaping/public realm, car parking and access arrangements at 34 Fettes Row, and 7,9,11,13 Eyre Terrace.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicants submitted a Proposal of Application Notice 19/03803/PAN on 12th August 2019.

## Links

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**Coalition pledges**

**Council outcomes**

**Single Outcome Agreement**

## **Recommendations**

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

## **Background**

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### **2.1 Site description**

The site lies to the east of Dundas Street, a main approach road to the city centre. Part of the northern site boundary lies on Eyre Place. The site is bound by Fettes Row and Royal Crescent to the south. King George V Park lies to the east. The site has an area of approximately 3.4 hectares.

The site comprises of a variety of building types and heights. The largest comprises two existing office buildings which front Dundas Street, Eyre Place and Eyre Terrace. The buildings are set at a lower ground level than Dundas Street. There is an associated car park to the east of the site, set at a lower level than Royal Crescent. There are two storage/garage buildings to the north of the car parking area and east of Eyre Terrace. There is a cleared site fronting Eyre Place/Eyre Terrace and a vacant derelict property at 7 Eyre Terrace. There is an area of open space to the north of the site.

Fettes Row and Royal Crescent to the south comprise traditional residential properties. Eyre Place and Eyre Terrace are mainly residential streets with some other uses such as retail units, cafes, bed-and-breakfast accommodation and offices. There are ground floor retail and other uses opposite the site on Dundas Street. Mixed uses are also found in the wider area, with residential use being the predominant land use.

There are no listed buildings within the site. A number of listed buildings are located outwith the site including A listed buildings on Royal Crescent, Fettes Row, Dundonald Street and Dundas Street, B listed buildings at 1-7A Eyre Place, C listed buildings at 9-11 Eyre Place, and C listed buildings at 1-29 Eyre Crescent and 21-23 Eyre Place.

The site is directly to the north of and is on the main approach to the Old and New Towns of Edinburgh World Heritage Site. The site is included in the New Town Gardens Designed Landscape/ Historic Garden.

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

## 2.2 Site History

14 June 2006 - Planning permission was granted for a new link building between 119 Dundas Street and 34 Fettes Row, and minor alterations to 113 Dundas Street (application number 05/04303/FUL).

18 June 2010 - Conservation Area Consent was refused for the demolition of existing single storey factory and two storey office accommodation block, and existing single storey garage lock-ups at 13 Eyre Terrace (application number 10/00769/CON).

4 April 2012 - Planning permission was granted for demolition of 11-13 Eyre Terrace and rear single storey lock-ups (application number 11/03575/FUL).

25 April 2012 - Conservation Area Consent was granted for demolition of 11-13 Eyre Terrace and rear single storey lock-ups (application number 11/03575/CON).

1 April 2015 - Conservation Area consent was granted for demolition of 7 Eyre Terrace and existing warehouse known as the Scotsman Building (application number 14/01126/CON).

12 November 2015 - PAN approved for a residential and mixed use development at 105, 113 Dundas Street, 34 Fettes Rowe, 7, 11 and 13 Eyre Terrace (application number 15/05024/PAN).

3 August 2018 - Planning application in principle withdrawn for demolition and residential-led mixed use development comprising residential; retail (class 1); food and drink (class 3); business (class 4); hotel (class 7); care home (class 8); car parking, access and other associated works; detailed approval of the siting and maximum height of building blocks; landscaping strategy; location of principal pedestrian/cycle routes and points of pedestrian and vehicular access/egress at 34 Fettes Row and 7,11,13 Eyre Terrace (application number 16/05454/PPP).

3 August 2018 - Application for Conservation Area consent for complete demolition withdrawn (16/05455/CON).

14 August 2019 - A planning application in principle was minded to grant at 7,11,13 Eyre Terrace, subject to a conclusion of a legal agreement, for a mixed use development of retail (class 1); financial, professional and other services (class 2); food and drink (class 3); business (class 4); hotels (class 7); residential (class 8,9 and sui generis); car parking, access and other works, approval of siting and maximum height of principal building, points of vehicular access and egress (application number 14/01177/PPP).

## Main report

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### 3.1 Description of the Proposal

The application will be for the demolition of existing buildings and the erection of a mixed use development comprising residential, hotel, office, student accommodation, senior living retirement housing and other commercial uses including food and drink, and healthcare uses, with associated landscaping/ public realm, car parking and access arrangements.

### 3.2 Key Issues

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

#### **a) The principle of the development is acceptable in this location;**

The site is in the Urban Area in the Local Development Plan (LDP); a section of the site to the north is within an area of Open Space.

The proposed uses will be assessed to ensure they are appropriate to the location and character of the area and accord with other relevant local plan policies.

The loss of open space will need careful assessment against policy Env 18 (Open space protection) of the LDP. A reasoned justification to allow development on the area of open space will be required. The existing site is mainly in employment use. The loss of an employment use needs to be assessed against LDP policy Emp 9 (Employment sites and premises). This policy permits the loss of an employment site when a proposal contributes to the comprehensive regeneration and improvement of the wider area and the provision of floor space designed to provide for a range of users. The proposal should be accompanied by a Planning Statement to justify the proposals in this location.

The application will need to be assessed in relation the delivery of infrastructure as required by LDP policy Del 1 (Developer contributions and infrastructure delivery).

#### **b) The design, scale and layout are acceptable with the character of the area;**

The proposals will need to consider how the proposed development will integrate with its surroundings. The proposals need to demonstrate that no harm will be caused to the qualities of the World Heritage Site, the character or appearance of the New Town Conservation Area, and the New Town Gardens Designed Landscape, and the setting of nearby listed buildings. Important views to landscape and built features including statues and monuments in and around the city are also to be protected. Sustainable considerations should be included. These factors may influence siting, as well as massing, scale, elevational design and materials.

A Design and Access Statement will be required to accompany the application.

**c) Access, parking and servicing arrangements are acceptable in terms of road safety and public transport accessibility;**

The proposal should have regard to transport policies of the LDP. Consideration should be given to the impact on traffic flows on local streets, and access to public or alternative means of transport. Transport Information will be required to support the application.

**d) There are any other environmental factors that require consideration;**

The application will be accompanied by a full Environmental Impact Assessment. Issues to be considered will include potential noise issues associated with the development, air quality issues, flooding and drainage considerations, archaeological interests, effects on wildlife and biodiversity, the effect of the development on existing trees, and pedestrian and cycle access connections through the site and to neighbouring areas.

The applicants will be required to submit sufficient information to demonstrate that the site can be developed without having an unacceptable impact on the environment. 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;
- Contaminated land report;
- Design and Access Statement;
- Landscape and Visual Impact Assessment;
- Ecological survey and report;
- Tree survey and constraints plan
- Transport information;
- Archaeology Assessment;
- Flood Risk Assessment and Surface Water Management Plan;
- Air Quality Impact Assessment; and
- Sustainability Statement.

### **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**

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

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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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**

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

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

The Proposal of Application Notice (reference: 19/03803/PAN) outlines two public events to be held on 11th September 2019 and 17th October 2019. The applicant has notified Inverleith ward councillors, city centre ward councillors, and Councillor Adam McVey, Leader of the Council and Councillor Kate Campbell, Convenor of Housing, Homelessness and Fair Work Committee. In addition, the following have been notified: Ruth Davidson MSP, Deirdre Brock MSP, The New Town and Broughton Community Council, Friends of King George V Park, Fettes Row and Royal Crescent Residents Association, The Yard, Edinburgh World Heritage, The Cockburn Association, Eyre Medical Practice, and local residents and businesses.

The results of the community consultation will be submitted with the application as part of the Pre application Consultation Report.

## **Background reading/external references**

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- 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](#)

### **David R. Leslie**

Chief Planning Officer

PLACE

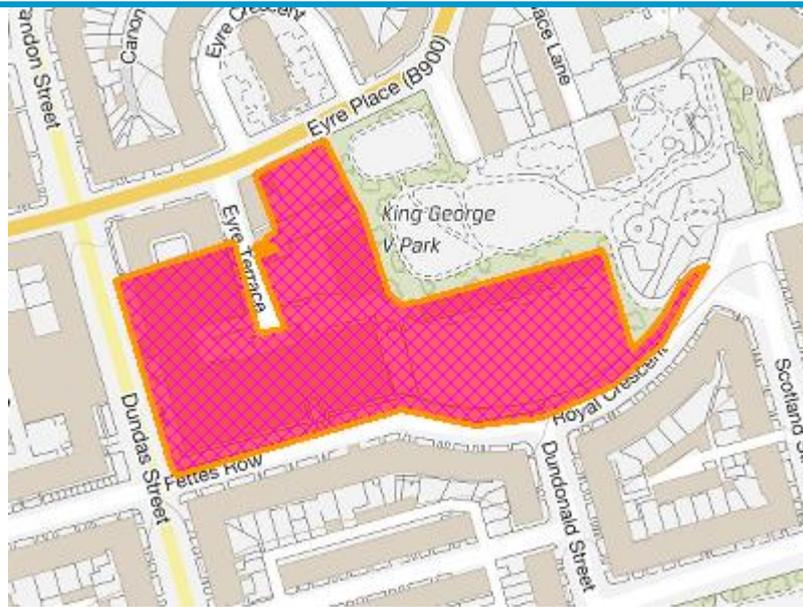
The City of Edinburgh Council

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## Location Plan

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