

# Development Management Sub Committee

Wednesday 25 September 2019

**Application for Planning Permission 19/01810/FUL  
At 254 Leith Walk, Edinburgh, EH6 5EL  
Demolition of existing warehouse. Erection of residential  
development comprised of one and two bedroom flats,  
10no. in total plus associated access and landscaping.  
Incorporating modern green roofs. (as amended)**

**Item number**

**Report number**

**Wards**

B12 - Leith Walk

## Summary

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The proposals comply with the development plan and non-statutory guidance. The proposed use is acceptable in this location and it will have no detrimental impact on the neighbouring conservation areas, residential amenity, or traffic and road safety. The proposals are acceptable in terms of scale, materials, design and form. Conditions are added to ensure further information is submitted regarding materials, landscaping and the green roof, contaminated soil and archaeology. A legal agreement will be required to be concluded to provide for transport infrastructure. There are no other material considerations that outweigh this conclusion.

# Links

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[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES03, LDES04, LDES05, LDES06, LDES07, LEN06, LEN09, LEN21, LEN22, LEMP09, LHOU01, LHOU02, LHOU03, LHOU04, LTRA02, LTRA03, LTRA04, LTRA08, NSG, NSLBCA, NSGD02, OTH, CRPLEI, LEN21, LEN22, LEMP09, LHOU01, LHOU02, LHOU03, LHOU04, LTRA02, LTRA03, LTRA04, LTRA08, NSG, NSLBCA, NSGD02, OTH, CRPPIL, CRPLEI,

# Report

## **Application for Planning Permission 19/01810/FUL At 254 Leith Walk, Edinburgh, EH6 5EL Demolition of existing warehouse. Erection of residential development comprised of one and two bedroom flats, 10no. in total plus associated access and landscaping. Incorporating modern green roofs. (as amended)**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application site lies on an area of land set back from the west side of Leith Walk and immediately to the north of the rear of tenements on Balfour Street. The land is currently occupied by a storage and distribution building in a large brick warehouse with a shallow pitched roof. The building occupies the rear (north-west) of the site and there is a large area of hardstanding on the south-east half of the site. There is a high boundary wall surrounding the site of approximately 3.7m and 4m. The site is accessed through a pend from Leith Walk that is not within the red line that defines the application site.

To the south-west and south-east are four storey tenemental buildings with shallow rear gardens. To the north is the modern New Orchardfield development which consists of a mixture of two storey houses and three and four storey flats.

The area of the site is approximately 1,192 sqm and the current warehouse occupies approximately 295 sqm.

The application site is not in a conservation area although the access pend to Leith Walk is within Leith Conservation Area and the site borders Pilrig Conservation Area to the south-west. There is a C listed tenement building to the north of the access pend (listed on 29 March 1995, ref. LB27717).

#### **2.2 Site History**

25 May 2017 - Permission refused to demolish existing warehouse and erect purpose built managed student accommodation comprising 54 self contained studio flats over 4 levels (as amended). (Application reference 17/00619/FUL)

04 October 2017 - The decision on the above application was upheld at Local Review Board.

08 February 2019 - Planning application withdrawn for demolition of existing warehouse and erection of residential development (application reference 18/03521/FUL).

## **Main report**

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### **3.1 Description Of The Proposal**

The application is for ten, one and two bedroom flats within a new development that would replace the existing warehouse.

The development would be two separate three storey brick buildings with timber windows and a green roof. Block 1 is on the north-west part of the site and is orientated to be approximately parallel with the rear of the tenement building on Balfour Street. Block 2 is closer to the pend from Leith Walk and is oriented to be approximately parallel with the rear of the tenements on Leith Walk.

The site is reached via the pend, which provides bin lorries access to the site. A paved footway continues to access the New Orchardfield housing site beyond. There is an area of green open shared garden on the south west section of the site. Waste and recycling bins are located on the south-east boundary. There is no provision for car parking but undercover and secure cycle storage for 22 bicycles is provided in a bike shed in the communal garden, with a further six spaces for visitors outside the shed. There is space for one motorbike.

There will be four one bedroom flats ranging from between 52.4 sqm and 63.3 sqm and six two bedroom flats ranging from 66.5 sqm and 76.5 sqm. All flats will have balconies. The area of shared garden will be 453 sqm.

#### Scheme 1

The plans as originally submitted showed a different elevational treatment, a slightly different plan, less space for cycle storage and no motorbike parking.

As part of this application the following documents have been submitted which are available to view on Planning and Building Standard's Online Services:

- Design Statement;
- Flood Risk Assessment and Drainage Strategy; and
- Green Travel Plan.

### **3.2 Determining Issues**

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Do the proposals comply with the development plan?

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

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

### **3.3 Assessment**

To address these determining issues, the Committee needs to consider whether:

- a) the principle of the development is acceptable in this location;
- b) the proposals will preserve or enhance the character of the adjacent conservation areas;
- c) the proposals are of an appropriate scale, form, materials and design;
- d) the proposals will result in an unreasonable level of neighbouring residential amenity;
- e) the proposals will result in an adequate level of amenity for the future occupiers of the development;
- f) the proposals will have any traffic or road safety issues;
- g) there are any other material considerations; and
- h) any comments have been addressed.

#### a) Principle of the Development

Policy Hou 1 (Housing Development) of the Local Development Plan (LDP) states that housing will be supported on suitable sites in the urban area provided the proposals are compatible with other policies in the plan. The surrounding area contains a number of residential units and the principle of housing in this location is appropriate.

Policy Hou 2 (Housing Mix) seeks an appropriate mix of unit sizes to accommodate a range of family sizes. The development of ten flats offers a combination of one and two bedroom flats that could accommodate couples or young families. The Edinburgh Design Guidance only expects that three bedroom flats and larger be provided in developments of 12 units or more. Given the size of the development and the central location, the proposed mix of flats is appropriate.

Policy Emp 9 (Employment Sites and Premises) supports the redevelopment of employment sites in the urban area if it will not prejudice or inhibit any nearby employment use, and it will contribute towards the improvement of the wider area. The loss of these business premises to housing will not have an adverse impact on any neighbouring business premises and the replacement of the warehouse with new build and a landscaped site will be an improvement to the area. As the site is less than one hectare in size, there is no expectation that the site needs to cater to a range of business users.

The principle of housing in this location is acceptable subject compliance with other points below.

#### b) Conservation Area

The application site is not in a conservation area, although the access pend to Leith Walk is within Leith Conservation Area and the site borders Pilrig Conservation Area to the south west.

The Leith Conservation Character Appraisal describes this area:

*Leith Walk is characterised by a mix of buildings of widely varied design, use, quality and relationship to the street. Victorian tenements set to the heel of the pavement predominate, particularly on the east side, with shops and pubs at ground floor level. The west side is less co-ordinated with Georgian development, tenements and industrial buildings.*

The Pilrig Conservation Area Character Appraisal describes Pilrig as follows:

*The spatial structure of the area is characterised by its varied street pattern and terraced properties, contrasted with the green space of Pilrig Park and Rosebank Cemetery. The scale is set by two storey housing. but notes that Balfour Street (to the south west of the application site) follow(s) the traditional tenemental scale of Leith Walk.*

Policy Env 6 (Conservation Area - Development) relates to developments within conservation areas or those that might affect the setting of conservation areas.

The existing pend gives access to the warehouse which is of no architectural merit. The proposed housing that is to replace the warehouse will not be particularly visible from the street. Due to the fact that the application site is not within the conservation areas and is not very visible from them, the proposals will not adversely impact the character and appearance of either of the conservation areas or their setting.

### c) Scale, Form, Materials and Design

Policy Des 1 (Design Quality and Context) stresses that designs should draw on the positive characteristics of the surrounding area and should contribute towards a sense of place. Policy Des 4 states that development should have a positive impact on its surroundings with respect to height and form, scale and proportions, positioning on its site and materials and detailing. Policy Hou 4 (Development Design - Impact on Setting) seeks to ensure that the appropriate density of development is achieved depending on the surrounding area.

Policy Hou 4 (Housing Density) seeks to ensure that the appropriate density is provided, having regard to the characteristics of the surrounding area. This current application will break down the mass of the building into two separate buildings. The heights of both blocks will vary between two and three storeys. The tenements in the immediate area are four storeys high. The recent development at New Orchardfield has houses and flats of two and three storeys high. The proposed buildings will, therefore, be appropriate in terms of scale and massing. The density of the development is appropriate to the area and the proposals ensure that there will be a generous level of garden area. The proposals do not constitute over-development.

In terms of materials, the traditional tenemental buildings that face Leith Walk and Balfour Street are stone built but the modern development at New Orchardfield is primarily render. The application proposes a brick built development. Although not stone, the site is not located in a conspicuous location and will not easily be seen from any public area. Brick is appropriate in this area. The use of timber for the windows reflects those in the area. The green roof will help integrate the building into the garden setting. Overall, the design is contemporary and simple. As it is not readily seen from any public viewpoint, the building will not diminish its surroundings. In respect to its form, scale materials and design, the proposal complies with Policies Des 1 and Des 4 and is acceptable.

### d) Neighbouring Residential Amenity

Policy Des 5 (Development Design - Amenity) relates, in part, to the impacts of any new development on neighbouring amenity. The Design Guidance expands on this policy with guidance on daylight, sunlight, privacy and outlook.

#### **Privacy**

The application proposes two blocks on this site to minimise any impacts on privacy. Block 1 is sited in the north corner of the site, leaving approximately 14.5 m between the rear face of the Balfour Street tenements and the windows of the new build. There will be approximately 10.75 m between the north elevation of the new build and the gable elevation of flats on New Orchardfield. The south gable elevation of Block 2 will only be approximately 6.75 m away at the narrowest point from the rear of the Balfour Street tenements, however there are only two windows from bathrooms in this elevation of the new build and there will be limited impact on privacy. A condition is added to ensure that obscure glass is used in these windows.

The site is a constrained city site and this presents difficulties for any proposed development on this site. However, the Design Guidance notes that 'achieving reasonable amenity needs to be balanced against achieving good townscape.' Given the constraints of the site, the proposals are a considered response to minimising potential issues of privacy.

## **Daylighting**

The existing site is enclosed by a high boundary wall. Any impacts on daylighting to neighbouring properties due to the new build are in excess of what the neighbours already experience from the wall. The applicant has submitted drawings which show the impacts of the development using criteria specified in the Design Guidance. The buildings are each stepped from two storey to three storeys and the higher sections are placed further away from the points where they could impact neighbouring properties. Overall, the proposals will not have a detrimental impact on daylighting to neighbouring properties.

## **Outlook**

The existing outlook from the neighbours' flats is over a yard and a warehouse building. The new build with its green roof areas of greenspace will enhance the outlook for neighbouring properties.

The proposals comply with Policy Des 5 and the proposals will have no undue impact on residential amenity.

### **e) Amenity of Future Occupiers**

Policy Des 5 also relates, in part, to the amenity of future occupiers of the development. Policies Hou 3 relates to the provision of private green space within the development. The Edinburgh Design Guidance expands on these policies with details of space standards, and guidance on daylight, storage and open space.

All flats meet minimum space standards. They are either dual aspect, or have three aspects. The Community Council as commented on the light levels that will be received by the proposed flat. Information submitted, that follows methodology specified in Design Guidance, indicates that they will achieve adequate levels of light. All flats have balconies in addition to the shared garden area which exceeds the minimum required in Policy Hou 3.

Policy Env 22 (Pollution and Air, Water and Soil Quality) relates to air quality. The Leith Central Community Council has objected on the basis of the proposed air quality of the site saying that the boxed in nature of the site will adversely impact on the air quality of the inhabitants. The site is surrounded by high walls but the tenements are only on two sides. Environmental Protection have commented that the zero-car provision in this development and in this location is beneficial. As the site is setback from the busy road that is Leith Walk and, is itself a car free development, the air quality within the site should be entirely satisfactory.

The level of residential amenity provided to the occupiers of the development will be appropriate and the development will comply with Policies Des 5, Hou 3 and Env 22.



#### f) Traffic and Road Safety

Policies Tra 2, (Private Car Parking) Tra 3 (Private Cycle Parking) and Tra 4 (Design of Off-Street Car and Cycle Parking) relate to the provision of and design of car and bike parking. The Edinburgh Design Guidance gives specific advice in this respect. The parking standards contained in the Design Guidance do not require there to be any car parking for this development. There will be a bike shed provided for secure and undercover space for 22 bikes plus additional space for 6 visitors externally. Transport has objected because the bike storage is not within the buildings. However the proposals are not contrary to the LDP or to guidance. Given that there are two buildings, the provision of a separate bike store is reasonable in this instance.

Policy Des 7 (Layout Design) seeks a comprehensive approach to building layouts including footpaths.

A new pedestrian route is to be created through this site to the New Orchardfield site to the north. Some neighbours have objected to this, however it should enhance the connectivity and accessibility of the New Orchardfield site in compliance with Policy Des 7.

The proposals comply with Policies Tra 2, Tra 3, and Tra 4.

Policy Del 1 ensures that developers contribute towards the delivery of infrastructure where commensurate with the scale of the development. Due to the close proximity of the site to Leith Walk, a developer contribution of £27,000 is required for the proposed tram line in this location.

#### g) Other Material Considerations

##### **Archaeology**

Policy Env 9 (Development of Sites of Archaeological Remains) relates to archaeological remains.

As the site is in an area of archaeological significance, a condition is added to ensure that the appropriate investigations and recording is done.

##### **Flooding**

Policy Env 21 (Flood Protection) relates to developments that may impact, or be impacted by, flooding.

A Flood Risk Assessment and Surface Water Management Plan has been submitted. Flooding are satisfied that the site will not be at risk of flooding and will not add to the risk of flooding.

##### **Waste and Recycling**

The applicant has submitted information that shows that waste and recycling can be adequately stored and collected on site.

## **Contaminated Land**

Policy Env 22 relates to soil quality. Due to its former use, a condition is added to assess and control any contaminants that may have entered the soil.

### h) Comments

#### **Material letters of objection:**

Material objections relate to:

- Overdevelopment. Addressed in section 3.3.c);
- Density. Addressed in section 3.3.c);
- Out of character with the area. Addressed in section 3.3.b) and c);
- Scale. Addressed in section 3.3.c);
- Residential amenity for neighbours. Addressed in section 3.3.d);
- Parking. Addressed in section 3.3.f);
- No affordable housing. The development is not of a size that would trigger a requirement for affordable housing; and
- No provision for the disabled. Ground floor flats can be designed to be accessible and will need to conform to accessibility requirements in the Building Regulations.

#### **Non-material letters of objection:**

Objections made to the proposals that are non-material to the assessment of this planning application relate to concerns about:

- Disruption due to construction;
- Loss of views;
- Loss of value in property; and
- Potential structural movement.

#### **Material letters of support:**

The material letter of support relates to:

- The provision of more housing. Addressed in section 3.3.a).

#### **Community Council comments:**

The Leith Central Community Council has objected based on the following points:

- Lack of daylight to proposed units. Addressed in section 3.3.e).
- Air quality. Addressed in section 3.3.e).
- No off-street parking. Addressed in section 3.3.f).

## Conclusion

In conclusion, the proposals comply with the development plan and non-statutory guidance. The proposed use is acceptable in this location and it will have no detrimental impact on the neighbouring conservation areas, residential amenity, or traffic and road safety. The proposals are acceptable in terms of scale, materials, design and form. Conditions are added to ensure further information is submitted regarding materials, landscaping and the green roof, contaminated soil and archaeology. A legal agreement will be required to be concluded to provide for transport infrastructure. There are no other material considerations that outweigh this conclusion.

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

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. 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.
2. A fully detailed landscape plan, including details of the green roof and 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.
3. A landscape management plan, including all details ensuring continued maintenance of the green roof and any tree replanting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; the approved plan shall be implemented within 6 months of the completion of the development.
4. No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey, excavation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
5. 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.

6. Obscure glass shall be used in all bathroom windows.

**Reasons:-**

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
4. In order to safeguard the interests of archaeological heritage.
5. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
6. 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 legal agreement has been concluded with respect to

**Transport Infrastructure**

The applicant will be required to contribute the sum of £27,000 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report.

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. 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.
4. 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.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

The application is subject to a legal agreement for developer contributions.

## **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 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **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 application was advertised on 26 April 2019. There have been 37 letters of representation received. There have been 19 material letters of objection from neighbouring residents and the Leith Central Community Council. There have been 19 letters of support from members of the public, and who are not neighbours, only one of whom gave any reasons for support. There is therefore only one material letter of support.

A full assessment of the representations can be found in the main report in the Assessment section.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)

- [Scottish Planning Policy](#)

**Statutory Development  
Plan Provision**

The site is in the Urban Area as designated in the Edinburgh Local Development Plan. There are no special designations on the site.

**Date registered**

11 April 2019

**Drawing numbers/Scheme**

1, 2, 3a, 4, 5, 6a-19a,

Scheme 2

**David R. Leslie**  
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**Links - Policies**

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**Relevant Policies:**

**Relevant policies of the Local Development Plan.**

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

LDP Policy Emp 9 (Employment Sites and Premises) sets out criteria for development proposals affecting business and industrial sites and premises.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

LDP Policy Tra 8 (Provision of Transport Infrastructure) sets out requirements for assessment and mitigation of transport impacts of new development.



## **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

## **Other Relevant policy guidance**

**The Leith Conservation Area Character Appraisal** emphasises the area's unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

LDP Policy Emp 9 (Employment Sites and Premises) sets out criteria for development proposals affecting business and industrial sites and premises.

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### **Other Relevant policy guidance**

The Pilrig Conservation Area is characterised by its varied street pattern and terraced properties, contrasted with the green space of Pilrig Park and Rosebank Cemetery. The scale is set by two storey housing.

**The Leith Conservation Area Character Appraisal** emphasises the area's unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value.

# Appendix 1

**Application for Planning Permission 19/01810/FUL  
At 254 Leith Walk, Edinburgh, EH6 5EL  
Demolition of existing warehouse. Erection of residential  
development comprised of one and two bedroom flats, 10no.  
in total plus associated access and landscaping.  
Incorporating modern green roofs. (as amended)**

## **Consultations**

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### **Archaeology**

*Further to your consultation request I would like to make the following comments and recommendations concerning the above applications for the demolition of existing warehouse and erection of residential development comprised of one and two bedroomed flats (10no.) plus associated access and landscaping and incorporating modern green roofs.*

*The application site lies on the western side of Leith Walk, the main road linking Edinburgh's Old Town with its Port at Leith from the medieval period. Historic maps indicate that prior to the early 19th century the site remained open ground, with Ainslie's 1804 map recording it as part of Mr Paton's orchard. However, by Kirkwood's 1817 map, buildings appear on or across the site's northern boundary. The 1st Edition OS Map of 1849 provides greater detail and depicts a range of industrial buildings on the site possibly part of the adjacent Foundry which the later 1893 OS records as the Victoria Brass Foundry.*

*Accordingly, this site has been identified as occurring within an area of archaeological significance. Therefore, this application must be considered under the terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and CEC's Edinburgh Local Development Plan (2016) Policies ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

### *Historic buildings*

*The current warehouse occupying the site is not of archaeological significance. However, the boundary walls would appear to be the remains of the 19th century industrial buildings occupying this site. As such they are considered to be of local archaeological significance.*

*It is recommended therefore that a programme archaeological historic building survey (annotated plans/elevations, photographic and written survey) of these surviving walls is undertaken both prior to demolition/development. This is in order to provide a permanent record of these historic buildings. The work will be linked to the recommended programme of work below covering buried archaeology.*

### *Buried Remains*

*As stated the site has been associated with industrial development from the mid 19th century, forming part of a larger foundry. According ground-breaking activities associated with both demolition and development have the potential to significantly disturb unrecorded industrial archaeological remains.*

*Having assessed the potential archaeological implications of development however it is considered that these proposals would have a low-moderate archaeological impact. It is therefore considered essential that prior to development that a programme of archaeological work is undertaken to fully excavate record and analyse any significant remains affected. It is envisaged that this will be a phase programme, the initial phase being an archaeological evaluation up to a maximum of 10% of the site post demolition.*

*The results of which would allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains is undertaken prior to construction.*

*It is recommended that that the following condition is attached to this consent to ensure that a programme of archaeological works is undertaken prior to construction.*

*'No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey, excavation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'*

*The work would be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.*

*Please contact me if you require any further information.*

### **Transport**

*The application should be refused.*

*Reasons:*

*1. The application does not comply with LDP Policies Tra 3 - Private Cycle Parking and Tra 4 Design of Off-Street Car and Cycle Parking for the following reasons:*

- a. *The 2017 Parking Standards require a minimum of 20 cycle parking spaces (2 spaces per 2/3 room flat), the proposals only make an allowance for 16 covered and secure cycle parking spaces;*
- b. *Transport Scotland's document Cycling By Design sets out a number of criteria which cycle parking proposals are expected to meet:*
  - o *Visible*
  - o *Accessible*
  - o *Convenient and easy to use*

*Cycle parking for new build should be located within residential blocks and at ground floor level for added security. The proposed cycle store is not considered easy to use as the proposed semi-vertical racks will require an element of lifting and dragging bikes, and there is not adequate space within the store to easily manoeuvre a bike;*

*Should the application be approved please include the following as conditions or informatives as appropriate:*

1. *Contribute the sum of £27,000 (based on 10 residential units in Zone 1) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;*
2. *All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;*
3. *In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*

*Note:*

1. *The application has been assessed under the 2017 parking standards. These permit the following:*
  - a. *A maximum of 10 car parking spaces (1 per unit), 0 car parking spaces are proposed*
  - b. *A minimum of 20 cycle parking spaces (2 spaces per 2/3 room unit, based on habitable rooms), 16 cycle parking spaces are proposed. The 6 visitor cycle parking spaces are welcomed but cannot be counted as they are not covered and secure;*
  - c. *As there is no car parking proposed there is no requirement for Accessible and EV parking;*
  - d. *Development does not meet minimum unit requirement for motorcycle parking;*

### *TRAMS - Important Note:*

*The proposed site is on or adjacent to the proposed Edinburgh Tram. An advisory note should be added to the decision notice, if permission is granted, noting that it would be desirable for the applicant to consult with the tram team regarding construction timing. This is due to the potential access implications of construction / delivery vehicles and likely traffic implications as a result of diversions in the area which could impact delivery to, and works at, the site. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:*

- o Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;*
- o Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;*
- o Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;*
- o Any excavation within 3m of any pole supporting overhead lines;*
- o Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use;*
- o The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line. See our full guidance on how to get permission to work near a tram way <http://edinburghtrams.com/community/working-around-trams>*

### **Flooding**

*Thank you for the additional information. I have reviewed the documents and we are happy for this application to be determined with no further comment from our department.*

### **Environmental Protection**

*TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997*

*19/01810/FUL | Demolition of existing warehouse. Erection of residential development comprised of one and two bedroom flats, 10no. in total plus associated access and landscaping. Incorporating modern green roofs. | 254 Leith Walk.*

*The proposal is for the demolition of the existing warehouse and the erection of 2 blocks of residential accommodation, comprising ten flats with shared amenity spaces and no car parking spaces.*

*The applicant has submitted a supporting Green Travel Plan which demonstrates that a zero-car parking provision is acceptable and beneficial in the context of site location. Environmental Protection support this proposed approach.*

*Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning & Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent (except where it is inappropriate to do so, for example where remediation of severe contamination might not be achievable)*

*Therefore, Environmental Protection offer no objection subject to the following condition;*

*Condition*

*1. 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.*

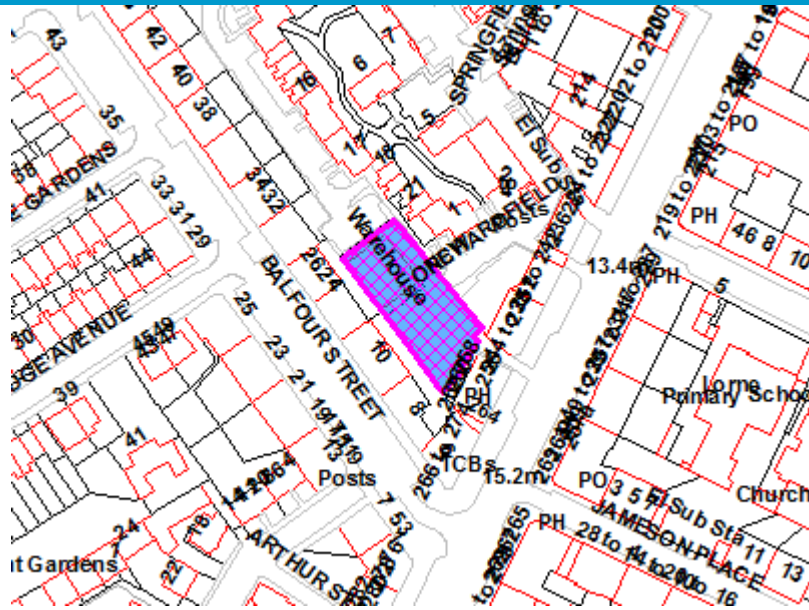
*Should you wish to discuss the above, please do not hesitate to contact me.*

**Waste Services**

*They have met our requirements for a waste collection.*

## Location Plan

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**END**