

# Development Management Sub-Committee Report

**Wednesday 28 February 2024**

## **Application for Planning Permission**

**3-5 West Tollcross & 9 Thornybauk, Edinburgh, EH3 9BP.**

**Proposal: Demolition of existing buildings and erection of mixed-use development comprising student accommodation, commercial uses (retail class 1A, cafe class 3 and gym class 11), amenity space, access, cycle parking and landscaping.**

## **Item – Other Item at Committee**

**Application Number – 23/04950/FUL**

**Ward – B11 - City Centre**

### **Reasons for Referral to Committee**

The application has been referred to the Development Management Sub-Committee because it has received forty-two objections, and the application is being recommended for grant. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub Committee.

### **Recommendation**

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

### **Summary**

The proposal is acceptable with regards to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as it will not harm the setting of the neighbouring listed buildings.

Overall, the proposal is in accordance with the Edinburgh Local Development Plan and NPF4. The uses are compatible with the mixed use character of the surrounding city centre area and the student use will not have an adverse impact in terms of a balanced community. The proposal is of an appropriate design and scale and will comprehensively regenerate the site. It will be sustainable incorporating clean energy features and cycle parking and is situated in a sustainable and accessible location near public transport. The proposal will contribute to local living and 20-minute neighbourhoods and supplement the vitality and viability of the adjacent Tollcross Town Centre.

There will not be an unreasonable loss of neighbouring residential amenity and future occupiers will have a satisfactory living environment, with the use of conditions. Issues arising from flooding and archaeology can be mitigated with the use of conditions. There are no material considerations that outweigh this conclusion.

## **SECTION A – Application Background**

### **Site Description**

The application site is on the corner of West Tollcross, Thornybauk and Lochrin Terrace, just behind the buildings fronting Home Street. It is 1527 square metres in area. Buildings on the site are a former night club on the south side of West Tollcross which is two storeys stepping up to four storeys and is a stone building with pitched roofs and continues through to Lochrin Place where it is single storey stone building with a flat roof; and a single storey white rendered mainly double pitched roof used as a Tae Kwon Do Academy fronting Thornybauk. There is an area of land on the north west of the site at West Tollcross, which was formerly public toilets (now demolished) that now has three shipping containers in a row (end-on) on it and another storage facility behind a high timber fence and gate. On the corner of Thornybauk and Lochrin Terrace there is a tarmacked triangular area of open space with a tree at each corner, which also forms part of the application site.

West Tollcross consists of historic stone buildings of four storeys on both sides of the street at its eastern/Lothian Road end. The western part of the street is more open with the fire station being two storeys high and the adjacent sports club (Tae Kwon Do academy) being single storey. There is also an expanse of public realm and road/pavement area to the west. To the south the stone terrace of tenements on Lochrin Place are four and five storeys high.

There are several listed buildings in the street and immediate surrounding area. On the north corner of West Tollcross and Lothian Road there is Methodist Central Hall, which is a category B listed building (Ref: LB30326; date of listing 7 December 1995). To the south east of the application site 1-3 Lochrin Terrace is a category B listed building which returns into 26 and 28 Home Street (LB47783; date of listing 1 February 2000). Tollcross Primary School to the west of the site is a category B listed building (ref: LB30253; date of listing 5 March 1991).

The street and surrounding area contain a mix of uses including a school, a fire station, shops, night club and residential. Lothian Road, a main thoroughfare, is to the east and is on a high frequency bus route. West Tollcross provides a link for traffic and pedestrians between Lothian Road and Fountainbridge.

### **Description of the Proposal**

The proposal is for the demolition of existing buildings and a mixed-use development of student accommodation and two commercial units, amenity space, access, cycle parking and landscaping. A new substation is also proposed.

The student accommodation proposed is 145 rooms including 50 cluster bedrooms and 95 studio apartments, including eight accessible studios. Social amenity space for the students will be provided on the ground floor of both proposed buildings.

Two commercial units are proposed: one for a retail Class 1A or a cafe Class 3 fronting West Tollcross and one for retail (Class 1A), or a cafe (Class 3) or a gym (Class 11) fronting Thornybauk. The proposed gym will provide a venue for the existing Tae Kwon Do Academy.

Two buildings are proposed: one on the north of the site facing onto West Tollcross and returning round the corner into Thornybauk and one on Lochrin Terrace returning into Thornybauk and set back from Thornybauk. A courtyard area will be provided between the two buildings and be open towards Thornybauk.

Materials will be buff brick, grey mortar, bronze effect cladding, precast concrete panels, aluminium door and window frames in grey and bronze colours, glazing including opaque and spandrel, aluminium louvres/spandrels, and entrance canopy in bronze.

There will be solar panels on the roof and areas of green roof of sedum. Plant will also be positioned on the roof.

Cycle parking on a ratio of 1:1 will provide 149 spaces including 33 spaces for non-standard bicycles and will be integrated into the ground floor of the southern building.

Storage for refuse and recycling bins are shown to be on the ground floor of both buildings. The bin store for the southern building will face onto Lochrin Terrace and the bin store for the northern building will be just off Thornybauk behind the commercial unit. The new substation will also be located on the ground floor of the southern building, facing onto Lochrin Terrace.

### **Supporting Information**

- Air Quality Impact Assessment
- Archaeology Desk Based Assessment
- Bat Roost Survey
- Design Statement
- Geo-environment Assessment
- Sustainability Statement
- Transport Statement
- Daylight and Sunlight Analysis
- Drainage Strategy Report
- Flood Risk Assessment
- Noise Impact Assessment
- Planning Statement
- Townscape and Heritage Assessment

These are available to view on the Planning and Building Standards Online Services

### **Relevant Site History**

22/01705/FUL  
5 West Tollcross  
Edinburgh

Mixed used development with ground floor restaurant (Class 3) and take-away (Sui Generis) and 3x apartments on upper floors.

Refused

3 October 2022

### **Other Relevant Site History**

None.

### **Pre-Application process**

Pre-application discussions took place on this application.

### **Consultation Engagement**

Archaeologist

Roads Authority (Transport)

Flood Planning

Environmental Protection

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

### **Publicity and Public Engagement**

**Date of Neighbour Notification:** 17 October 2023

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

**Press Publication Date(s):** Not Applicable

**Site Notices Date(s):** Not Applicable

**Number of Contributors:** 70

## **Section B - Assessment**

### **Determining Issues**

Due to the proposals relating to a listed building(s), this report will first consider the proposals in terms of Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997:

- Is there a strong presumption against granting planning permission due to the development harming the listed building or its setting?
- 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 listed building or its setting?**

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

- Managing Change in the Historic Environment: Setting

Managing Change in the Historic Environment: Setting sets out the principles that apply to developments affecting the setting of historic assets or places including listed buildings and conservation areas. It includes factors to be considered in assessing the impact of a change on the setting.

The application is near to neighbouring listed buildings and its existing condition is currently not contributing positively to the setting of the listed buildings. Change has previously taken place in the western part of West Tollcross in relation to developments and changes to the street layout, e.g. where Lochrin Terrace, Thornybauk and Ponton Street come together at West Tollcross.

Modern development is now found in the area, e.g. Tollcross Fire Station and residential development further west. As such, the setting of the neighbouring listed buildings has been slightly altered due to such developments and the proposal would have a neutral effect on the setting of the listed buildings.

The setting of neighbouring listed buildings will not be harmed by the proposal.

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

The proposal does not harm the setting of the listed buildings and is, therefore, acceptable with regard to Sections 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

### **b) The proposals comply 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 policies to be considered are:

- NPF 4 Sustainable Places policies 1, 2, 3, 6, 7, 9, 11, 13, 16
- NPF 4 Liveable Places policies 14, 15, 16, 18, 22
- NPF 4 Productive Places policies 27, 28
  
- LDP Design policies Des 1, Des 2, Des 4, Des 5, Des 7, Des 8, Des 11
- LDP Environment policies Env 12, Env 20, Env 21
- LDP Housing policies Hou 1, Hou 7, Hou 8
- LDP Transport policies Tra 2, Tra 3, Tra 4,
- LDP Shopping and Leisure policies Ret 6, Ret 7, Ret 11
- LDP Developer Contributions policies Del 1, Del 2

The non-statutory Edinburgh Design Guidance, non-statutory Student Housing and non-statutory Listed Buildings and Conservation Area guidance are material considerations relevant when considering the above policies.

### Principle of Development - proposed use

#### **West Tollcross Development Brief**

The principle of the site being a development site has been established in the Local Development Plan and in the West Tollcross Development Brief. The Brief aims to provide a framework to regenerate the West Tollcross area and it identifies four zones as "development opportunities". The urban block which the site sits within is designated as Zone 2. It is acknowledged that through site assembly and major redevelopment, Zone 2 could make a significant contribution to the regeneration of the area.

#### **Student Housing**

Policy NPF4 Policy 16 (Quality Homes) intent is to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland. This includes student housing, as per Part c) of Policy 16 of NPF4. The Council has not to date carried out an assessment of the need and demand for student accommodation.

The latest Housing Need and Demand Assessment (July 2022) identifies that the demand for student housing is particularly intense in the City of Edinburgh. It is accepted that there is likely to be a general need for accommodation for students.

LDP Policy Hou 1 (Housing Development) gives priority to the delivery of housing land supply and the relevant infrastructure on suitable sites in the urban area provided proposals are compatible with other policies in the plan. The proposal for residential student flats at this site complies in principle with the requirements of this policy (subject to other policy considerations). Part d) of the policy relates to "other suitable sites in the urban area" which is applicable for the proposal. The application site is not identified as a housing site in the LDP 2016, and there is no obligation for housing to be considered as a use on windfall sites over other potential land uses. The principle of student housing as a land use on the site is, therefore, considered to be appropriate in the context of LDP Policy Hou 1, provided that other relevant policy criteria in the LDP can be met.

LDP Policy Hou 8 (Student Accommodation) supports the development of purpose-built student accommodation subject to two requirements. Firstly, proposals must be in a suitable location in relation to university and college facilities, and be well connected by means of walking, cycling or public transport. Secondly, it must not lead to an excessive concentration of student accommodation or transient population in the locality to an extent that would adversely affect the area and its established residential amenity or character.

The Council's Non-Statutory Student Housing Guidance re-enforces the requirements of policy Hou 8 and identifies that student accommodation needs should be met in well managed and regulated schemes where possible. The LDP advises that it is preferable in principle that student needs are met as far as possible in purpose-built student schemes. The guidance also refers to there being a greater potential for community imbalance where the student population is dominant, exceeding 50%.

### *Location of Student Housing*

In terms of criterion a) of LDP Policy Hou 8, the site is located within walking distance of the University of Edinburgh and Edinburgh College of Art. It is also within easy walking distance of Lothian Road which provides bus routes to education campuses at Napier University and Heriot Watt University. The site can offer easy access to educational establishments via sustainable travel modes.

Criterion a) within the non-statutory Student Housing Guidance accepts student housing in locations within or sharing a boundary with a main university or college campus. The application site is not adjacent to a defined university campus as stated in the Student Housing Guidance. Criterion b) advises that outwith criterion a) student housing will generally be supported on sites with less than 0.25 developable area. The application site has a site area of 0.1527ha which is below the developable area threshold set out in the Guidance.

In terms of LDP Policy Hou 8 criterion a) and b) the proposal complies with these criteria relating to location.

## *Concentration of Student Housing*

Criterion b) of policy Hou 8 seeks to limit the concentration of student accommodation where it would have an adverse impact on the maintenance of balanced communities, or to the established character and residential amenity of the locality. The non-statutory Student Housing Guidance advises that where the student population is dominant, exceeding 50% of the population, there will be a greater potential imbalance within the community.

The student population within the area is based on 2011 census data and the National Records of Scotland's Special Area population Estimates 2018. This data is then adjusted to include consented developments in the area to provide a 2021 figure. The datazones are tightly drawn and, as such, it is normal procedure to use the datazones that fall within an 800m radius, an approximate 10-minute walk from the application site. This method considers a wider catchment and provides a more accurate representation of the local population.

Within the 800m area, the 2011 census shows an overall population of 17,308 and a student population of 6,436.

The 2021 figure assumes that all pending and consented applications for Purpose Built Student Accommodation (PBSA) have been granted and are fully occupied. The figure for the datazone is then adjusted to accommodate the application to provide an updated maximum figure for student percentage. Using 2020 population estimates as a base and taking account of student accommodation developments since 2011, along with the proposed 145 units in this planning application, there is an estimated student population within the 800m area equal to 41% of the population. Within the tightly drawn individual data zone of the development the estimated student population would be 43%. The estimate of student concentration in the area should be considered a maximum as it does not allow for any displacement which may have occurred of students who may have been living in dwellings but have moved to student accommodation which has been built in that period.

When considering a wider area of a 10-minute walk (approximately 800m) the 2011 census shows an overall student population concentration of 43%. This includes other areas in Tollcross and Meadows and Southside.

The non-statutory Student Housing Guidance, February 2016 acknowledges that the concentration of students can undermine the social and physical fabric which defines a community and place. Where the student population is dominant, exceeding 50% of the population, there will be a greater potential imbalance within the community. In considering any potential imbalance it is necessary to consider the character of the area and the existing level of students within it. Without the proposal the estimated student concentration in the 800m area is 40.8%. The proposal would result in an estimated increase in concentration to 41.3%. The proposal alone therefore results in a small increase in the potential student concentration in the 800 m area however the overall concentration must also be considered as even small cumulative increases may have an impact depending on the character of the area and its existing uses. The surrounding area is varied with a mix of uses including residential and commercial uses.

The student concentration level and mixed character of the area indicate that it would be unlikely that the addition 145 student bedspaces would cause imbalance in the community that would be detrimental to maintenance of balanced communities or to the established character and residential amenity of the locality.

When viewed in isolation the student population within the single datazone of the application was recorded as 39% in the 2011 census. As a result of the application and considering the 2021 population estimate the percentage of students within this datazone would increase to 43%. The proposals will increase the concentration by 4% and will not result in an excessive cumulative impact on the concentration of students in the locality to the degree that would be detrimental to maintenance of a balanced community.

Given that the datazone of the application site falls below the 50% criteria, the proposal would contribute to a balanced community. This proportion would not lead to an over-concentrated student population in the area and, thus, meets criterion b) of policy Hou 8.

#### *Site Area and Mix of Uses*

Criterion c) of the Student Housing Supplementary Guidance advises that "sites identified as having a high probability of delivering housing within Map 5 taken from the LDP Housing Land Study (June 2014) and sites with greater than 0.25 hectares of developable area must comprise a proportion of housing as part of the proposed development". The site is not identified in the LDP for delivering housing and, therefore, does not contribute towards the housing land supply. The site area does not exceed the size criterion set out in the non statutory Student Housing Guidance and, as such, there is no requirement to provide mainstream housing on the site.

Two commercial spaces for shops or cafes will contribute to the mix of uses in the area. Commercial uses at ground floor is a characteristic of the area and the proposed commercial uses will contribute to the sense of place. Ground floor space for a gym in the Thornybauk facing unit will enable the existing gym use to be retained on the site and continue to providing a local facility for health and wellbeing.

#### *Mix of Accommodation Type*

Student Housing Guidance requires that student accommodation should comprise a mix of type of accommodation, including cluster units. The proposal provides 65% of units as studios and the remainder within cluster flats. Eight of the studio units are accessible. Therefore, the range of units would be acceptable.

#### **Retail/Commercial/Leisure Uses**

LDP policy Del 2 (City Centre) states that development which lies within the City Centre area as shown on the proposals map will be permitted which retains and enhances its character, attractiveness, vitality and accessibility and contributes to its role as a strategic business and regional shopping centre and Edinburgh's role as a capital city. The site is identified on the LDP 2016 proposals map as part of CC3 Fountainbridge, although it is not identified for a particular use in Table, and Development Principles are set out which allows for a mixed use development including a local centre, residential, office, small business units, retail, leisure community and tourist facilities.

It does not exclude student accommodation. The character of the surrounding area is varied with a mix of uses including a school, a fire station, shops and residential. The use as student accommodation would be appropriate in this context.

The proposed commercial units would contribute to the role of the city centre and its vitality being in an accessible location. Student accommodation will contribute to the mixed use of the area and an increased population will help the viability of the area. The proposal complies with LDP policy Del 2.

NPF4 Policy 28 (Retail) intent is to encourage, promote and facilitate retail investment to the most sustainable locations that are most accessible by a range of sustainable transport modes. It supports proposals for small scale neighbourhood retail development if (i) it contributes to local living, including where relevant 20-minute neighbourhoods and/or (ii) can be demonstrated to contribute to the health and wellbeing of the local community. The retail, leisure and commercial units will be in a highly accessible location within a densely populated area and part of the City Centre. As such, these proposed uses will contribute to local living and 20-minute neighbourhoods, which is also the intent of NPF4 Policy 15. Offering a gym/leisure facility and possibly a cafe will provide places which can aid health and wellbeing. Retaining the existing sports gym Tae Kwon Do Academy will enable the health benefits of such a facility to be retained locally. The proposal is consistent with NPF 4 Policy 28.

NPF4 Policy 27 (City, town, local and commercial centres) intent is to encourage, promote and facilitate development in our city and town centres, recognising they are a national asset. This will be achieved by applying the Town Centre First approach to help centres adapt positively to long-term economic, environmental, and societal changes, and by encouraging town centre living. The proposed commercial uses are just outside Tollcross Town Centre and, as such, require to be considered under LDP Policy Ret 6 as narrated below. The proposal will encourage town centre living by providing student residential use on the site.

LDP Policy Ret 6 (Out-of-Centre Development) states that in an out-of-centre location retail development will be supported where it meets criteria relating to: a) a quantitative or qualitative deficiency; b) sites within or on edge of an identified centre; c) impact on vitality and viability of the existing centre; and d) accessibility of the site. The proposed retail/commercial units are outwith Tollcross Town Centre identified on the LDP 2016 proposals map. One of the units adjoins the town centre boundary. Paragraph 244 of the LDP 2016 supports proposals for retail development in or adjacent to town centres.

Supporting text in the LDP states that, "There are benefits in providing small scale, convenience stores (up to 250 square metres gross floorspace) in locations easily accessible on foot or by cycle." The proposed sizes of the retail/commercial spaces will be 92 square metres and 169 square metres which would complement the role of Tollcross Town Centre and, therefore, would not need to comply with criterion b). The proposal will meet the need of an expanding population given the proposal and recent developments. Therefore, complying with criterion a). The proposed retail/commercial units are small scale and, thus, will not adversely affect the vitality and viability of the existing centre/Tollcross Town Centre. This complies with criterion c). As the site is easily accessible by a choice of transport modes, it complies with criterion d).

LDP Policy Ret 7 (Entertainment and Leisure Developments) supports leisure facilities in the city centre. The proposed development can be integrated into its surroundings offering an attractive frontage that can safeguard existing character and, therefore, complies with criterion a). The proposed Class 11 use is already established on site and, thus, it is not expected that re-providing the use in the proposed new building will result in a significant increase in noise, disturbance and on-street activity at unsocial hours. Therefore, the proposed use complies with criterion b). As the site is easily accessible by public transport, foot and cycle, it complies with criterion c).

LDP policy Ret 11 (Food and Drink Establishments) aims to protect residential amenity and to prevent concentrations of such uses. LDP policy Ret 11 (Food and Drink Establishments) states that the change of use of a shop unit or other premises to a licensed or unlicensed restaurant, café, pub or shop selling hot food for consumption off the premises (hot food take-away) will not be permitted: a) if likely to lead to an unacceptable increase in noise, disturbance, on-street activity or anti-social behaviour to the detriment of living conditions for nearby residents; or b) in an area where there is considered to be an excessive concentration of such uses to the detriment of living conditions for nearby residents.

Much of the noise and disturbance on the street historically has been linked to the night club, although there are other noise sources in the area. The addition of possibly two cafes near Tollcross Town Centre would not be expected to increase noise and disturbance, particularly at night. An additional two shop or cafe units would also not be expected to result in an increase in noise and disturbance on the street and the intention is for one of the units to be occupied by the existing Taekwondo Academy on Thornybauk.

The Guidance for Businesses states that, "The provision of food and drink establishments in areas where people live is a recognisable component of urban living. However, such uses can cause a number of problems for local residents. Particular care will be taken to prevent an excessive concentration of hot food shops, pubs and bars in areas of mixed but essentially residential character." The Guidance identifies sensitive areas for such proposed development including Tollcross. The application site is just outwith the sensitive boundary area, and the proposed commercial uses in the form of retail, cafes or a gym are not expected to result in an unreasonable or detrimental impact on neighbouring residential amenity. Although there is a concentration of hot food takeaways in the surrounding area, the proposal will not contribute to furthering this concentration nor increase issues such as noise and disturbance. Any proposal for hot food takeaway would require a separate planning application. A condition is recommended restricting the use in the commercial units in order to protect residential amenity.

There are no policies in the LDP regarding the loss of entertainment venues.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) states that developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents will not be permitted. As narrated above, the proposed uses are not expected to contribute to a significant or unacceptable increase in noise or disturbance on street, with the use of the recommended condition restricting the use of the commercial units. Anti-social behaviour such as noise disturbance can be dealt with through relevant legislation, such as by Police Scotland or Environmental Health Acts.

The proposed mixed uses are acceptable. The proposal complies with NPF4 Policies 16, 27 and 28 and LDP Policies Hou 1, Hou 8, Del 2, Ret 6, Ret 7, Ret 11 and Hou 7.

### Climate Change and 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. The new buildings will be constructed to be more energy efficient and insulated than the existing buildings and building fabric performance and overall energy consumption will meet relevant building standards. Solar panels and ASHPs are proposed and the new substation is intended to help assist with a renewable energy strategy.

### *Air Quality*

An Air Quality Impact Assessment has been provided. Renewable and sustainable energy technology will be used. Provision of cycle parking, zero car parking and being near public transport, walking and cycling routes, will contribute to a sustainable development. Therefore, the proposal will not result in an adverse impact on air quality and will contribute to mitigating climate change.

### *Flood Planning*

NPF4 Policy 22 (Flood Risk and Water Management) intent is to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

LDP Policy Env 21 (Flood Protection) states that planning will not be granted for development that would increase flood risk or be at risk of flooding.

Flood Planning has advised that the application can proceed to determination. It recommends a condition requiring that prior to construction approval is required from Scottish Water that they will accept surface water discharge into the combined sewer. This condition is necessary to ensure that the site will not be at risk from flooding and that it will not result in a risk of flooding for neighbouring properties. Additional information provided addressed Flood Planning's concern regarding flood-free access/egress.

### *Biodiversity*

NPF 4 policy 3 (Biodiversity) states that proposals for local development should include appropriate measures to conserve, restore and enhance biodiversity.

There is little biodiversity on the current site, although there are trees in the area of the mostly hardstanding open space. Biodiversity enhancements will be provided through the use of sedum roof areas, new tree planting and landscaping. An informative is recommended regarding the installation of swift bricks.

### *Brownfield Land and Demolition*

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. NPF4 Policy 9 also stated in part d) that, "demolition will be regarded as the least preferred option."

The proposal will reuse brownfield land and is located in a sustainable location where there are existing local facilities within walking distance. As such, it will contribute to compact growth and local living. The proposal will enable a comprehensive redevelopment of the site in line with the West Tollcross Development Brief and will use the land more efficiently. One of the buildings is currently empty/closed. In these circumstances, the demolition of the existing buildings is acceptable.

The proposal will contribute to NPF4 Policies 1, 2, 3, 9 and 21 and will comply with LDP Policy Env 21.

### Historic Assets

NPF4 Policy 7 (Historic assets and places) intent is to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.

It has been established in section a) above that there will be no harm caused to the setting of neighbouring listed buildings.

The City Archaeologist has advised that the buildings to be demolished are the (New) Cavendish Ballrooms (currently the vacant Attic Nightclub) and a group of 19th century buildings located with the historic Tollcross Area of Edinburgh. Although unlisted, the Cavendish has played a central role in the public and social life since its construction at the start of the 20th century and is considered to be of archaeological and cultural significance. For buried archaeology, it is likely that ground works associated with construction may uncover significant archaeological deposits relating to development of the Tollcross area possibly dating back to the medieval period.

Therefore, a condition is recommended to secure an archaeological programme of works, incorporating recording of the historic fabric of the Cavendish building, and a programme of community engagement.

The proposal will comply with NPF4 Policy 7, with the use of a condition.

## Design Quality and Place

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. NPF4 Policy 15 (Local Living and 20-minute neighbourhoods) intent is to encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling, cycling or using sustainable transport options.

LDP Design Policies Des 1, Des 2, Des 4, Des 7, Des 8 and Des 11 set a requirement for proposals to be based on an overall design concept which draws on the positive characteristics of the surrounding area with the need for a high quality of design which is appropriate in terms of height, scale and form, layout, and materials.

The proposals will provide an attractive built environment, located in an area which has high connectivity to sustainable travel modes to reduce car dependency. The buildings are of a modern design providing a co-ordinated redevelopment of the site, in line with LDP Policy Des 2 (Co-ordinated Development) and will improve the appearance of the site in the context of its position and location.

The predominant spatial pattern in the surrounding area is tenement blocks in mainly four and five storeys high. However, the application site does not currently conform to this spatial pattern with buildings on the site occupying most of their associated ground space and a couple of smaller areas containing no buildings. Whilst the buildings will be higher than the predominant height around the application site, they will not appear dominant in the streetscape and will provide a strong presence on the corner of West Tollcross, Thornybauk and Lochrin Terrace. The existing buildings range in height from one storey to two and three storeys which does not reflect the prevailing height of surrounding buildings, although it is acknowledged that there are three storey buildings on Home Street. The proposed height will sit comfortably within the streetscape and provide a stronger edge and frontage, particularly to Thornybauk. It will not interrupt key views and the scale of the building is appropriate for its uses.

Materials proposed are modern and reflect those in other nearby modern developments in the surrounding area. They are acceptable. Using materials with a minimal carbon footprint and taking account of embodied carbon of materials is encouraged and an informative is recommended.

Public realm proposals and layout of the development will improve the pedestrian environment and provide an area of landscaping to soften and improve the appearance of the street environment. Active frontages will be provided by the commercial units thus giving surveillance over the street and providing interest in the street.

The proposal is in an accessible and sustainable location with easy access to a range of facilities for everyday need. It will be a well-connected place and contribute to a compact neighbourhood, in line with NPF4 Policy 15.

The scale and built form of the proposals will contribute to the sense of place. The proposal complies with NPF4 Policies 14 and 15.

## Amenity

LDP Policy Des 5 (Development Design - Amenity) states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

### *Neighbouring Amenity*

Information provided shows that neighbouring buildings all either pass the diffuse skylight criteria, vertical sky component, average daylight factor or comparative daylight analysis. It also shows that the sunlight to the existing courtyard serving the Home Street and West Tollcross properties is improved as a result of the proposed development.

Nearly all of the windows will overlook the public street. A gable window on each of the storeys on the northern block will look onto the rear of neighbouring properties. Some of the windows in the rear of the neighbouring buildings fronting Home Street, are visible from some parts of the street and from neighbouring buildings. Therefore, privacy to such windows is already compromised. The proposed development will not result in an unreasonable loss of neighbouring privacy. Windows on the gable of the southern building will look onto gable of existing building, which is acceptable as gable windows are not generally protected by the Edinburgh Design Guidance.

The loss of outlook and view of open sky from windows has been raised in the public comments. The closest properties opposite the proposed buildings are on Lochrin Terrace at a minimum distance of approximately 13 metres (building to building). It is acknowledged that some loss of outlook will be experienced from windows, particularly at lower levels. However, the context and character of the surrounding area is of predominantly four storey and five storey high tenements facing opposite each other in a dense City Centre location. In this context, weighing up the benefits of a co-ordinated redevelopment which will reuse brownfield land efficiently, contribute to local living and 20-minute neighbourhoods, and provide homes for students outweigh the loss of outlook from neighbouring windows.

There will not be an unreasonable loss of amenity to neighbouring amenity.

### *Amenity for future occupiers*

All of the rooms assessed comply with either the vertical sky component or average daylight factor criteria and, therefore will receive satisfactory daylight. The outdoor amenity space provided for the development receives at least two hours of sunlight on the spring equinox and, therefore, complies with the Edinburgh Design Guidance. Internally there will be community spaces on the ground floors, lifts and accessible student accommodation units. Externally there will be a courtyard providing amenity space for residents.

The application site is highly accessible being on a frequent bus route which then gives opportunity to access other bus services, train stations and tram stops. It is within walking and cycling distance of university/further education campuses and local facilities. Being near open space, such as The Meadows and Canal walk, as well as being able to travel sustainably to other open spaces, or other leisure facilities and health facilities will contribute to the health and well-being.

A Noise Impact Assessment was submitted. Environmental Protection has recommended a condition for upgraded glazing and ventilation to mitigate the existing noise from the surrounding streets, fire station and road traffic and ensure suitable internal noise levels will be achieved. It has also recommended that a condition be used to ensure that the lift lining be installed to reduce the impact of re-radiated noise due to the vibrations from the lift movement. Environmental Protection has also advised of concerns with the commercial uses below residential use above and in particular, the Class 11 (gym) use. To ensure that the proposed flue will be fixed using appropriate isolating mounts to prevent structure borne noise transfer, a condition is recommended.

Although the NIA includes mitigation measures relating to noise and vibration, Environmental Protection has advised that it cannot support the proposal unless a condition is used which: 1. The student residences and gym will stay within the same ownership or 2. The Class 11 premises is restricted to the use as a martial arts studio (which the existing premises in site presently is). Planning Circular 4/1998: the use of conditions in planning permissions sets out the tests for using conditions. Requiring ownership to be the same is not relevant to planning, is not enforceable and is not reasonable and, as such, a planning condition cannot be used for this scenario. Restricting Class 11 is necessary to protect residential amenity, is relevant to planning and to the proposed development, would be enforceable and reasonable. Therefore, an appropriate condition is recommended.

There is the potential for odours from adjacent premises on Home Street to impact on future occupants of the proposed development. To mitigate the impacts, the applicant has confirmed that the affected student accommodation windows will be fixed closed with mechanical ventilation provided. A condition is recommended for the windows to include suitable ventilation.

Site contamination and ground gas information has been provided in support of the application and the site requires to be made safe for the proposed end uses. A condition relating to site contamination is recommended.

Future occupiers will have a satisfactory living environment, with the use of conditions.

The proposal complies with LDP Policy Des 5.

### Transport

NPF4 Policy 13 intent is to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

LDP Policies Tra 2 - Tra 4 sets out the requirements for private car and cycle parking. The Council's Parking Standards are set out in the Edinburgh Design Guidance.

The Roads Authority (Transport) has advised that it has no objections to the application subject to conditions or informatives relating to the "traffic sensitive street", cycle parking, car club vehicles, a travel plan and residents parking permits. The Roads Authority has also advised that the provision of 149 cycle parking spaces in the form of Sheffield Stands on the lower tier and 33 spaces for non-standard cycles is acceptable. This complies with the Edinburgh Design Guidance C7 Factsheet - Cycle Parking.

The amount and type of cycle parking proposed together with zero parking will contribute to the intent of NPF4 Policy 13, will comply with LDP Policies Tra 2 - Tra 4 and will encourage sustainable travel.

Therefore, the proposals will comply with NPF 4 Policy 13 and LDP policies Tra 2 - Tra 4.

### Waste

Bin storage areas are proposed. The applicant or developer or operator is responsible for a commercial waste agreement, which must comply with the relevant legislation, for the proposed development.

### Infrastructure - and Developer Contributions

LDP policy Del 1 (Developer Contributions and Infrastructure Delivery) states proposals will be required to contribute to infrastructure provision where relevant and necessary to mitigate any negative additional impact and where commensurate to the scale of the proposed development.

There are no developer contributions for the application.

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

Overall, the proposal complies with the development plan and the West Tollcross Development Brief. It will be of an appropriate design and support placemaking. The site is in a sustainable and accessible location and will contribute to local living, 20-minute neighbourhoods and the vitality and viability of the City Centre. There will not be an unreasonable loss to neighbouring amenity and future occupiers will have a satisfactory living standard, with the use of conditions. The use of an archaeology condition will ensure the history of the Cavendish building is recorded and any archaeological finds are also recorded. There are no flooding or transport issues. The proposal is acceptable.

### **c) There are any other material considerations which must be addressed?**

The following material planning considerations have been identified:

## Emerging policy context

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations on the Proposed City Plan 2030 and its supporting documents. These documents have now been submitted 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 City Plan 2030 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. There will be level access to the ground floor units and entrances to the student accommodation. Lifts will be provided internally, and eight accessible apartments provided.

It is recognised that studio flats can have a negative impact on the mental health and wellbeing of students due to lack of social interaction. Some cluster flats are proposed as well as communal spaces and this will encourage mixing socially with other students which will help contribute to good mental health and wellbeing.

High rents and the impact on poorer students were raised in the public comments. Rents are not set by the planning authority and the operator of the student accommodation will set the rents. This is not something that the planning authority can influence.

Confinement and entrapment have been raised in objections and such feelings could lead to claustrophobia. Claustrophobia can make people feel very uncomfortable and anxious in confined spaces. The buildings will be higher than those currently on the site. Most of the nearby buildings are four or five storeys high and the proposed buildings will be mainly one to two storeys higher than such neighbouring buildings. The dense city centre tenemental streets is the prevailing character of the area and the height and form of the proposed buildings will be similar. Whilst a material consideration, it does not outweigh other material considerations for this application.

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

Objection 42, Support 25, General 3

A summary of the representations is provided below:

### *material considerations*

- student accommodation - enough in Tollcross/Fountainbridge area; overprovision; no more; over-density; contrary to development plan; student concentration - more students than residents. Addressed in section b).
- shortage of housing. Addressed in section b).
- loss of outlook/open sky. Addressed in section b).
- loss of daylighting/light; being overshadowed. Addressed in section b).

- loss of privacy. Addressed in section b).
- equalities - confinement and entrapment. Addressed in section c).
- noise - increased. Addressed in section b).
- footfall - increased. Addressed in section b).
- demolition/loss of heritage/built heritage; recycle existing buildings. Addressed in sections a) and b).
- design - too high; too bulky; out of scale; architecture not fit in/is poor; dense; dominate; obtrusive. Addressed in section b).
- character of area - won't fit in/out of keeping with surrounding/fine buildings; spoil beauty of building next to it; strive for a harmonious blend of modernity and tradition. Addressed in section b).
- materials - concern with use of brick. Addressed in section b).
- overdevelopment. Addressed in section b).
- retail space - needed; not needed. Addressed in section b).
- amenity space - needed. Addressed in section b).
- impact on infrastructure - roads, doctors. Addressed in section b).
- loss of community park. Addressed in section b).
- place-making/sense of place - impact on community; homogenisation of the community, loss of long-term residents - leads to the closing of schools, community centres, businesses, and transformation of Tollcross from a residential neighbourhood with vibrant amenities, into a commercial district with no long-term residents; undermining the sense of community and social cohesion; increase transient population. Addressed in section b).
- impact on local facilities - short term financial investment; drain on neighbourhood resources. Addressed in section b).
- lack of parking. Addressed in section b).
- traffic congestion; crowding on pavements; impact on access/egress for fire station. Addressed in section b).
- contrary to Student Housing Guidance (February 2016). Addressed in section b).
- size of accommodation. Addressed in section b).
- loss of entertainment venue/demolition of building. Addressed in section b).
- amenity of students - not aid students. Addressed in section b).
- loss of community space. Addressed in section b).
- welfare/well-being of students. Addressed in sections b) and c).
- equalities - cost of rents; unaffordable. Addressed in section c).

### *Support Comments*

- housing crisis- need more housing of all types
- will help current accommodation shortage i city especially student accommodation; much-needed student accommodation; provide stable [student] housing market
- design - attractive
- dense housing supports/benefits from public transit
- regenerate a site previously in use and with derelict buildings
- will remove noise and air pollution [associated with previous use]
- will reduce criminality, noise pollution, anti-social behaviour
- regenerates forgotten enclave of city
- will be a cleaner and quieter environment; healthy and safe environment

- avoids students occupying other forms of private accommodation releasing supply back into market; other residential units remain available to wider public as family homes etc
- regenerate site - with derelict buildings
- bring added security for residents
- create a sense of place; add to placemaking
- new homes
- ensure sustainability for a better living community
- sensible use of site
- benefitting public realm re: safety and security
- improvement on what exists currently/neglected corner/on current fragmented and disjointed section of streetscape; improve visually and use of public space
- good quality student accommodation needed
- materials - brickwork quality; high design and materials quality
- benefit streetscape
- address street geometry constraints
- appropriate scale - responds to existing adjoining and adjacent buildings
- improved pathways around this corner welcomed; better access and crossings
- impressive public realm and inviting environment
- close proximity to universities and local facilities - important of place and connection
- student population will help local businesses and restaurants in area
- welcome redevelopment of outdated space into student accommodation
- location ideal for proposed use - proximity and transport access to universities
- impact of further residents will be good for small businesses
- commercial spaces on bottom will enhance safety of area and community spirit
- no parking a big plus;
- public transport links excellent
- will bring jobs and support local businesses
- area already mix use and in keeping with policy 27 of NPF4
- fulfil student accommodation especially situated in city centre
- land ownership - CEC own community park
- maybe opportunities for community planting

### *General comments*

- demand for student housing
- luxury student housing;
- maintenance loans/SAAS
- long term sustainability (100 years)
- beautiful developments that will stand the test of time
- the gym is not part of the project and will not be demolished; very successful business
- re-use buildings that are there

### *non-material considerations*

- Location of existing communal bins; illegal bins
- maximising profit/ generating cash for shareholders
- Building/Construction Works - disruption
- Lease - thriving business not getting lease renewed
- loss of nightlife
- Edinburgh needs more affordable housing
- Edinburgh needs more creative spaces
- family housing/normal housing/private or social rented housing/housing for the homeless suggested
- Council Tax
- beautiful city turning into a tourists and rich students theme park
- rising rent costs and house prices
- anti-social behaviour
- students' choice of housing
- vacant shops in area
- exempt from paying non-domestic rates-
- sale of Council land to developers
- road safety of existing junction - crossing at junction of West Tollcross and Home Street/Earl Grey Street
- impact on existing businesses - re: uncertainty
- [existing] odours
- music heritage

### *Tollcross Community Council*

- definition of locality - 800m radius (circle)/10 minute walk severe restriction on locality; Edinburgh University (Bristo Square is 12 minutes' walk) and Napier (Merchiston campus) outwith 800m. Addressed in section b)
- over-concentration of students and other transient residents - student population underestimated; rising student numbers not accounted for; number of residents smaller than census figures (as includes short-term residents e.g. those in short-term lets, hotels, bed and breakfasts. Addressed in section b)
- delivery of housing and mixed development - retail on ground floor may be converted to student use in future; building of student housing prevents provision of housing or other development; financially lucrative to build PBSA. Addressed in section b)
- over-development - buildings should be set back to give more space for pedestrians; footprint of buildings too large; courtyard too small; block out view of sky line from tenements opposite; overlooking into tenements opposite; dominant bulk; impact on and loss of view of old buildings. Addressed in section b)
- the student experience - mostly studio flats (expensive and detrimental to students' mental health); minority of cluster flats; noise from fire station/engines. Addressed in section b).

### **Conclusion in relation to identified material considerations.**

There are no compelling reasons in the other material planning considerations why the application should be refused.

## Overall conclusion

The proposal is acceptable with regards to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as it will not harm the setting of the neighbouring listed buildings. Overall, the proposal is in accordance with the Edinburgh Local Development Plan and NPF4. The uses are compatible with the mixed use character of the surrounding city centre area and the student use will not have an adverse impact in terms of a balanced community. The proposal is of an appropriate design and scale and will comprehensively regenerate the site. It will be sustainable incorporating clean energy features and cycle parking and is situated in a sustainable and accessible location near public transport. The proposal will contribute to local living and 20-minute neighbourhoods and supplement the vitality and viability of the adjacent Tollcross Town Centre. There will not be an unreasonable loss to neighbouring residential amenity and future occupiers will have a satisfactory living environment, with the use of conditions. There are no flooding issues or archaeology issues, with the use of a condition. Other material considerations support the presumption to grant planning permission. The proposal is acceptable subject to conditions. There are no material considerations that outweigh this conclusion.

## Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

### Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. i) Prior to the commencement of construction works on site:
  - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
  - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

3. No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, publication & public/community engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.
4. The noise mitigation measures, as specified within the ITP Energised Noise Impact Assessment referenced Project/Proposal No: 6566 Version: V1 Date: 2023-11-22 should be installed and operational prior to occupation of the development, or unless otherwise agreed with the Planning Authority.
5. The Class 1 and 3 premises (with no ventilation extraction proposed) should be limited to 1 microwave, 1 single Panini machine sandwich maker, 1 soup kettle and 1 toaster only. No other forms of cooking/heating equipment are permitted within the premises.
6. The cooking ventilation extraction details as shown on drawing 20765-FJA-00-00-DR-A-PL00 Rev 01 17/08/23 should be installed and operational prior to start of operations on site, or unless otherwise agreed with the Planning Authority.
7. The Class 11 premises shall be restricted to the use of a martial arts studio only with no other use within Class 11 permitted.
8. The fixed windows and MVHR ventilation specification as shown in drawings 20765-FJA-ZZ-04-DR-A-PL04 Rev P01 and dated 08/17/23 and drawing 20765-FJA-00-05-DR-A-PL05 Rev P01 and dated 8/17/23 shall be installed and operational prior to start of occupation of the development.
9. No development shall take place until Scottish Water accepts surface water discharge into the combined sewer and this approval has been submitted in writing to the planning authority. Should Scottish Water not accept discharge into the sewer, the applicant will be required to provide a surface water discharge strategy to be approved by the planning authority in writing and implemented thereafter.

## **Reasons**

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to ensure the most efficient and effective rehabilitation of the site.
3. In order to safeguard the interests of archaeological heritage.
4. In order to protect the amenity of the occupiers of the development.
5. In order to protect the amenity of the occupiers of the development.
6. In order to protect the amenity of the occupiers of the development.
7. In order to protect the amenity of the occupiers of the development.

8. In order to protect the amenity of the occupiers of the development.
9. In order to ensure that the development and neighbouring properties are not at risk of flooding.

## **Informatives**

It should be noted that:

1. 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.
2. The applicant should consider the installation of swift bricks.
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. The applicant should be advised that:
  - a. as the development is student housing, they will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See [https://democracy.edinburgh.gov.uk/Data/Transport%20and%20Environment%20Committee/20130604/Agenda/item\\_77\\_-\\_controlled\\_parking\\_zone\\_amendments\\_to\\_residents\\_permits\\_eligibility.pdf](https://democracy.edinburgh.gov.uk/Data/Transport%20and%20Environment%20Committee/20130604/Agenda/item_77_-_controlled_parking_zone_amendments_to_residents_permits_eligibility.pdf) (Category F - All student housing).
5. The applicant should consider the provision of car club vehicles in the area. A contribution of £12,500 (£1,500 per order plus £5,500 per car) would be required.
6. The applicant should consider developing a Travel Plan including provision of 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.
7. The applicant should note that the proposed development lies on or adjacent to a 'traffic sensitive street' and that this may affect the method and timing of construction, including public utilities - see <https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/2>

## **Background Reading/External References**

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

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

**Date Registered: 5 October 2023**

## **Drawing Numbers/Scheme**

01-21.

Scheme 1

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

Contact: Jackie McInnes, Planning officer  
E-mail: [jackie.mcinnnes@edinburgh.gov.uk](mailto:jackie.mcinnnes@edinburgh.gov.uk)

## Appendix 1

### Summary of Consultation Responses

NAME: Archaeologist

COMMENT: The development is regarded as being of occurring within an area of archaeological potential and a programme of archaeological works should be secured by condition.

DATE: 30 October 2023

NAME: Roads Authority (Transport)

COMMENT: No objections to the application subject to conditions.

DATE: 16 January 2024

NAME: Flood Planning

COMMENT: No objection subject to condition.

DATE: 24 January 2024

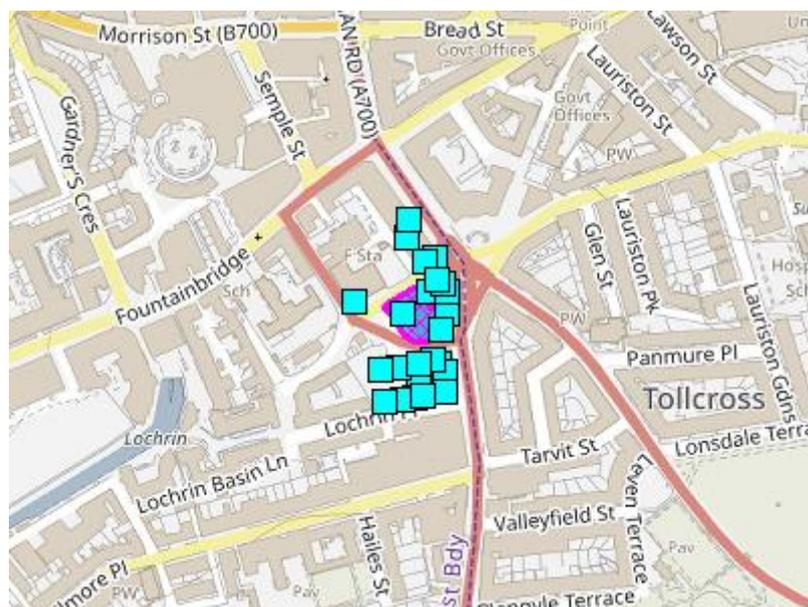
NAME: Environmental Protection

COMMENT: Environmental Protection raises concerns with the gymnasium aspect of the proposal which relates to gymnasium noise and vibration affecting the proposed student residences structurally attached above. However, should Planning be of the opinion that the application should be granted then conditions are recommended.

DATE: 25 January 2024

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

### Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420