

**Full Planning Application  
at  
Thorntreeside Industrial Centre  
Edinburgh  
EH6 8TN**

---

**Development Quality Sub-Committee  
of the Planning Committee**

**Proposal:** Erection of flatted development (as amended)  
**Applicant:** City Capital Investments Ltd.  
**Reference No:** 04/00071/FUL

**1 Purpose of report**

To recommend that the application be **GRANTED** subject to;

**Conditions**

1. Prior to the issue of consent, the applicant shall enter into a suitable legal agreement to provide the following:
  - (1) the sum of £11,200 as a contribution to provide spare capacity available at St Mary's Leith Roman Catholic Primary School and Leith Academy to serve this development.
  - (2) (a) the sum of £10,000 for the upgrading of the existing controlled pedestrian facilities at Easter Road/Lorne Street  
  
(b) the sum of £30,000 for the upgrading of the existing controlled pedestrian facilities at Easter Road/Duke Street.

The upgradings to be completed prior to the occupation of the first dwelling unit with the contribution payable to the Council prior to the commencement of any building works.

- (3) prior to the completion of the 50th dwelling unit, the part of the development identified on the approved plans for the provision of 13 affordable units shall be transferred to a Registered Social Landlord, to be agreed between the applicant and the Council
  2. The development hereby permitted shall be commenced no later than five years from the date of this consent.
  3. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site; Note: samples of the materials may be required.
  4.
    - i) Prior to the commencement of construction works on site:
      - a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning and Strategy, 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 Head of Planning and Strategy.
    - 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 to the satisfaction of the Head of Planning and Strategy.
  5.
    - (a) Detailed plans showing details of surface water drainage, in accordance with the principles of Sustainable Urban Drainage Systems, shall be submitted to and be approved in writing by the Head of Planning and Strategy before work is commenced on site. The specification of the drainage system must be compliant with the SUDWP/CIRIA design manual for sustainable urban drainage systems (SUDS), and must provide flow attenuation to ensure that runoff from the development does not increase the risk of flooding elsewhere, to the satisfaction of the Head of Planning and Strategy.
    - (b) Construction works associated with the development of the site shall be carried out with due regard to SEPA guidelines on the avoidance of pollution.

6. The approved landscaping scheme shall be fully implemented within six months of the completion of the development, and thereafter shall be maintained by the applicants and/or their successors to the entire satisfaction of the planning authority; maintenance shall include the replacement of plant stock which fails to survive, for whatever reason, as often as is required to ensure the establishment of the approved landscaping scheme.
7. The finished ground level of the development hereby approved shall not exceed the existing ground level.

### **Reasons**

1. In order to ensure that the development does not result in infrastructure capacities being exceeded.
2. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
3. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
4. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
5. In order for the Head of Planning and Strategy to consider this matter in detail, and in order to prevent flooding and land contamination.
6. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
7. In order to retain and/or protect important elements of the existing character and amenity of the site.

## **2 Main report**

### **Site description**

The application site comprises an existing industrial estate, accessed from Easter Road close to the junction with Duke Street and Leith Links. The site measures 0.63 hectares.

The surrounding area is largely residential in nature, with Leith Academy to the north east. The predominant building type is four storey tenemental in Easter Road. There is a new build flatted development at the entrance to the site, five storeys in height.

A car sales showroom to the south of the site has recently been redeveloped as flats, up to six storeys in height.

## **Site history**

There is no relevant planning history for this site.

## **Development**

The application is for a flatted residential development, contained within two blocks, and associated landscaping and parking.

## **Amendment**

In the amended scheme, the number of units has been reduced from 89 to 85; a proposed parking area has been omitted from the land between the blocks and replaced with open space. An element of informal private garden space has been introduced to ground floor flats at the rear. Cycle parking (85 spaces/100% provision) and recycling facilities have been provided within the blocks.

The north block is four and a half stories rising southwards to five and a half stories in height, and comprises three sub blocks (A, B and C), with 43 units in total. Maximum height is 17.5 metres.

The south block is six stories rising to six and a half stories with two sub blocks (D and E), comprising 42 units. Maximum height is 20 metres.

Materials are facing brick, render, eternit and timber cladding, sarnafil roof and timber doors and windows. Details are covered by condition. Parking is provided for 75 vehicles. Cycle parking is provided within the blocks.

Thirteen units (within the north block) are to be affordable in terms of the Council's affordable housing policy.

The development as a whole consists of 6 one bedroom flats, 66 two bedroom flats and 13 three bedroom flats.

Open space comprises 0.27 hectares (43%). Links to the cycle and walkway to the north of the site are illustrated.

The applicants have provided a comprehensive statement outlining the assessment of the site for the options of continued industrial use or potential residential use.

## **Consultations**

### **Scottish Water**

The proposed development must be served by a completely separate system of drainage, including suitable SUDS measures.

Where necessary existing sewers must be diverted clear of the proposed buildings.

## **Education**

### **School Capacities**

This site is located within the catchment areas of Lorne Primary School, St Mary's Leith Roman Catholic Primary School, Leith Academy and Holyrood Catholic High School.

Both St Mary's Leith Roman Catholic Primary School and Leith Academy are operating above capacity at present and are forecast to remain in this position until 2007 and 2005 respectively. Accordingly a developer contribution toward alleviating accommodation pressures at both schools should be sought. Based on the development of 89 flats, a contribution of £4,605 would be required for St Mary's Leith Roman Catholic Primary School and £7,120 required for Leith Academy.

There should be spare capacity at Lorne Primary School and the development is unlikely to generate additional children for Holyrood Roman Catholic High School.

The forecasts are based on 2002 Start of Session School Rolls and housing completions identified in the Housing Land Audit 2001. Revised child to house ratios have been applied.

### **Summary**

There is no spare capacity available at St Mary's Leith Roman Catholic Primary School and Leith Academy to serve this development. Accordingly a total contribution of £11,725 should be sought. If no contributions are secured towards alleviating accommodation pressures at these schools, then I would have to object to this application.

## **Environmental and Consumer Services**

No objections to the above application subject to the following 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 to the satisfaction of the Head of Planning, 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 a 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 remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.

2. 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 to the satisfaction of the Head of Planning.

### **Archaeologist**

There are no known archaeological constraints on this site.

### **Transport Structures**

No comment received.

### **Transport**

I have no objections to the application subject to the following conditions being applied.

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.

For the Developer to enter into suitable legal agreement to provide for the following;

- a) Contribute the sum of £10,000 for the upgrading of the existing controlled pedestrian facilities at Easter Road/Lorne Street
- b) Contribute the sum of £30,000 for the upgrading of the existing controlled pedestrian facilities at Easter Road/Duke Street.

The upgradings to be completed prior to the occupation of the first dwelling house with the contribution payable to the Council prior to the commencement of any building works.

### **SEPA**

#### **Sewage Disposal**

1. Sewage from the proposed development should be connected to the public foul sewer. Connection to the sewer is subject to the approval of Scottish Water (SW) and permission to connect may depend on the availability of spare capacity. Your attention is drawn to SW's consultation response for clarification of the position.

#### **Surface Water**

2. It is recognised that the proposed site is likely to be on Combined Sewer. This said, it is likely that Scottish Water may require some treatment of surface water from the site. Possible options would include the use of porous paving for car park areas or filter drains/swales at the perimeter of impervious surfacing.

## Contaminated Land

- (3) Although SEPA has no definite information, given the former uses of the site contamination may be a possibility. Should this prove to be the case any remediation scheme would be required to take account of the possible implications for surface and groundwater, and the requirements of the waste management regulations. If remediation entailed digging out material for disposal at a suitably licensed landfill, precautions would be required to ensure that contamination was not spread during excavation of materials, or as a result of rainfall and vehicle movements.

## Landscaping

- (4) The development of the site may entail operations such as importation or removal of waste material such as solid which may require a waste management licence or confirmation of exemption. These aspects will have to be referred to SEPA's area staff to ascertain the position.

## Representations

It has been certified that neighbours were notified, and the application was advertised on 30 January 2004.

Scottish Power objected on grounds of interference with an existing substation. This objection has been withdrawn.

Two letters have been received from neighbouring residents, objecting on grounds of height, loss of light, design and materials.

Spokes and the CTC welcome the cycle links, but object to uncovered cycle parking.

One objection has been received from an occupier of the existing workshops, objecting on grounds of loss of a business unit.

## Scheme 2

Objectors and neighbours were not renotified, as the changes to the proposed development raised no new material issues in the context of previous objections. All previous comments should therefore be considered by the Committee.

## Policy

**North East Edinburgh Local Plan** - The site is within an area allocated for Housing and Compatible Uses, where existing residential character and amenities are to be safeguarded.

## Relevant Policies:

Policy E25 (DESIGN OF NEW DEVELOPMENT - OBJECTIVE): encourages new development of the highest possible standard.

Policy ED5 (BUSINESS DEVELOPMENT WITHIN HOUSING AREAS) sets out criteria for assessing business and industrial development in defined Housing and Compatible Uses policy areas.

Policy H1 (HOUSING DEVELOPMENT) encourages the provision of new housing development on identified sites.

Policy H4 (DESIGN OF NEW HOUSING DEVELOPMENT) sets out general design considerations for new housing development.

Non-statutory guidelines on 'AFFORDABLE HOUSING' sets out the requirements for the provision of affordable housing within housing developments.

Non-statutory guidelines 'DAYLIGHTING, PRIVACY AND SUNLIGHT' set criteria for assessing proposals in relation to these issues.

Policy T10 (PRIVATE CAR PARKING) requires all new development to comply with approved car parking standards as set out in the Development Control Handbook

## **3 Conclusions and Recommendations**

### **DETERMINING ISSUES**

The determining issues are:

- 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?

### **ASSESSMENT**

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

- (a) the principle of a housing development on this site is acceptable
- (b) the design and layout are satisfactory, and whether there is any adverse impact on the character of the surrounding area
- (c) there is any adverse impact on neighbouring amenity or road safety.

(a) The North East Edinburgh Local Plan includes the application site within a broad 'housing and compatible uses' land use designation - a mainly residential area in which existing residential character and amenities should be safeguarded.

While the Plan seeks to sustain existing employment activity in the local plan area, the industrial estate does not enjoy the protection afforded by Policy ED4: Development - Defined Areas. There is therefore no policy basis to require the retention of business space at this location. The site is not in Council ownership, and efforts are being made by the developer to assist in finding alternative accommodation for tenants. The Planning Committee has recently concluded that it is not appropriate to seek the retention of such business space on an individual basis, and that future Local Plans should address this issue.

Policy H1 supports in principle the development of the site for housing, provided proposals accord with other policies of the Plan. The Plan notes that within areas defined 'Housing and Compatible Uses' new development on a significant scale should be for residential purposes, or one that contributes to community life.

The 13 affordable units proposed meet the Council's Guidelines.

(b) The design of the development (as amended) represents an acceptable form of development that will not adversely affect the character of the surrounding area, and represents a considerable improvement over the existing situation in terms of visual amenity. The design of the proposed blocks is of high quality, and provides an interesting addition to the townscape at this location. The height of the proposed blocks (maximum of 20 metres) is not excessive in the context of the setting of the development (recently completed developments close by are of similar height and mass), and will provide high levels of amenity and outlook for residents.

Open space provision comprises 43% of the site area. This is satisfactory. The proposed landscaping is appropriate to the context and setting of the development. Car and cycle parking is at the required standard. There are no significant issues connected with traffic generation or road safety. Transport has no objections, subject to conditions requiring financial contributions to improving pedestrian crossings within the vicinity.

There is no adverse impact on the character of the area.

(c) There are no daylight or privacy issues that significantly impact upon surrounding residential amenity. The proposed blocks are a minimum of 9 metres from the site boundaries. Loss of private view is not a material planning consideration. There are no road safety issues. Transport has no objections.

The required developer contribution for education purposes has been reduced to reflect the reduction in units from 89 to 85.

The proposals comply with the relevant Local Plan Policies and Non-statutory guidelines.

There are no material considerations which outweigh this assessment.

It is recommended that the Committee approves this application, subject to the conditions stated.

*Alan Henderson*

---

**Alan Henderson**  
Head of Planning and Strategy

**Contact/tel** Michael Paton on 0131 529 3902 (FAX 529 3706)

**Ward affected** 37 -Leith Links

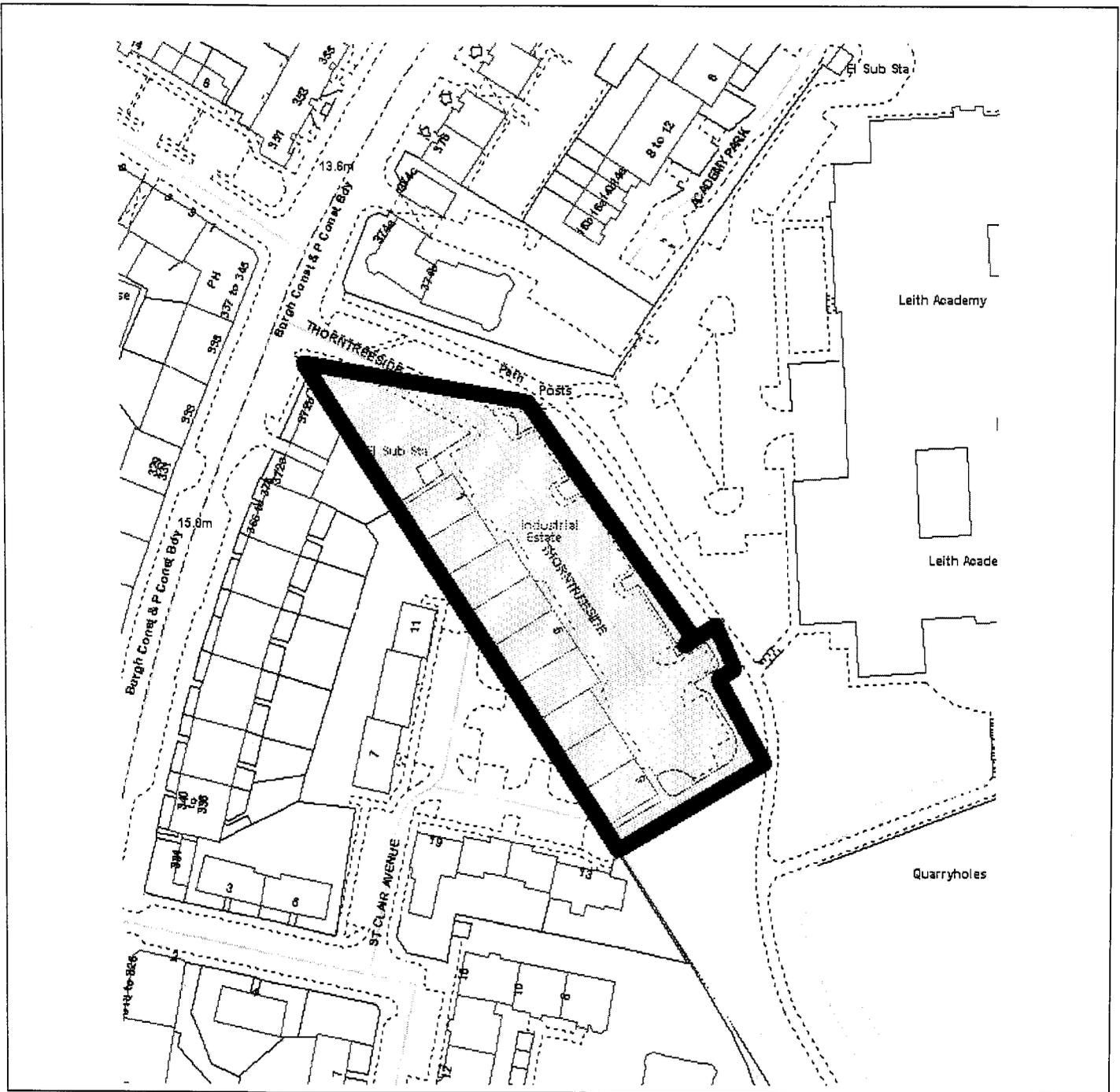
**Local Plan** North East Edinburgh

**Statutory Development  
Plan Provision** Housing and Compatible Uses

**File**

**Date registered** 13 January 2004

**Drawing numbers/  
Scheme** 1; 20-28  
Scheme 2



Reproduction from the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence Number 100023420 The City of Edinburgh Council 2004.

# **PLANNING APPLICATION**

|   |  |             |                        |
|---|--|-------------|------------------------|
| <b>Address</b>  | <b>Thorntreeside Industrial Centre, Edinburgh, EH6 8TN</b> |             |                        |
| <b>Proposal</b>   | <b>Erection of flatted development (as amended)</b>        |             |                        |
| <b>Application number:</b>  | <b>04/00071/FUL</b>  | <b>WARD</b> | <b>37- Leith Links</b> |
| <b>THE CITY OF EDINBURGH COUNCIL<br/>THE CITY DEVELOPMENT DEPARTMENT- PLANNING &amp; STRATEGY</b> |  |             |                        |