

**Application Type** Full Planning Application

**Application Address:** PA7 - Land At East Market Street,  
5A, 7, 9 Cranston Street,  
Jeffrey Street (1-24)  
Edinburgh

**Proposal:** Redevelopment, alterations and change of use of arches (19-24) and erection of buildings for use as offices, retail (class1), restaurant/bar and leisure (class11), access, open space, landscaping and associated works. External alterations and change of use of arches (1-18) for food and drink purposes (class3) and alternative use for retail (class1) and/or business (class 4) purposes. Realignment and alterations to Cranston Street. External alterations to 5a-9 Cranston Street and change of use to residential and offices, and alternative use of ground floor (9 Cranston Street) for retail (class 1), financial and professional service (class 2) and/or business (class4) purposes.

**Reference No:** 07/01241/FUL

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## Conditions/Reasons associated with the Recommendation

### Recommendation

It is recommended that this application be **GRANTED**

### Conditions

1. The application shall be referred to the Scottish Ministers prior to determination.
2. The development hereby permitted shall be commenced no later than five years from the date of this consent.
3. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Head of Planning & Strategy, having first been agreed by the City Archaeologist.
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. The waste management facilities, as shown on the approved plans, shall be implemented prior to the occupation of the development to the satisfaction of the Head of Planning and Strategy.
  6. No development shall take place, with the exception site investigation, prior to the applicant submitting to and obtaining written approval of the Sustainability Management System and a Sustainable Construction Management Plan (including details of SUDS) from the Head of Planning, having first been agreed with SEPA. All works shall be undertaken in accordance with the approved Sustainability Management System.
  7. A detailed CCTV scheme for this development shall be submitted to and approved in writing by the Head of Planning within 6 months of works commencing. The approved scheme shall be implemented to the Head of Planning's satisfaction.
  8. Construction details, 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 panels of the materials are to be erected and maintained on site for an agreed period, during construction.
  9. A Procurement Stage BREEAM assessments shall be submitted for the approval of the Head of Planning prior to the commencement of works on site.
  10. External visitor cycle parking and internal cycle parking shall be provided prior to the occupation of the development, and maintained in perpetuity, to the satisfaction of the Head of Planning & Strategy.
  11. An independent Stage 2 (Detailed design), Stage 3 (Pre-opening) and Stage 4 (One year post opening) Road Safety Audit to be carried out for all works affecting the road and any recommendations in the report to be complied with to the satisfaction of the Director of City Development.

12. Class 1 Retail

The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

Deliveries and collections, including waste collections, to be restricted to 0700 to 1900 hours Monday to Saturday.

13. Class 2 Financial and Professional Services / Offices

The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

Deliveries and collections, including waste collections, shall be restricted to between 0700 and 1900 hours Monday to Saturday.

14. Class 3 use

The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and the cooking effluvia shall be ducted to roof level to ensure that no cooking odour escape or are exhausted into any neighbouring premises, all to the satisfaction of the Head of Planning.

The kitchen ventilation system being designed and installed so that gases are expelled with a minimum upwards velocity of 15 meters per second.

The sound insulation properties or sound transmission characteristics of the structures and finishes shall be such that no impact or airborne noise from the normal operations within the application premises is audible in any neighbouring living apartment

The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

All music and vocals amplified or otherwise, shall be so controlled as to be inaudible within any neighbouring premises.

Deliveries and collections, including waste collections, shall be restricted to between 0700 and 1900 hours Monday to Saturday.

The external eating area shall be restricted to the hours of 0800 to 2300 hours Monday to Sunday.

15. Class 3 - Restricted Use - Arches 6 & 7

Cooking, heating and reheating operations on the premises shall be restricted to the use of one coffee machine, one juicer, one fridge/ice maker, one soup warmer, one sandwich maker/toaster. No other forms of cooking, heating or reheating shall take place without prior written approval of the planning authority.

The sound insulation properties or sound transmission characteristics of the structures and finishes shall be such that no impact or airborne noise from the normal operations within the application premises is audible in any neighbouring living apartment

The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

All music and vocals amplified or otherwise, shall be so controlled as to be inaudible within any neighbouring premises.

Deliveries and collections, including waste collections, shall be restricted to between 0700 and 1900 hours Monday to Saturday.

The external eating area shall be restricted to the hours of 0800 to 2200 hours Monday to Sunday.

16. Class 11 Leisure

The sound insulation properties or sound transmission characteristics of the structures and finishes shall be such that no impact or airborne noise from the normal operations within the application premises is audible in any neighbouring living apartment

The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

All music and vocals amplified or otherwise, shall be so controlled as to be inaudible within any neighbouring premises.

Deliveries and collections, including waste collections, shall be restricted to between 0700 and 1900 hours Monday to Saturday.

Hours of operation shall be restricted to the hours of 0700 to 2300 hours Monday to Sunday.

17. The development shall not to be occupied until any traffic regulation order or orders, required by this development, are in place and the necessary signs and markings installed.
18. Details of all the proposed boundary treatments shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site; Note: samples panels of the materials are to be erected and maintained on site for an agreed period, during construction.

## **Reasons**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
3. In order to safeguard the interests of archaeological heritage.
4. In order to safeguard the amenity of neighbouring residents and other occupiers.
5. In order to safeguard the amenity of neighbouring residents and other occupiers.
6. To ensure sustainability objectives are delivered.
7. In order to safeguard the amenity of neighbouring residents and other occupiers.
8. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
9. To ensure sustainability objectives are delivered.
10. In order to safeguard the interests of road safety.
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12. In order to safeguard the amenity of neighbouring residents and other occupiers.
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18. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.

## **INFORMATIVES**

It should be noted that:

1. This consent is for planning permission only. Work must not begin until other necessary consents, e.g. listed building consent, have been obtained.
2. No work, with the exception of site investigation and agreed remedial works, shall take place until a suitable agreement is entered into to agree the timetable for, and ensure the delivery of;
  - A financial contribution towards the provision of the tram,
  - Develop, implement and monitor and review a Travel Plan, including a review of vehicle movement related to the development one year post completion of development,
  - The implementation of Real Time bus information within the office building,
  - Footway enhancements at the junction of East Market Street and Jeffrey Street,
  - All public realm works, including roads and footways, illustrated on the approved drawings,
  - The public art strategy contained within the supporting information (Public Realm Works),
  - 1840 sq m of affordable business space throughout the Caltongate Masterplan area, including details of phasing, location, specification and timescale for delivery,
  - Payment for, promoting and implementing any necessary traffic regulation orders including those to regulate parking places, realignment of roads,
  - Access to the public square, waiting and loading restrictions, disabled parking places and vehicle manoeuvres,

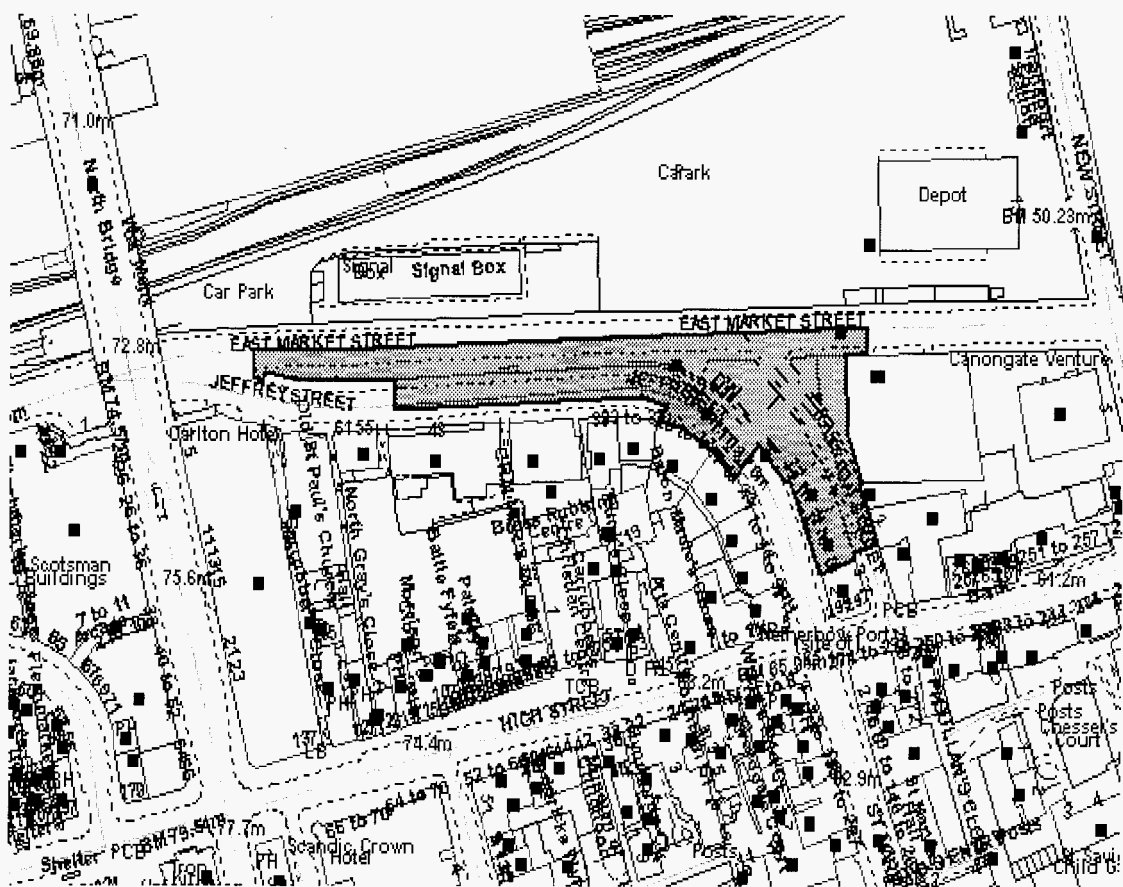
- Recycled masonry from the former CEC vehicle depot on East Market Street, for the erection of a new wall on Calton Road, subject to the outcome of a demolition audit.
3. This consent is for planning permission and authorises the Stopping-up Orders under the Town and country Planning (Scotland) Act 1997 to facilitate the development, namely the areas of land on New Street where the building footprint, including steps, encroaches onto the existing road and/or footway.

All Road Traffic Related Orders required for the public realm works, including any footway/carrageway realignment(s), will be achieved by means of appropriate orders under the Roads (Scotland) Act 1984 Act and/or the Road Traffic Regulation Act 1984 and processed by the Transport authority. For the purpose of clarity this includes a vehicle prohibition order for the proposed public square and New Street south. The developer will be required to meet any costs incurred by the Council as a result of procedures related to the aforementioned orders.

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## Location Plan

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