

Development Management Sub-Committee

8 December 2010

Planning Application 10/02373/FUL – 189 Morrison Street, Edinburgh, EH3 8DN for demolition of existing buildings and structures, re-grading of existing car park and re-development comprising hotel, offices, retail, commercial, leisure, public houses, restaurants, car parking and associated landscaping/public realm and utilities infrastructure.

Protocol for the hearing

Introduction

The Council is committed to extending public involvement in the planning process. Hearings allow members of the public to have the opportunity to put their views on planning applications direct to the Councillors on the Development Management Sub-Committee.

The Sub-Committee members have the report on the application, which contains a summary of the comments received. Copies of the actual letters are available for Councillors to view. The Sub-Committee members have had the opportunity to visit the site.

For this meeting four groups will be heard and each will have 10 minutes to make their points. The time limit will be strictly enforced and speakers will be advised when they have 1 minute left.

Speakers should keep to “material planning matters” that the Sub-Committee can take into account. Any visual material must be submitted to the Head of Legal and Administrative Services at least 24 hours before the meeting (telephone (0131) 529 4230). Speakers will not be able to use other visual aids or to distribute handouts except for a transcript of presentations.

The Process

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| 1. | Presentation of the report on the application by the Head of Planning | 10.00 am |
| 2. | Representations by the West End Community Council | 10.20 am |
| 3. | Representations by the Gorgie/Dalry Community Council | 10.30 am |

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| 4. | Representations by the Dalry Colonies Residents Association | 10.40 am |
| 5. | Representations by the Cockburn Association | 10.50 am |
| 6. | Questions by members to the representatives / Head of Planning | 11.00 am |
| | (note: timing as approximate beyond this point) | |
| 7. | Presentation by the applicant | 11.20 am |
| 8. | Questions by members to the applicant / Head of Planning | 11.30 am |
| 9. | Comments (if any) by local Ward Member(s) | 11.40 am |
| 10. | Debate and decision by the Sub-Committee | 11.50 am |

Decisions will generally be to approve or refuse. Conditions of approval or reasons for refusal may be considered at a subsequent meeting. If the application is continued for further information, the Hearing will not be reopened at a later stage, and contributors will not be invited to speak again. In such cases, the public can attend the meeting to observe the discussion from the gallery.

ALASTAIR MACLEAN
Head of Legal and Administrative Services



Item no

Report no

**Planning Permission 10/02373/FUL
at
189 Morrison Street
Edinburgh
EH3 8DN**

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

1 Purpose of report

To consider application 10/02373/FUL, submitted by Tiger Haymarket Partnership Ltd. The application is for: **Demolition of existing buildings and structures, re-grading of existing car park and comprehensive redevelopment comprising hotel, offices, retail, commercial, leisure, public houses, restaurants, car parking and associated landscaping/public realm and utilities infrastructure.**

It is recommended that this application be **GRANTED** subject to the conditions below.

2 The Site and the Proposal

Site description

The application site is the former Haymarket goods yard, located in the City's West End, opposite Haymarket Railway Station at the junction of Morrison Street and Dalry Road. The site occupies an area of 1.7 hectares and is currently used as a public car park. There are railway tunnels that run under the site at its northern end in an east-west direction.

The properties opposite, to the north, on Morrison Street are commercial at street level with two or three storeys of residential above. The properties from 266 Morrison Street onwards and around to West Maitland Street are category C(s) listed.

To the north-west is Clifton Terrace with 2-storey properties rising to 4-storeys at the corner of Grosvenor Street. The uses are mixed commercial. Grosvenor Street is predominantly a residential street, characterised by 3-storey Georgian properties with attic accommodation. These properties are B-listed buildings.

To the west, across Dalry Road, is the category B-listed Ryries public house situated on the Haymarket junction. Haymarket railway station sits further to the west and is A-listed.

Properties on Dalry Road are predominantly commercial with 2-storey residential use on the upper levels; these form part of the Dalry colonies.

To the south are wholly residential properties in the Dalry colonies, which are category B-listed; and the 4-storey developments of Morrison Crescent, and Fraser Court, which is sheltered housing.

Morrison Link, to the east, is solely occupied by the Premier Travel Inn within a 5-storey, sandstone building.

The site is not within, but is immediately adjacent to, both the West End Conservation Area, which runs along the north side of Morrison Street, and the New Town Conservation Area, which runs along the north side of Haymarket Terrace. Likewise the site bounds the World Heritage Site, on Morrison Street, but does not lie within its confines.

Site History

5 November 2003 - Planning Permission was refused by the DQ Sub-Committee, contrary to officer recommendation, for the clearance of the existing car park and ancillary buildings to form a comprehensive redevelopment comprising, retail, office, leisure, licensed premises, car parking and replacement public conveniences incorporating re-grading the site to adjacent street levels (02/03210/FUL). The development consisted of a seven storey office development over the site, with a major public arcade running west to east through the building,

The reasons for refusal related to:

- no positive contribution to the mixed use character of the surrounding area by failing to provide cultural or public uses;
- broad composition and detailed design is not of an appropriate quality and distinction;
- does not create new public spaces and points of interest;
- did not relate to the established character of the surrounding area;
- did not address transportation infrastructure issues.

11 August 2004 - An application was recommended for approval at the DQ Sub-Committee for a comprehensive redevelopment comprising: retail, office, leisure, licensed premises, car parking and replacement public conveniences, proposals incorporate re-grading of the site to adjacent street levels. The application was referred to the Scottish Ministers and was subject to a Public Inquiry (04/00681/FUL).

31 July 2006 - Scottish Ministers granted planning permission following a Public Inquiry for the above development.

27 August 2008 - An application was recommended for approval at the DM Sub-Committee for the demolition of existing buildings and structures, re-grading of the existing car park and a comprehensive redevelopment comprising hotels, offices, retail, commercial, leisure, public houses, restaurants, car parking and associated landscaping/public realm and utilities infrastructure (07/03848/FUL).

The application was called in by Scottish Ministers in order to consider the merits and impacts of the proposed development on the prominent gateway to the city centre, and on the city's skyline.

27 October 2009 - Scottish Ministers refused planning permission for the above development following a Public Inquiry.

The reasons for refusal related to:

- the 5 star landmark hotel failed to respect the grain and scale of the surrounding townscape;
- the 5 star landmark hotel would not enhance the City's skyline and would not preserve the setting of the World Heritage Site or prominent listed buildings.

Pre-Application Process

A Proposal of Application Notice (PAN), reference 10/01414/PAN, was submitted on 13 May 2010. A copy of the PAN was provided to the following parties:

- Gorgie/Dalry Community Council;
- West End Community Council;
- City Centre Neighbourhood Partnership;
- South West Neighbourhood Partnership;
- Dalry Colonies Residents Association;
- Cockburn Association; and,
- Ward Councillors.

The PAN was approved on 4 June 2010 subject to attending the City Centre Neighbourhood Partnership meeting on 17 June 2010; distributing/displaying leaflets/posters around the site area and wider Edinburgh context, and updating the community councils, neighbourhood partnerships and other interested parties of progress throughout the process.

In line with the consultation strategy agreed in the PAN, staffed public exhibitions were held in the applicant's marketing suite at the site between 15 and 30 June 2010.

As well as meeting with the planning authority, the applicants held dedicated meetings with the parties served with a copy of the PAN and with Historic Scotland. The applicants presented their proposals to the Edinburgh Urban Design Panel (EUDP) on 28 April 2010 and to Architecture & Design Scotland (A&DS) on 25 May 2010. The EUDP and A&DS reports are set out in the consultations section of this report.

The comments received during the pre-application process have been collated and are outlined in the pre-application consultation report, which is available for viewing on the Planning and Building Standards Portal. A response from the applicants to the individual comments and how, if applicable, they have been incorporated into the submitted scheme has also been provided.

A pre-application report on the proposals was presented to the Development Management Sub-Committee on 9 June 2010 to identify key issues.

Description of the Proposal

Permission is sought for a comprehensive redevelopment of the site. The proposed works include the demolition of the existing public toilet block and the re-grading of the site to the surrounding street level to facilitate the erection of 5 new buildings, accommodating office, hotel, retail, food and drink, and leisure uses, as well as new public realm works, a public car park and new public toilets.

Block A

Block A will be a triangular-shaped building situated centrally within the site. The building will be 8-storeys high and will measure 32 metres at its highest point above ground level. The two uppermost floors will be recessed with access to external terraces. Two main, double height, entrances will be created; one from the West Square and one from the East Square. All of the upper floors will be office uses (19,134 m² gross internal floor area). The ground floor will be split into 9 individual units with independent access; 7 of the units are designed for retail use and the remaining two for a cafe and a bar. The external finishes will be sandstone cladding, metal framed glazing, metal cladding infill panels and metal clad steel frame cills.

Block B

Block B will be located to the east of the site, parallel to Morrison Link. The building will be 7-storeys and will measure a maximum of 28 metres high. The building will have a centrally located, dual entrance onto both Morrison Link and the courtyard garden. The upper floors and the southern half of the ground floor is designed for office use (9,826 m² GIFA) with the remainder of the ground floor divided into two units that will accommodate retail, bar or restaurant uses. The external finishes will primarily be sandstone cladding with metal framed glazing and an aluminium louvre system.

Block C

Block C will be located in the south-east corner of the site, situated between the 3* hotel and Morrison Crescent. The building will be 6-storeys and will be a maximum of 22 metres high. The building will be used predominantly for offices (4,516 m² GIFA) with two small retail units located on the ground floor fronting onto the most southerly internal street. The proposed external finishes match those proposed for Block B.

Block D – 3 Star Hotel

The 3 Star Hotel will be located in the south-west corner of the site, set perpendicular to the Dalry Colonies. The linear building will be 6-storeys high with stepped 3-storey wings to the rear nearest the colonies. The main hotel entrance will be from the West Square. The hotel will accommodate 245 bedrooms with a bar/restaurant located on the ground floor. On the ground floor will also be two, independently accessed, retail units, one of which will be a small supermarket. A service yard will be created to the south-east of this building to serve the hotel and retail units and will be accessed via Morrison Crescent. The proposed external finishes are sandstone, white ceramic tiles, timber panels and metal framed glazing. Extensive planting will be introduced on the stepped rear wings.

Block E

Block E will be located to the north of the site at the junction of Morrison Street and Dalry Road. The building will be split into two parts with a lower curved element abutting the pavement and a higher, orthogonal element fronting onto the site's main street. The two elements will be linked by a central, glazed atrium. The main entrance to Block E will be situated on the West Square. The curved element will be 6-storeys with a roof terrace and the orthogonal element will be 8-storeys high. The curved element will be 26 metres, and the orthogonal element 35 metres high. The upper floors are designed for office use (10,390 m² GIFA). The ground floor of the curved element is designed to be occupied by one large retail unit. The ground floor of the orthogonal element is to be occupied by six units; 4 retail units flanked by 2 cafes that will open onto the public squares. The proposed external finishes are sandstone cladding, metal framed glazing and metal louvres.

Public Realm

West Square

The West Square will be open onto Dalry Road. The square will be defined by Caithness stone paving and will be segregated from the vehicular access by small bollards and gently inclining steps. Large scale planters will be located in the square accommodating multi-stemmed trees to provide colour. The planters, as well as the steps, can be used for seating. A feature lighting column is also to be introduced.

East Square

Located on Morrison Street, the East Square will be situated immediately adjacent to a new drop-off area. The paving will be a mix of different coloured (dark, mid and light grey) and textured (honed, flamed and picked) granite. A row of plane trees will delineate the boundary with the street and a feature oak tree will be established to the extreme east of the square. Benches will be situated throughout the space.

Courtyard Garden

The space between Blocks A and B is split into two levels with wide steps addressing the gradient. The granite paving on the upper level will be interspersed with Caithness stone banding to create a feature along with steel planters and a pergola structure, which will be attached to the car park entrance. Pine trees, hedging and water tables will be introduced to create features.

The new public toilets will be located beside the car park entrance in the courtyard garden. The new toilets will operate in a similar manner to those located in St Andrew Square.

Main Street

The Main Street runs from the West to East Squares between Blocks A and E. The paving will be granite, matching the East Square and Courtyard Garden, with elements of Caithness stone banding. Planters will be strategically positioned to delineate the main thoroughfare. This is the priority pedestrian street.

Secondary Street

Running parallel to the 3 star hotel, the secondary street will be paved with granite to match the majority of the site. No street furniture will be located in this street in recognition of access for taxis and drop-off arrangements.

Parking & Access

Parking

A new underground car park is proposed, split over two levels that will accommodate 381 vehicles. Of the 381 parking spaces, 244 are designated as a public car park. The remaining 137 spaces are to serve the office and hotel uses. Nineteen of the 381 bays are designed for disabled access.

Cycle and motorcycle parking is to be provided on a shared basis. A total of 180 spaces are to be provided; 50 at surface level and the remainder in the underground parking area. Both standard sheffield racks and the double decking stacking system is to be utilised. Shower and locker facilities will be provided.

Two spaces for City Car Club vehicles will be provided in the proposed lay-by on Morrison Link. A further two spaces will be provided off-site in the Haymarket area.

Access

The primary access to the site will be a 'left-turn only' from Dalry Road. The access will be open on a 24 hour basis. This arrangement will enable the site to operate on a pedestrian priority basis. Due to the layout of the surrounding road network the arrangements will not be attractive for 'rat running' through the site. The main function of the access will be to allow 'drop-off' for the hotel and offices. A new traffic island will be installed on Dalry Road to prevent access to the site from northbound traffic across Dalry Road. To address concerns over potential conflict with traffic flow, a road safety audit of this proposed access arrangement has been undertaken by the applicants. This audit advises that, providing anti-skid surfacing is introduced in advance of the crossing and that the timings of the crossing are linked to the timing of the signals on Morrison Street, the access is acceptable.

A secondary access, primarily to allow service access, is proposed from Morrison Street and will operate on a time-restricted basis in order to give pedestrian and cyclist priority during core hours. The use of appropriate signage and landscaping will indicate access restrictions. This access has also been considered in the road safety audit. The audit advises that, on the basis that it is limited to service access only, the level of risk will be minimal.

Both accesses will operate a one-way system with all traffic exiting the site onto Morrison Crescent. Traffic movements within the site will be monitored by managing agents to avoid abuse.

Environmental Statement

The application has been accompanied by an Environmental Statement to establish the potential impacts, positive and negative, of the proposed development and to consider measures required to mitigate any adverse impacts. Information contained within the Environmental Statement relates to the development programme and construction, townscape and visual impact, cultural heritage, archaeology, noise and vibration, air quality, daylight sunlight and overshadowing, wind climate, ground conditions and socio-economics.

The following documents have been submitted in support of the application, all of which are available to view on the Planning and Building Standards Portal:

- Planning Policy Statement,
- Pre-Application Consultation Report,
- Design & Access Statement,
- Transport Assessment,
- Landscape Statement,
- Sustainability/Energy Statement,
- Environmental Statement.

Original Scheme

The north-west corner of Block D (3* Hotel) was originally to be squared off as was the layout of the west square. These designs have now been tapered to create clear linkages for a potential redevelopment of the station concourse across Dalry Road.

3. Officer's Assessment and Recommendation

Determining Issues

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 development is acceptable in principle in terms of meeting the Council's objectives for the central area;
- b) the scale and design of the development is of a high standard;
- c) the development has an adverse effect on the City's skyline;

- d) the development will have an adverse impact upon the setting of the World Heritage Site, neighbouring listed buildings or the character and appearance of the adjoining conservation areas;
- e) the development adversely affects neighbouring residential amenity;
- f) the development raises any implications for road or pedestrian safety;
- g) there will be an adverse environmental impact;
- h) the proposal meets the requirements of the Edinburgh Standards for Sustainable Buildings.

a) Issue: Is the principle of the proposed development acceptable.

The Edinburgh and Lothians Structure Plan (ELSP) supports the siting of new office development within strategic business centres. Edinburgh City Centre, which includes Haymarket, is identified as such a centre. The structure plan also identifies the city centre as the main destination for the location of comparison shopping and commercial leisure for the region. The structure plan clearly supports the principle of the proposed uses on the site.

Policies are included within the structure plan, which stipulate that development should be resisted where it would have an adverse impact upon the historic environment. The Edinburgh City Local Plan (ECLP) provides further policy guidance in respect of the protection and enhancement of the historic environment and this is considered further in section d) of this report.

The ECLP identifies the site within the central area and Policy CA1 states that development will be permitted which maintains and enhances the character, attractiveness, vitality and accessibility of the city centre and contributes to its role as the regional service centre and Edinburgh's role as a capital city. To this end, the policy cites the need for: comprehensively designed proposals which maximise the potential of the site; a mix of uses appropriate for the location, a contribution to the tram network or any other measures as required, and the creation of new civic spaces and traffic-free pedestrian routes. The proposals meet these criteria.

Therefore, subject to compliance with other local plan policies in respect of design, conservation, amenity and transport, the principle of the proposals comply with the ECLP.

Other Considerations

The Haymarket Urban Design Framework states that proposals should establish strategic pedestrian connections towards Fountainbridge; establish local connections, and contribute to the creation of a sequence of spaces. The orientation of the proposed secondary street is designed to lead pedestrian flow between Haymarket station and new developments at Fountainbridge, which coupled with the proposed pedestrian priority internal street, will improve connections for local residents towards the city centre and the west end. The creation of the new public squares, particularly the west square, will contribute to the sequence of spaces sought between Haymarket and the city centre.

The Framework also seeks proposals to contribute to the definition and refinement of the Haymarket space and to establish edges that complement the existing townscape. This will be explored further later in this report but it is considered that the proposals conform with the Haymarket Urban Design Framework.

Reference has been made to the proposed Area Development Framework (ADF) that will cover the southern arc of the city centre from Haymarket to Holyrood. That document is at a very early stage of preparation but it is an intention of the ADF at Haymarket for proposals at the goods yard site, the railway station and the tram to be co-ordinated in a manner that will improve public spaces in the Haymarket area. The current proposals have been designed to relate to a redeveloped railway station and the new public spaces form a natural extension of the Haymarket area.

Whilst every planning application has to be assessed on its individual merits, it is important to recall that the site benefits from an extant permission for a large scale, mixed use development. That permission remains valid until July 2011.

It should also be noted that, with the exception of Block E, the proposals largely reflect what was previously proposed, which the Committee were minded to grant in 2008. Those proposals were subject to a public inquiry and the Reporter found that the proposed uses for the site would be in accordance with planning policy. Furthermore, the Reporter stated that the design of the proposed buildings would be good quality architecture and that in many ways the proposals represented an improvement on the permitted scheme. It was the impact of the 17-storey hotel on the townscape and the iconic skyline that led to the proposals being refused.

An indicative phasing diagram has been submitted. This diagram foresees the development being built out in the following order; tunnel works, basement car park and infrastructure, Block D and the secondary street, Block E and the main street, east and west squares, Block A, Block C, Block B and the courtyard garden.

The principle of the proposed development is acceptable.

b) Issue: Is the scale and design of the proposal high quality.Block A

Block A, the largest of the office blocks, provides an important central block within the main body of the site with its triangular footprint and accommodation of active retail/commercial uses on all three facades enabling the block to interact in a positive way with the routes and spaces around the site. The positioning of the primary office entrances, from the east and west squares, will assist in generating constant activity in these areas.

Although all three sides of Block A will be active, primary emphasis is given to the elevation facing the main street and Morrison Street. This is done by providing a double height base along the entire frontage and will create a strong relationship with Block E opposite. The clear architectural definition of the top, middle and base sections provides a sense of strength as well as adding visual interest and identifying with the surrounding blocks.

Block B

Block B, the proposed seven-storey block completes Morrison Link on the eastern edge of the site. The other side successfully defines the eastern edge of the triangular courtyard space and the north-south route.

The scale and design of the building is appropriate within both its immediate context and the wider area of Haymarket. The building is characterised by the strong solid sandstone treatment at the upper levels. The regular fenestration pattern and deeply recessed windows give depth and interest to the facade.

The crank in the building also positively emphasises the entrance and break up of the linearity of this building reflecting the curving southern end at Morrison Link.

The principal office entrance is designed to afford prominence from the various approaches to the building. It assists in providing good visibility through the triangular courtyard space and gives this space a strong identity within the site.

Block C

Block C is the smallest of the office buildings and it sits comfortably on the site. It terminates the views through the site from the north and the west. The building curves at its eastern end to respond to the street on one side providing a successful relationship with the modern four-storey block on Morrison Crescent and the triangular courtyard to the north.

The block performs an important urban design function in accommodating and defining the entrance to the site from the Fountainbridge area to the south. The generously scaled opening between Blocks B and C draws pedestrians into the site from the southern approaches, and affords good views out from the site for pedestrians moving in the other direction.

The building's form and modelling creates a successful entrance to the site. The architectural language is similar to Block B and the buildings taken together successfully complete this important southern corner of the site.

Block D – 3 Star Hotel

The design of the hotel will perform a number of functions. It addresses the sensitive boundary with the Dalry Colonies with the stepping back of the building and the overall height ensuring that there is a reduced impact on the colony properties compared to the consented scheme.

It addresses the west square and forms a terminus to the Dalry Road frontage at its junction with Haymarket. The introduction of active frontages on the north elevation, with the retail units and the bar/restaurant area for the hotel, along with the architectural detailing and materials assists in animating this façade. This results in an enlivened space connecting with the west square and as such encourages pedestrian usage.

The removal of the prow and the introduction of a chamfered edge will lead pedestrians from Dalry Road into the site. The treatment of the Dalry Road elevation presents a clear transition from the lower, stone built colonies to the higher, largely glazed Block E.

The hotel will be largely finished with sandstone – the dominant material of the surrounding area. The choice of white ceramic tile cladding will reinforce the transition between the traditional colonies and the office buildings beyond. This building successfully makes the transition between the domestically scaled colonies and the commercial heart of the site. Its distinctive architecture terminates the Dalry Road view and signals the start of Haymarket.

Block E

Unlike the previous proposals for the site that advocated the use of height to create a gateway landmark, Block E uses strong geometry to create a presence; respond to its local context, and make the overall site attractive, welcoming and usable. Three distinct elements will enable the building to be read as individual elements and by doing so reduce the perceived mass of the overall building.

The higher element of the building has purposely been positioned to the centre of the site, stepping down towards Haymarket. By doing so, Block E will not dwarf the surrounding buildings instead it will provide a gradual incline towards the more densely developed Exchange District to the east of the site. The positioning of the building is in part dictated by the route of the railway tunnels underneath. Unlike the previous proposals, however, Block E will span the north tunnel thereby leaving a narrower main street.

The elevational treatment aims to achieve simple elegance. The recurring theme through Block E, and the other blocks, is the clear definition between top, middle and base. The regular fenestration pattern and use of columns provides a uniformity that is consistent with Edinburgh's traditional architecture and the site's immediate context.

Public Realm

The east and west squares; the courtyard garden, and the routes through the site will potentially create a larger integrated Haymarket space and attractive routes towards Fountainbridge and the Exchange District. This is consistent with the objectives of the Haymarket Urban Design Framework. The effectiveness of the spaces will be enhanced by the positioning of main access points to all of the buildings from the squares/courtyard and the presence of people-generating uses (shops, cafés, restaurants and bars) on the thoroughfares.

The west square will have no areas of permanent shade; whilst the east square and the courtyard will have 30.7% and 13.2% of areas within permanent shade – all comply with the BRE criteria, which is set at 40%.

The use of levels provides clear definition of the spaces and the use of functional, yet attractive features such as the large planters (informal seating) and pergola (public toilet/car park lift cover) will create visual interest.

Given the extensive nature of the public realm works proposed, allied with improvements to the existing public realm (Morrison Link and Dalry Road footway widening) and the contribution to the overall Haymarket space, it is considered that the quality of the proposals is high and negates the requirement for any financial contribution towards public realm works.

Landscaping

The existing Haymarket area is densely developed with green space at a premium. The proposals seek to introduce important greenery in the form of trees, hedges and shrubbery throughout the site. A particular focus is placed on providing a green boundary between the proposed hotel and the colonies, with species chosen that will flower during winter months thereby providing visual interest as well as the sense of separation. Given the important role that this landscaping will play in forming a buffer, it is recommended that a condition requiring a management plan outlining a programme for its upkeep is imposed.

Trees will provide an important sense of scale within the site as well as providing an attractive street level environment. However, given the challenges posed by the site in terms of growing conditions there are concerns over the choice of species. Accordingly, a condition is suggested requiring a further landscaping plan identifying tree species of proven performance within dense urban areas.

c) Issue: Will the proposal adversely affect the City's skyline.

The skyline of Edinburgh is iconic, instantly recognisable and globally renowned. In recognition of the skyline's importance to the city's heritage, the Council has produced a guidance note, *Protection of Key Views*, which identifies the city's landmark features and provides detailed guidance on how these features need to be safeguarded. In addition, following the refusal of the previous scheme, a study was undertaken of this site to identify a threshold above which any development would impact upon strategic protected views across the city. The threshold is set at 91.7 metres AOD (above ordnance datum).

Distant Views

In line with the guidance note, a series of viewpoints from around the city were agreed to establish the impact of the proposals upon the skyline. Prospective views have been taken from Edinburgh Castle, Craiglockhart, Corstorphine Road, Dean Gallery, Inverleith Park, Ferry Road and the Royal Botanic Gardens. Of the seven views submitted, the proposals will only be slightly visible from Edinburgh Castle, Corstorphine Road, Craiglockhart and Ferry Road. In those cases, the proposals will not discernibly alter the views. Furthermore, as the proposals will sit against a backdrop of existing buildings they will not detract from the perception or appreciation of key skyline features such as St Mary's Cathedral, Edinburgh Castle or the Pentland Hills.

Local Views

In addition to the distant views, 13 images have been provided from a local context. These include views from the five approaches to the Haymarket junction, the colonies, and Haymarket station. From Grosvenor Street, the three elements of Block E will be most evident. Whilst Block E will not be centred from this vista it will present a clear landmark that frames this view. The proposals also represent a much improved vista from Grosvenor Street than the existing advertisement hoardings, public toilets and pocket of shrubbery.

The view from the colonies, which is largely limited to the 3* hotel, will be softened by the introduction of extensive landscaping. The stepped nature of the rear elevation provides the sense of gradual incline from the lower colonies towards higher development in the city centre. It should be noted, the Reporter considered that with the approach taken to the relationship between the 3* hotel and the colonies, which remains the same as the previous scheme, the outlook from the colonies would be improved in comparison to the permitted scheme.

The proposals will feature prominently in views from Haymarket Terrace and Dalry Road, reflecting the gateway nature of the site into the city centre. The variation of heights, shapes and angles will provide a distinctive feature at the end of these views that acknowledges the role of Block E as a gateway marker.

In views from Morrison Street, Morrison Link and Morrison Crescent, the proposals will be seen with Haymarket House, the Premier Inn hotel and the Exchange District beyond. The proposals will sit comfortably in this context.

The proposals will not have any adverse impact on the skyline or any key features within the skyline. The height of the proposals are below the advisor line indicated across the site which would have an impact on the skyline.

d) Issue: Will the proposals have an adverse impact upon the historic environment.

World Heritage Site (WHS)

The historic centre of Edinburgh, including the medieval Old Town and the Georgian New Town, was inscribed on the United Nations Education, Scientific and Cultural Organisation's (UNESCO's) List of World Heritage Sites in December, 1995. This represents international recognition that the Site is of outstanding universal value.

Townscape is identified as a key element of the WHS's Outstanding Universal Value, with the organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town fundamental characteristics. In respect of the application site, although outwith the WHS, the points of the WHS Management Plan regarding planned relationships, and the consistency of buildings and urban grain are relevant.

The proposals promote these relationships by anchoring the new streets with areas of public realm and orienting the main entrances of the flanking buildings around these spaces. The impact of the proposals on the views into and from the World Heritage Site will be negligible and will not detract from any important skyline features.

The Edinburgh World Heritage Trust welcomes the reduction in height from the previous scheme but retains concerns over the landmark nature of Block E. Of particular concern is the manner in which the vistas from Grosvenor Street and Haymarket Terrace are addressed. However, as previously argued, the improvements over the existing vistas (i.e. removal of advertisement hoardings) by providing a visually interesting feature building allay these concerns.

Listed Buildings

Category A

Within the immediate area there is one property that is recognised to be of national significance – Haymarket station. The primary vista of the station – from West Maitland Street – will be unaffected by the proposals. The layout of the proposals has the potential to complement the setting of the station by way of orienting the west square and thoroughfares to align with a possible redevelopment of the station concourse.

Category B

There are a large number of regionally important buildings in the Haymarket area. These include the Dalry colonies, Grosvenor Street, West Maitland Street and Ryrie's Bar. The rear of the proposed hotel will be stepped in order to reduce the massing alongside the colonies. With the addition of extensive planting and the maintenance of the existing retaining boundary wall the setting of the colonies will be protected. In terms of Grosvenor Street, the setting of the buildings will be preserved due to the size of the Haymarket space that separates them from the application site. The properties on West Maitland Street will be largely unaffected by the proposals. The highest point of Block E will be visible above these properties but given the limited views it is unlikely to detract from their overall setting.

Category C

The War Memorial, the Haymarket Inn and the residential properties 252-270 Morrison Street are recognised as locally important. The war memorial, which has been displaced due to the ongoing tram works but will return to a location close to its previous position, will be relatively unaffected by the proposals given the sense of space that surrounds the memorial. It is the properties on Morrison Street that are likely to be the most affected due to the development of a site which has previously always been open. However, the proposals will provide a greater degree of definition to Morrison Street and with the east square providing a sense of permeability and the stepped nature of the proposed upper levels, the impact will be acceptable.

Historic Scotland is satisfied that the proposals will not detract from the surrounding historic environment assets and has no objection to offer to the proposals.

Conservation Areas

West End Conservation Area (WECA)

The West End Conservation Area character appraisal states that *the area is characterised by mixed, residential commercial buildings with the Georgian and Victorian tenements being mainly 4-6 storeys, constructed of stone with pitched, slated roofs. In the central section of the conservation area, there is a major modern financial section consisting of modern offices, which spills over the conservation area to the south.*

Large scale development has, and is taking place, on the margins of the conservation area. It is important that where there are development opportunities lying adjacent to the conservation area boundary, the design of new buildings should reflect the scale, massing and materials of the conservation area. Development opportunities both within and adjacent to the conservation area must respect views out of and into the conservation area.

Haymarket forms one of the most significant junctions in the city, a major entry point into the World Heritage Site. Haymarket provides a convergence point for three major vehicular routes as well as a busy railway station. This major meeting point is currently dominated by vehicular traffic, resulting in constrained pedestrian movement and does not reflect its importance as a gateway into the World Heritage Site.

Although situated outwith the WECA, the scale of the proposals has the potential to impact upon its character and appearance. The WECA sustains a wide mix of uses within buildings of differing scales, which is consistent with the proposals. The Haymarket junction and Morrison Street form the entry point to the city's financial district (situated within WECA) where there is a concentration of modern office development and the proposals present a logical continuation of this sector. The creation of a south side to Morrison Street enhances the appearance of the southern boundary of the West End Conservation Area over the present raised car park and advertising hoardings.

New Town Conservation Area (NTCA)

The New Town Conservation Area character appraisal states that *the uniform character of the New Town is built up on the application of the standards for tenemental form, streets and public realm that were accepted and applied for over one hundred and fifty years. The grid layouts, defined by perimeter blocks, were designed with a concern both for buildings and the public realm and the relationship between built form, streets and open spaces.*

While there are a considerable number of prominent buildings and focal points in the area, the sloping topography means that punctuation above the skyline is limited. The New Town can also be viewed from above at locations such as the Castle and Calton Hill showing uniformity in design and materials. This makes the roofscape and skyline very sensitive to any modern intrusion rising above the uniform tenemental heights.

As with the WECA, the scale of the proposals has the potential to impact upon the character and appearance of the NTCA despite being situated outwith its boundaries. An important characteristic of the NTCA is its regulated skyline with limited protrusions breaking through but as identified earlier, the proposals will only have a limited impact upon the skyline. A readily identifiable feature of the NTCA, acknowledged in the character appraisal, is the designed relationships between buildings, streets and open spaces. It has been acknowledged previously in this report that the proposals actively encourage these relationships. From Grosvenor Street, the proposals will provide a landmark feature to close the vista, which also represents an improvement of the current view of hoardings, public toilets and shrubbery. The use of a strong, yet simple, palette of materials as part of a rhythmically uniform design further reflects the New Town Conservation Area.

Archaeology

The application site is identified within an area of archaeological significance. Of particular interest is the Haymarket, the White House, paths, the railway tunnels and the Morrison Street mineral depot. The City Archaeologist has confirmed that due to the recent development history of the site, there is insufficient justification to refuse the application on archaeological grounds. However, given the potential for significant archaeological remains, it is appropriate to impose a condition requiring a programme of archaeological work in accordance with a written scheme of investigation prior to the commencement of development.

e) Issue: Will the proposals adversely affect residential amenity.

Daylighting

The impact of the proposals upon the levels of daylight serving surrounding residential properties has been assessed. Using the Vertical Sky Component (VSC) assessment method, which measures the amount of light available as a ratio of the amount of total unobstructed sky viewable following the introduction of visual barriers, a total of 29 windows are affected. The highest proportions are on Morrison Street with windows on Morrison Crescent and Walker Terrace also affected.

The affected windows have also been assessed under the Average Daylight Factor (ADF) assessment method. This method takes into account factors such as room use, window dimensions, the number of windows serving the room, room sizes and room surface reflectance. Using the ADF method, all of the windows that previously failed the VSC method will receive adequate levels of daylight.

Sunlight

The same residential properties have been assessed in terms of access to sunlight with the exception of the properties on Morrison Circus and Morrison Crescent, which due to their orientation will not have a reasonable expectation for sunlight. To measure the impact, the Average Probable Sunlight Hours (APSH) method has been used in accordance with BRE guidance.

Using APSH, 115 windows were tested and 105 (91%) passed. The remaining 10 relate to properties on Morrison Street. Of these 10 windows, four serve rooms that have additional windows thereby reducing the overall impact. The other six windows are identified by the applicants as serving kitchens and bedrooms and it is recognised in the assessment methodology that such rooms do not require the same level of sunlight as living rooms.

Overshadowing

An electronic 3D model has been used to assess the level of overshadowing that will affect the gardens of the Dalry colonies; Morrison Crescent and Fraser Court, and the courtyard serving Morrison Circus on 21 March (spring equinox). Of the properties assessed, the gardens of McLaren Terrace will have the largest degree of permanent shade (6.8%) with the remainder of the gardens receiving no greater than 2% permanent shade. The BRE guidelines state that no more than 25% of gardens should be in permanent shade on 21 March – the proposals fall well within this figure.

Privacy

Concerns have been raised regarding potential overlooking between the proposed hotel and the Dalry colonies. The Council's guidance note, *Daylighting, Sunlight and Privacy* states that generally there should be 18m separation between opposite windows of new development and existing development. With the exception of three gable windows, all colony windows are outwith an 18 metre radius of the proposed windows. In terms of the gable windows, there will be a 13 metre separation distance. This distance is comparable with the 14.5 metre separation distance between the existing colony properties. Louvres will be installed across windows on the uppermost floor to address the perceived loss of privacy. There will be no direct overlooking of existing gardens as a result of presenting blank gables and extensive landscaping.

Noise

The proximity of the proposed main service yard to the Dalry colonies could potentially result in noise disturbance. To minimise the impact, a 3.5 metre high acoustic barrier will be installed on the south boundary along the length of the service yard. It is recommended that a condition is imposed requiring the installation of the barrier in full, prior to the operation of the service yard in order to protect residential amenity. A management plan will also be required to reduce noise disturbance from delivery activities including loading/unloading, trolleys and vehicles reversing. To minimise potential disruption further it would also be prudent to impose a condition restricting the hours of deliveries and collections within the service yard to between 7am and 10pm Monday to Saturday and 10am to 5pm on Sundays.

Within the context of the entire proposals, licensed premises form a small component and are focussed in the north-east corner of the site. The applicants place an emphasis on attracting high end retailers and café operators to the site. The nearest residential properties that could potentially be affected are on Morrison Street and therefore it would be appropriate to apply a condition requiring all music and vocals to be inaudible within neighbouring properties. Environmental Assessment has suggested a condition restricting the use of outdoor areas associated with the bar/restaurant/café uses; however, this is an issue which is controlled through licensing regulations.

Given the presence of residential properties in the vicinity, any noise generated through plant machinery or equipment from all of the proposed uses must be suitably controlled. The submitted noise assessment recognises NR25 as the appropriate measure and is agreed by Environmental Assessment. A condition requiring all plant machinery or equipment to comply with NR25 when measured from any nearby living apartment is recommended.

Public Toilets

The location of the proposed public toilets away from the main Haymarket junction, and their consequent lack of visibility, has been cited as a concern, particularly in relation to the potential impact upon colony residents. However, they will adjoin what is envisaged as an important through route from Haymarket to Fountainbridge, and will also be supplemented by facilities within the proposed bars, cafés and restaurants. With adequate signage, this should be sufficient to avoid problems for nearby residents.

Lighting

The hotel corridors are oriented east-west and as such there will be no constant, high level light sources affecting colony residents. The management of lighting within individual bedrooms is outwith the control of planning legislation. In efforts to meet stringent sustainability targets, a flexible solution is proposed for lighting levels within the offices, including the use of motion sensors, to minimise unnecessary illumination.

f) Issue: Will the proposals raise implications for pedestrian or road safety.

Parking

The site currently operates as a car park accommodating approximately 450 vehicles and its operation favours short/medium stay parking with a high occupancy rate evident. Acknowledging the requirement for a good quality car park in the west end, the proposals seek to retain a public car park underground, split over two levels accommodating 244 vehicles. The same car park will accommodate a further 137 vehicles assigned to the office blocks and the hotel, although staff car travel is to be discouraged as part of a green travel plan for the overall site. Some concern has been raised in respect of the reduction of car parking and the potential knock-on effect for surrounding streets. However, the proposed numbers accord with the Council's parking standards and wider objectives in respect of reducing car travel. Furthermore, the surrounding streets are within a controlled parking zone and as such there are suitable controls already in place to prevent indiscriminate parking.

Applying the Council's parking standards fully, the proposals would require the provision of 362 cycle spaces and 68 motorcycle spaces. Whilst cycling is to be encouraged, and will be as part of the green travel plan, it is unlikely that such provision will be fully utilised. It is proposed that 180 shared cycle/motorcycle spaces will be provided, 50 of which will be located in convenient locations at surface level, and is in line with the previous application – this position is accepted by Transport Planning. To boost further the attractiveness of cycling, secure lockers and shower facilities will be provided.

Site Access & Servicing

The proposed access from Dalry Road by means of a left turn only has been assessed by Transport Planning who are concerned about the use of Dalry Road as an access. The main concerns relate to the movement of traffic turning from Morrison Street into Dalry Road, conflict with pedestrian movements and vehicles turning out of the site onto Dalry Road.

A key study within this area is the Haymarket Interchange Feasibility Study (commissioned in 2005) prepared in collaboration between Halcrow, the Council and key transport operators at Haymarket. The purpose of this study was to investigate the opportunities for redevelopment of Haymarket Station linking with the formation of a multi modal transport hub. A major feature of the proposals was the formation of a pedestrian crossing across Dalry Road linking the Haymarket Goods Yard site to a redeveloped and enhanced Haymarket Station. The study projected that the works would commence in 2012 and would require significant financial investment.

This study has played a key role in the transport planning assessment that the access proposals from Dalry Road will directly conflict with the requirements to improve pedestrian access. The applicants have taken cognisance of the Haymarket study and have provided a large public square with access routes through the site in line with the desire lines identified within the study.

Proposals are advancing for the redevelopment of Haymarket Station which are not on the scale of redevelopment first envisaged as part of the Haymarket Study. At present it is not clear when any wider proposals will be brought forward and in particular there is no timescale for the provision of the pedestrian crossing on Dalry Road.

A balance has to be struck between the immediate context of the site and the wider benefits that the proposed access from Dalry Road provides. The main access from Dalry Road allows a pedestrian priority route to be created through the site, linking the key transport hub of Haymarket and the development focus areas of Fountainbridge and the Exchange District. The alternative of a sole access into the site from Morrison Street would not permit any pedestrian priority area with traffic movements anticipated at 30 an hour.

Due to the strategic importance of the pedestrian priority route across the site, it is proposed that the access from Dalry Road is accepted as the main transport access into the site, with the Morrison Street access used as a secondary time controlled access.

The underground car park will be accessed via a new link off Morrison Crescent in a position broadly similar to the access serving the existing car park. The same link road will provide access to the main service yard. The service yard is of sufficient size for vehicles to manoeuvre and exit the yard in a forward gear thereby not presenting a road safety hazard on Morrison Crescent.

The proposed layout recognises the importance of pedestrian desire lines with the two streets providing obvious routes between the Exchange district, Fountainbridge and Haymarket station. It is impossible to control all pedestrian movements and people may choose to continue to walk via the colonies but a combination of the proposed layout and appropriate signage is likely to minimise the attractiveness of that option. Cyclists will be encouraged through the site.

The proposed hotel may attract coach parties but such trips are likely to be limited. The drop-off/pick-up facilities are sufficient to accommodate coaches and the managing agents will monitor the operation to avoid potential conflicts.

Public Transport

The site's location benefits from being immediately adjacent to a strategic transport hub with easy access to the national rail network, the local bus network and the future tram network as well as direct links to Edinburgh Airport.

The site is within a 5 minute walking distance of the tram network. The scale and nature of the proposed development will undoubtedly benefit from the proximity to the tram and it is therefore required to provide a financial contribution towards its development in line with the Council's guideline, *Tram Developer Contributions*. Using the formula set out in the guidelines it has been identified that the proposals should provide a contribution in excess of £4 million. However, the guidelines also stress that the figure can be reduced where it is demonstrated that there are abnormally high site preparation costs that threaten the viability of the project. In this case, the railway tunnel engineering works required are extensive and would merit a reduction in the contribution. The applicants are willing to provide a substantial financial contribution towards the development of the tram network, the amount to be agreed by the Head of Planning, and it will be secured by a suitable legal agreement.

The nearest bus stops to the site are on Dalry Road. These stops are currently in temporary positions in order to provide an undisrupted service whilst the tram works are ongoing. The proposals would result in the temporary positions becoming permanent but to counter concerns over the impediment to pedestrian flow, this segment of Dalry Road will be widened to accommodate additional passengers.

Edinburgh boasts a successful car sharing programme, the City Car Club, and given the scale of the proposals a further four vehicles are required to be added to the fleet. It is proposed that two additional vehicles will be located in the new lay-by to be created on Morrison Link. Due to the communication system used by the programme vehicles cannot be located underground and there are no other suitable surface locations within the site boundary in which to locate the other two vehicles. To address the issue, the applicants are willing to provide a financial contribution to the programme for a further two vehicles to be located elsewhere in the Haymarket area.

The applicants are committed to providing a green travel plan and appointing a travel plan co-ordinator. The aim of the travel plan is to reduce the level of dependency on car travel and promote the benefits of, and where applicable incentives for, walking, cycling and public transport. The travel plan will establish targets for sustainable travel and outline mechanisms for its constant monitoring and implementation. The green travel plan will be secured by a suitable legal agreement.

g) Issue: Will the proposals have any adverse environmental impact.

Air Quality

Although not directly situated within the city centre air quality management area, the road network that serves the site is included. An air quality assessment has been undertaken and it is indicated that a small portion of Morrison Street will be subject to a slight increase in nitrogen dioxide levels due to an increased canyon effect from Block E.

Services for Communities (Environmental Assessment) encourages the provision of mitigation measures to help reduce road traffic demand and the potential impact for air quality. As well as reducing parking provision at the site from approximately 450 to 381 spaces, the applicants are committed to implementing a green travel plan that maximises the opportunities presented by the site's proximity to current and future transport connections. As well as advocating the benefits of walking, cycling and using public transport, the green travel plan will also explore opportunities for providing electric car charging facilities in line with Scottish Government objectives.

Wind

The impact of the proposals on the local wind environment, and in particular pedestrian comfort and safety is an important consideration. A desk based study of the potential impacts has been undertaken and it has been found that none of the public areas will experience wind conditions that will compromise their intended uses. The proposed use of landscaping and the orientation of the new streets will improve the level of comfort.

The assessment has identified that properties to the north-east, on Morrison Street, will be sheltered by the proposals and will enjoy calmer conditions. The area to the south-west of Block C, Morrison Crescent, is likely to experience windier conditions classed as 'business walking' - i.e. local areas around tall buildings where people are not expected to linger. However, this area will primarily function as an access to the underground car park and the main service yard and subsequently is unlikely to affect adversely pedestrian users.

Ground Contamination

Given the historic use of the site and its association with the railway, there are contaminants present within the fill material that has been used to raise the level of the site. The proposals will result in the majority of the fill material being removed. Where elements of ground contamination remain, the top one metre of the made ground, which contains the highest concentration of contaminants, will be excavated. The entire site will be covered by either buildings or hardstanding, which will prevent the transference of contaminants from the made ground to the site users above. Environmental Assessment suggests the imposition of a condition ensuring the implementation of mitigating measures prior to the commencement of work.

h) Issue: Will the proposals meet the requirements of the Council's sustainability standards.

The Edinburgh Standards for Sustainable Building identifies 6 principles that major developments are to address and sets thresholds for each criteria.

The proposed development has scored as follows:

	Points Applicable	Threshold	Points
Principle 1 Design Quality	9	5	5
Principle 2 Inclusion Health	10	6	7
Principle 3 Renewable Energy	34	14	28
Principle 4 Sustainable Resources	16	10	13
Principle 5 Improve Recycling	3	2	2
Principle 6 Sustainable Operation	8	4	5
Total	80	41	60

The proposal exceeds the threshold set for major developments. The score of 60 points has been achieved by proposing a variety of sustainable measures including optimising glazing to minimise solar gain/winter heat loss, and the use of ground and air source heat pumps and photovoltaic panels. Furthermore, the applicants aim to achieve a BREEAM 'excellence' rating for the development and to comply with the more onerous building regulations that will come into force in 2013.

The proposals exceed the requirement of the Edinburgh Standards for Sustainable Buildings.

Conclusion

In conclusion, the proposed mix of uses is consistent with the objectives for the Haymarket area and is supported by the development plan. The architectural design of the proposals is of high quality; appropriate to its context, and is sensitive to the immediate, and distant, historic environment.

The proposed site layout, including connectivity and permeability through the site and the creation of usable areas of public open space contributes to the creation of a greater integrated Haymarket space and represents an enhancement over the existing permission.

The building designs pay cognisance to the importance of the amenity of surrounding residents with solutions used to minimise disruption. The access arrangements seek to minimise conflict and ensure that the site promotes sustainable travel and is pedestrian friendly in order to create an enlivened space.

Outstanding traffic concerns relating to the proposed access on Dalry Road will be further considered by the Head of Planning and the Head of Transport with a view to ensuring that these are addressed, while also realising the important place-making opportunity presented by the development.

It is recommended that the Committee approves this application subject to the conclusion of a suitable legal agreement for contributions towards the tram, City Car Club, Traffic Regulation Order, and other transport infrastructure, and securing the provision and implementation of a green travel plan. Planning conditions should also be imposed in respect of archaeology, noise, materials, waste management, landscaping, parking arrangements and ground contamination.

REASON FOR DECISION

The proposals accord with the development plan and non-statutory guidelines. The scale and design is high quality and respects the historic environment. The proposals raise no implications for residential amenity. There are no material considerations that outweigh this conclusion.



John Bury
Head of Planning

Contact/tel	Andrew Trigger on 0131 529 3931
Ward affected	A11 - City Centre
Local Plan	Edinburgh City Local Plan
Statutory Development Plan Provision	Urban Area
Date registered	17 August 2010
Drawing numbers/ Scheme	01-02, 03b, 04a-13a, 14a-16a, 17-59, 60a-63a, 64-68, Scheme 2

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Control Portal : www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner,
Elaine Robertson on 0131 529 3612. Email: E.Robertson@edinburgh.gov.uk.

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail Gillian.ferrier@edinburgh.gov.uk or jack.dunn@edinburgh.gov.uk

Appendix A



Application Type Planning Permission
Application Address: 189 Morrison Street
 Edinburgh
 EH3 8DN

Proposal: Demolition of existing buildings and structures, re-grading of existing car park and comprehensive redevelopment comprising hotel, offices, retail, commercial, leisure, public houses, restaurants, car parking and associated landscaping/public realm and utilities infrastructure

Reference No: 10/02373/FUL

Consultations, Representations and Planning Policy

Consultations

Edinburgh Urban Design Panel

1 Introduction

1.1 *This report relates to a mixed use development at the Haymarket Goods Yard site. The scheme comprises 4 buildings containing offices, hotels and ancillary accommodation. A previous proposal for the site was subject of a Public Local Inquiry.*

1.2 *The brief for the project seeks to address the issues contained within the PLI Reporter's report and take cognisance of the Colvin and Moggridge report on the City's skyline. In addition to the uses above, the brief requires phasing to be considered as well as associated landscape and traffic proposals.*

1.3 *This is the first time that the proposals have been reviewed.*

1.4 *It was noted that the Cockburn Association and Architecture + Design Scotland were involved in the public local inquiry and that the Edinburgh World Heritage Trust were opposed to the previous proposals. The Panel did not consider that these interests prejudiced their involvement in the review of this proposal. It was also noted that Mr Strang had represented the Cockburn Association at that Inquiry. The Panel did not consider that this interest prejudiced his involvement in the review of this proposal. In addition, Mr Strang volunteered to absent himself from discussion if the presenters were not content with his involvement. The presenters did not consider that his interest prejudiced his involvement.*

1.5 *This report should be read in conjunction with the pre meeting papers which provide an overview, context, concept, plans, sections and 3D visualisations of the scheme.*

1.6 This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations who are represented at the panel forming a differing view about the proposals at a later stage.

2 The Panel's views on the proposals.

2.1 The success of the development will be dependent on the interrelationship of it and surrounding development sites, particularly Haymarket Station. Consistent with the advice previously provided to the developers of the station, the Panel recommends that Tiger and their design team work with their counterparts for the station to develop an approach in which the urban design of the area is cohesive. The panel considers it essential that the area as a whole is considered and not just the goods yard and station sites.

2.2 Notwithstanding this comment, the Panel considers it essential that leadership is provided from the Council for the design of Haymarket in order that there can be a clear strategy for the area as a whole. The updated Urban Design Framework and the forthcoming Area Development Framework should be used to guide development. The Council will also have a role to play in bringing the developers and design teams of the sites together.

2.3 In matters of detail, the issue of the crossing over Dalry Road highlights the need for a joined up approach. Its location will determine pedestrian movement into and from the site and therefore its siting is critical to the success of the development. The crossing should be located to create direct connections between the station and the site and therefore, the Panel is supportive of the notion of taking access to the South side of Ryries public house.

2.4 Options for compulsory purchase orders should be explored if sites within the area are creating blockages to the achievement of placemaking.

2.5 The approach taken to pedestrian connectivity through the site is generally welcomed albeit the success of the current layout is somewhat dependent on the location of the crossing as noted above. This reinforces the need for the Council to examine this matter carefully. The success of Haymarket as an urban space is dependent on it being people based and not vehicle based.

2.6 The Haymarket goods yard site is very well connected with the railway station, future tram stop and bus routes all in close proximity. It is therefore favourably placed for a high proportion of public transport use. As a consequence the Panel recommends that car parking within the site should be minimised and that it may be possible to reduce car parking numbers further.

2.7 It is noted that the Council has identified a need for public car parking within the West of the city centre. Whilst there may be a strategic need for this, the Council should consider whether the Haymarket Goods Yard site is the best location for this.

2.8 In order to avoid conflicts between the large number of pedestrian moving in and around the site and vehicles accessing it, it is recommended that vehicular access is arranged from the rear of the site rather than Dalry Road or Morrison Street.

2.9 Architecturally it may be better to design from an approach that looks at the quality of streets and spaces rather than being too driven by an object oriented approach to the buildings.

2.10 The design and articulation of the new building's elevations and roofscape will be an important next stage of the development of the design and will require careful consideration.

2.11 The proposal to have active uses at ground level is welcomed. In order to ensure that these are successful, consideration should be given to the microclimate. The space to the North East of the site for example is less likely to help support uses such as cafes with outdoor seating for example than the Westerly facing square.

2.12 In summary, the Panel is broadly supportive of the direction that has been taken with the design, finding the approach to pedestrian permeability, reduction in massing and inclusion of active uses at ground level encouraging. Notwithstanding this, the success of the development is dependent strong spatial relationships between the site and surrounding development and therefore it is essential that there is a close working relationship between the developer and those of surrounding sites as well as strong leadership from the Council.

Transport Planning

I have no objections to the application subject to the following (as conditions or informatives as considered appropriate):

1. Access to the development will be via the Morrison Street left in only vehicle access. No vehicular access is to be taken via Dalry Road.

Reasons-

- The access via Morrison Street has been proposed as a service access outwith peak pedestrian periods. Given the applicants' estimates of only thirty vehicles during these periods this could operate satisfactorily as an access at all times and it is therefore considered this should form the principal access to the site. It is noted that this was the access proposal for the development previously approved by the Council for this site.*

- *The applicant's proposed primary access via Dalry Road has been safeguarded as a future pedestrian link to and from the Haymarket Station. Any access to the development taken from this location would prejudice that future link.*
 - *There are significant safety concerns with taking an access off Dalry Road. The Stage 1 Safety Audit noted that there were a number of vehicles turning left at excessive speeds from Morrison Street to Dalry Road. It was highlighted that there could be a risk of collision with vehicles slowing to turn left into an access off Dalry Road. The additional presence of buses stopping in the locality will only exacerbate the safety issue.*
 - *The presence of an access onto Dalry Road will provide a possible exit onto Dalry Road raising safety concerns.*
2. *Details on the operation of the car park are required, including hours of operation, details of charges and measures to allocate parking. There is a presumption that the parking charges will discourage all day commuter parking. This shall be submitted to the Head of Planning for approval in writing prior to the opening of the Development.*

Reason-

- *In accordance with the council's Local Transport Strategy (LTS), Policy Objective Parking ii 'Ensure that parking provision does not encourage commuter car travel, especially to the city centre' and LTS Policy Park 5 'The Council will seek to manage parking demand from commuters'.*
3. *Details of measures to control parking and waiting on the shared boulevard area are required. This shall be submitted to the Head of Planning for approval in writing prior to the opening of the Development.*

Reason-

- *In accordance with the council's LTS Policy Park 22 'The Council will ensure that the adverse impacts of car parking in new developments are minimised'*
4. *Details on the number, type, location and layout of the cycle parking to be submitted to the satisfaction of the Head of Planning. These should comply with the Parking standards for Development Control (December 2009) and Movement and Development guidelines.*
5. *Full details on the numbers and location of shower or locker facilities proposed should be submitted, to ensure that they meet the Council's standards.*

Reason (4&5)

- *In accordance with the council's Local Transport Strategy (LTS), Policy Objective on Cycling ' To ensure that cycling is an attractive, safe and secure option for all short and medium distance journeys'*
6. *A Stage 2 (detailed design), Stage 3 (At opening) and Stage 4 (1 Year after opening) Road User Safety Audit to be carried out and any recommendations contained within carried out at no cost to the Council.*

Reason

- *In accordance with the recommendations of Designing Streets and to ensure that the cost of any remedial measures do not have to be met by the council.*
7. *A Travel Plan should be produced by the Developers with details of monitoring and review to the satisfaction of the Head of Planning. This should include details of funding of remedial measures should monitoring indicate that identified public transport mode share targets are not being met. A legal agreement will be required for this.*

Reason

- *In accordance with the council's LTS Policy Objective regarding Business Travel Plans 'all major offices and activity centres to have Travel Plans', and LTS Policy ST5 ' The Council will , in planning agreements with developers for new office, retail and residential developments seek funds for the implementation of agreed Travel Plans aimed at reducing the demand for car travel to/from that development.*

Consent should not be issued until the Developer enters into a suitable legal agreement for the following:

- *A sum of £4,374,603 towards the Edinburgh Tram Line (calculated in accordance with the approved Tram Contributions Report and the development size as stated in the Transport Assessment - 245 Bed Hotel, 43,866 sq m office, 3938 sq m retail, 1453 sq m pub/rest). It is, however, recognised that due to exceptional costs associated with the development of this site that a reduction may be appropriate. Such a reduction to be agreed with the Head of Planning.*
- *Contribute a sum of £100,000 towards the future construction of a puffin crossing on Dalry Road and associated works. This Puffin is to link to a future pedestrian route into Haymarket Station to the rear of Ryrie's Pub (as identified in the recent Haymarket Interchange Study and Masterplan).*

- *A sum of £32,000 towards the City Car Club.*
- *A sum of £8,000 towards a Traffic Regulation Order to introduce loading and waiting restrictions on the access road (Morrison Crescent), amending the parking restrictions on Morrison Street and Morrison Link for the proposed loading bays and a stopping up order for the area of footway affected by the proposal.*
- *A sum of £25,000 for any remedial works deemed necessary in the Stage 4 Road Safety Audit. See condition 6 above.*

Notes:

1. *Should the £100,000 towards the construction of a puffin crossing not be used within ten years, the sum plus interest to be returned to the Developer.*
2. *The amount of £25,000 will be held by the Council in an interest bearing account, for a period of 5 years maximum, to be returned to the Developer in the event that no measures are required. Measures which may be considered include further restrictions to prevent indiscriminate parking and loading, speed restricting measures, etc.*
3. *The City Car Club will require four vehicles and four dedicated parking spaces. Two spaces to be located at the lay-by on Morrison Link, two at a location in the vicinity to the satisfaction of the Director of City Development.*
4. *Given the proximity of the proposed works to the tram route, the applicant should consult with Transport Initiatives Edinburgh (TIE) to ensure that construction works are co-ordinated with tram construction works.*

Notes for Information:

This application will be require to be subject to application for Roads Construction Consent, and will include the requirement for a dilapidation Survey to be carried out in conjunction with the Roads Manager in the Services for Communities Department.

Generally, there is a presumption against undertaking works within the boundary of the public road, however, if it is necessary to do so the following procedures must be undertaken to comply with Sections 56 and 21 of the Roads (Scotland) Act 1984.

Works Affecting the Public Road

Please advise the applicant that all works within or affecting the public road, including works on the footway, must be authorised in advance by the Roads Authority. Also, developers will be required to reinstate the footway at the location of those existing accesses, which are no longer required by the proposed development.

If the application involves the provision of new works within the Public Road boundary the proposals shall require the consent of the Council, as road's authority under Section 56 of the Roads (Scotland) Act 1984. This will require the applicant to obtain a Road Opening Permit. At the design and post construction stages a Road User Safety Audit approval may be required if stipulated. Also, to comply with Section 56 of the Roads (Scotland) Act 1984 approval for the detailed engineering design of the works including road geometry, drainage, lighting, signing and carriageway markings will be required at the design stage.

Services for Communities (Environmental Assessment)

This department had raised concerns during the last application for this site which included a high rise hotel building. This was rejected by Scottish Ministers and the current application removes the high rise element and replaces it with a 7 story office block at Morrison Street edge of the site. The rest of the development site remains broadly the same as before. Concerns had been raised due to the new building heights creating additional canyon effects at this busy Haymarket junction, especially at Morrison Street. The development site is within an Air Quality Management Area which was declared for the failure to meet European air quality objectives for the pollutant nitrogen dioxide.

The modelling assessment provided gives an indication that a small localised area on Morrison Street (close to the junction with Dalry Road) will be subject to slight/moderate increase in nitrogen dioxide levels due to the increased canyon effect which will occur with the erection of the new office block. Although the developer has sought to break up the new office facade on Morrison Street, some adversely impact is simply unavoidable due to the new building. This impact would occur regardless of final building height. While the number of car parking spaces currently on the site is determined at 450, the site is essentially an open piece of ground with no formal road layout or marked car parking bays. The new development will have around 370 spaces split over two basement floors beneath the main office blocks. This will serve the new commercial units and a portion of the car park will remain available for public access. The new office, retail and leisure units will be serviced either from the newly formed internal street (this can be controlled to restrict entry times by a traffic management system), or from a newly created service yard created at the edge of the site. A condition has been recommended to restrict the service yard hour's operation to exclude late night deliveries.

The transport assessment provided by the developer predicts that the new development will only increase traffic flows by around 40 cars per hour at peak times on Morrison Link/Morrison Street. Although this overall increase in traffic demand appears low, this department has some concerns about even this relatively small increase when combined with other potential changes to the traffic flow within the area. With Haymarket Station and the adjacent road network due for significant redevelopment because of the tram construction and increased rail passenger numbers, these factors have to be taken into consideration when examining this busy road network. Indications from CEC Transport suggest that Morrison Street may change to two way traffic flow, from the current one way only, in order to allow the tram better access to Haymarket Station. This could significantly change the traffic flow on this busy street and make the task of achieving positive reductions in road traffic emission more difficult. This department would strongly encourage the developer to provide mitigation measures which will help reduce the potential impact of any increased road traffic demand from the development.

One such method we would support is efforts to provide electric vehicle charging points within the basement car park in order to encourage the use of zero emission cars to this location. Significant sections of the surrounding Haymarket area are within of our declared Air Quality Management Area as they suffer from road traffic related air pollution issues. The increased use of electric vehicles within Edinburgh may provide some improvement in local air quality as they produce no harmful emissions at the point of use. The developer should consider the provision of an electric vehicle charging points within the underground car park. Some of the recharging points should be for public use, others can be reserved for the future occupiers of the commercial units. This department will seek to enter into discussion with the developer on this matter and would wish to see measure included in a Section 75 legal agreement. The previously rejected application had a provision within a legal agreement to provide money (approx £40,000) for additional air quality monitoring equipment in the Haymarket area however this is not an option we feel is appropriate at this time and alternative mitigation measures will be sought.

The Scottish Government has announced its commitment to low emission vehicles with regards to sustainable transport for the future. CEC has also reviewed its guidance on parking standards, and now states that developers should consider the potential for electric vehicle charging infrastructure throughout all types of development. The developer should refer to the EPUK document "Development Control: Planning for Air Quality (2010)" when proposing measures to mitigate against local air quality impacts. This department would also encourage the developer to create a "Green Travel Plan" to assist the personal mobility needs of the new staff and visitors using this site. This should promote access to existing public transport routes, provide cycle facilities and encourage the use of low emission vehicles by future occupiers of the site.

This department also raised issues about noise from delivery activities from the service yard as a potential problem to the neighbouring residential properties in the Colonies. The commercial units should be serviced by delivery vehicles during daytime in order to minimise the impact on current residential neighbours and hotel guests. The applicant has undertaken an acoustic assessment which recommends that an acoustic barrier of about 3.5m high will help protect residential amenity. In order to protect residential amenity we would also recommend that late night deliveries are prohibited.

Finally conditions to deal with other issues such as contaminated land, kitchen ventilation, outdoor seating areas, music breakout and plant/equipment noise have also been recommended. Environmental Health has no objections to this proposed development subject to the following conditions:

- 1) The acoustic barrier adjacent to the main service yard, as shown on approved plans shall be erected prior to the operation of the service yard and maintained effectively thereafter.*
- 2) A scheme for protecting nearby residential accommodation from noise from delivery activities in the main service yard shall be submitted to and approved in writing by the Local Planning Authority; all works which form part of the approved scheme shall be completed to the satisfaction of the Head of Planning before the service yard is operating.*
- 3) The design and installation 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.*
- 4) Deliveries and collections at the Service Yard, including waste collections, to be restricted to 07.00 - 22.00 hours, Monday to Saturday and 10.00 - 17.00 Sunday.*
- 5) The hotel and class 3 use kitchens 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 odours escape or are exhausted into any neighbouring premises, all to the satisfaction of the Head of Planning.*
- 6) All music and vocals, amplified or otherwise shall be so controlled as to be inaudible within any neighbouring premises.*
- 7) Any outdoor seating areas associated with public house or class 3 restaurant uses shall be restricted to between the hours of 08.00 to 22.00, Monday to Sunday.*
- 8) 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 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.*

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.

9) The development shall include the provision of a minimum of 10% electric vehicle charging points at spaces within the basement car park and one charging point for use by delivery vehicles within the service yard. Details of the provision shall be submitted in writing for approval by the Head of Planning prior to the initiation of development. The provision, as approved, shall be installed prior to the occupation of the development.

Archaeology

The site lies adjacent to the boundaries of the UNESCO World Heritage Site in particular the 19th century westward extension of the New Town. Historically the site occurs along the main medieval road leading westwards from the Old town via the Grassmarket within the general area associated with the estate of Coates, first mention in 1581 as belonging to Holyrood Abbey, centred upon the nearby Whitehouse and South Coates. The area appears to have remained relatively open with the exception of buildings along its edges until the late 19th century when it became a railway goods yard.

Site occurs within an area of archaeological importance and this application must therefore be considered under terms of the following Scottish Government policies; Scottish Planning Policy (SPP), PAN42 and SHEP and also under CEC's Edinburgh City Local Plan (2010) policies ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

The proposed development will require extensive excavation works, however the recent development history of site indicates that the potential impact of this application is considered to be insufficient to justify the refusal of consent on archaeological grounds. Nevertheless significant archaeological remains relating to the 19th century industrial development of Edinburgh and also to the pre-industrial (medieval) settlement of Coates may occur across the site. It is therefore essential that a suitable programme of archaeological works (excavation) be undertaken prior to and during development in order to record

and excavate any significant remains which may survive where preservation insitu is not possible.

It is essential therefore that a condition be applied to any consent granted to secure this programme of archaeological works. A condition based upon the model condition stated in PAN 42: Planning and Archaeology, para 34 should be used, as follows;

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

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

Gorgie/Dalry Community Council

We welcome appropriate development on the existing Morrison car park site, however I would like to make the following observations on this proposal. All policies quoted are from the Edinburgh City Local Plan, finalised in March 2007.

Policy Des 1. I believe that the current proposal will not create a high quality living or working environment in the Haymarket area as it does not draw on the existing positive characteristics of the surrounding area or reinforce a sense of place. It is an inappropriate design for the area and would be damaging to the character and appearance of the existing historic surroundings, as the design is a mess of heights, styles and materials. It would adversely affect the character and appearance of the World Heritage Site, listed buildings and conservation areas around it.

*Policy Des 3 a,c. I believe that this proposal will have a negative impact on the setting, with regard to the positioning of buildings on the site, their height, scale and form, materials and detailing and impacts on views. The amenity of occupiers or neighbours will be materially harmed by the effects of the development on their privacy, daylight, sunlight and immediate outlook. Nearby residences will have their view damaged, their daylight and sunlight will be reduced, and as they will be overlooked their privacy is affected. The pictures created by the developers of the views from Dalry Colonies show large trees with summer foliage reducing the effect of the proposed buildings. Even with this, blocks A and E are visible in addition to the full facade of the 3*hotel towering over 10m higher than the 2and half storey buildings. The materials the developers propose to use (ceramic, metal and timber) are out of keeping with the material used in the surrounding buildings. The buildings*

as shown in the pictures to show the views from the roads entering the area also show that the buildings dominate the area. The size, scale and design all grate in the context.

Policy Des 10 b. The buildings are significantly taller than those surrounding them by several storeys. This is inappropriate and unjustified, and leads to the loss of amenity to neighbours and the domination of the streetscape by these buildings. The typical ridge height of the existing surrounding buildings according to Colvin and Moggridge is 80m AOD, and the maximum height of a building to preserve key views that have a high sensitivity to impact from a high building on this site is 92m AOD according to their work. The buildings on the site are just below this, but will surely still have an adverse impact. I note that this report is not policy, but I feel it is important it is not ignored.

Policies Env 2 and Env 5. This development borders 2 conservation areas, listed buildings and a World Heritage site. I believe the proposed development does not preserve or enhance the special character or appearance of these, and will adversely affect their setting. See my comments in relation to Policy Des 1. This site is part of the 5% of the World Heritage Site boundary not protected by listed buildings ect.. This is despite this being an important view of the city. It has high footfall and traffic density. The length of the site along Morrison Street will face onto the World Heritage Site and listed buildings. The design needs to be more appropriate, especially as the World Heritage Site has no buffer zone, or other planning protection, despite its? vulnerability and sensitivity.

Policy Env 17. This development will have an adverse effect on health, amenity and air quality in the area. I have previously commented on the reduction in amenity to neighbours. I believe that canyoning will still adversely affect air quality, the wind speeds nearby will increase, and the amount of light pollution from the hotel for the residents of Dalry Colonies will not be acceptable, although this has not does not seem to have been fully investigated.

The relocation of the public toilets poses more problems. It may not be aesthetically pretty, but they should be located to the edge of the site nearest Dalry Road or Morrison Street, and free. This will enable them to be more accessible to all, minimising nuisance to residents. Free access should be guaranteed whoever owns the site in future. I also note that no maintenance agreements regarding security, maintenance and landscaping for the site are mentioned.

Policy Ret 2a (and SPP8). The proposed retail development will have an adverse effect on local shops. Many are already struggling or indeed have closed. Increased competition, especially from a large licensed supermarket chain will adversely affect them, leading to fewer jobs in the retail sector, and reduced choice and facilities for customers.

Policy Ret 12. The food and drink establishments will lead to an unacceptable increase in noise, disturbance and on street activity for neighbours. There is also a concentration, indeed to me, an overprovision of public houses in the area, which is surrounded by residential properties. Any increase will be detrimental to those nearby.

Policy Tra 4. There is insufficient cycle parking, less than City of Edinburgh Council guidelines. I am also concerned that these spaces will be shared with motorbikes, further reducing space, especially as so many bikes are already parked (tied to railings, narrowing an already narrow pavement) at the corner at Haymarket Station. There is also insufficient separation of bikes and cars when entering the building.

The reduction in public car parking from 450 to 244 is to be regretted, given the lack of parking in the area. This will increase illegal parking, and therefore nuisance to residents. This is especially true as coaches park there when events are on at Murrayfield or Tynecastle. The coaches will either need to park further away, or do as they do now, and park illegally on Gorgie Road. There has been no documentation from the City of Edinburgh Council regarding coach parking, despite it being raised at the last planning hearing in June 2008. Plans for how the closure of the car park during construction also need to be discussed as no plans for this have been notified to Gorgie Dalry Community Council.

I also have concerns about the bus stops. They are currently on a very narrow bit of pavement, having been relocated temporarily due to work for trams, causing problems for pedestrians. The original (permanent) location of these is a bit better as the pavement is a bit wider there, however a pedestrian bottleneck has always been a problem. The development should be setback to widen the pavement further where the permanent bus stops are located (beyond the minimum of 2m due to the high footfall). The left in-only access on Dalry Road is badly sited, and will cause problems for pedestrians and vehicles. The bus stops should be returned to their permanent locations as if the bus stops stay where they are, bus users will need to queue over this junction. The traffic flow at this point would also be adversely affected by buses taking on passengers while traffic is trying to turn in to this junction. The roads within the site are also very narrow for mixed use of tour buses, retail lorries and pedestrians. The location of the crossing from one side of Dalry Road to the other should also be returned to its? original position to facilitate the return of the stops to their original position. These suggestions also need reconsidered in light of plans recently submitted for the station and not the scheme proposed within the HIFS scheme.

I feel that the layout is not in accordance with the Colvin and Moggridge report as it does not provide a 'gateway' to the city as it blocks views from several roads entering the city (particularly views of Haymarket from Dalry Road) and conflicts with city wide views to the key elements in the city.

As the 3 hotel and block E are the first to be constructed (along with the car park) I feel that there is a danger in the current financial climate that the office blocks may never be built (unless tenants are found). It was conceded by the developers during the public inquiry that the second phase may not go ahead. If consent was given to the site then a condition must be applied that ensures the developers give a bond to CEC to allow the rest of the site to be landscaped for public use (ie seating, planting, lighting) if construction of the office blocks is not started within 3 months of the hotel and block E being finished.*

I feel a stakeholders group, chaired and minuted by a council representative is essential before, during and after construction considering the proximity of this site to a large number of residential properties. This would allow those affected to raise issues and have them dealt with more quickly and effectively. This group might best also be continued during the redevelopment of Haymarket station, (and relevant Tram works) as the areas are so close geographically. There is also the issue of planning gain that needs discussed prior to any planning consent being granted.

West End Community Council

The West End Community Council wishes to submit the following objections, concerns and comments on the above Application.

1 Design

1.1 The height and mass of building E are overpowering and inappropriate in the context of the Victorian tenements opposite it on Morrison Street and the corner feature buildings which compose the rest of the Haymarket boundary (i.e. Ryrie's Bar, Haymarket Bar, Haymarket Station and the corner pavilions of Grosvenor Street - listed in Haymarket Urban Design Framework pp. 13 and 16 as worthy of respect by future development). (Ref. ECLP Des 1)

1.2 Office E does not breach the maximum height of 92m AOD allowed in the Key View Threshold Analysis 2010, which gives guidance for the protection of significant views that have a high sensitivity to the impact of a tall building on this site. This does not, however, justify its height in terms of its relationship to its environs, where the general existing ridge height is 80m AOD.

1.3 The termination of the view out from the World Heritage Site along Grosvenor Street is unbalanced, due to the orientation of office E as proposed. The Colvin and Moggridge Analysis, note 2, suggests this view could be terminated on a sculpture on axis. "Symmetry around axis is important to complete the classical urban planning of the West End and to tie the new proposal into the New Town."

1.4 Location of plant:

Plant for blocks A, C and D (and possibly others) is partly located on the roofs. This is disappointing as it does not give a clean line to a roof, nor appear to be an integral part of the overall design of a building. (Ref. Sustainability/Energy Statement Item 2) Although the Edinburgh Planning Guidance : Building Heights and Roofscape is only at the draft consultation stage, it is clear that there is a desire to see the roof of a building as a significant "fifth elevation". Ref. 2 a) "... all plant and machinery, and other services should be incorporated within a building or located behind a parapet wall, or similar feature, which is part of the overall design of the building".

2 Materials

Carea slabs:

We are pleased at the part use of sandstone in place of carea slabs on the hotel, but are concerned that the "detailed design change incorporating natural stone" (Ref. Pre-Application Consultation Report, p.16, item 2) has retained so much white carea tiling. This is out of keeping with the historic frontages on Dalry Road and in the Dalry Colonies. (Ref. ECLP Des 1, 3.5 "respecting the character of the immediate environment")

3 Landscape

ECLP Policies Des 5 and OS3 in New Development apply.

3.1 The use of corten planters does not have our support as their appearance deteriorates quickly and they are out of character. WECC recommends the use of stone raised beds for trees and seasonal planting, such as is very effectively used in Corstorphine Village (e.g. on St. John's Road), to pursue the feel of Edinburgh's built heritage and sense of place. (Ref. ECLP Des 5 a "character")

3.2 The water tables could be set in recycled (Craigleith?) stone from the demolition of the Morrison Street wall. (Ref. ECLP Des 5 a "character")

3.3 We suggest a link to the industrial history of the site through the use of recycled railway sleepers for the bench seating.

3.4 The proposed bench seating appears to lack back rests and arm rests. The elderly and some disabled people would find these difficult to use. Child height seating might be a useful consideration.

3.5 The individual seats with cast iron frames are appropriate from the materials point of view and the armrests are welcomed. It is to be hoped that these seats will not be scattered at random, but grouped for social convenience. Provision should be made in the East as well as the West Square.

3.6 Given the importance of greenery for the Dalry Colonies, due to the proximity of the hotel, a detailed management contract with the hotel operator is welcomed. (Ref. ECLP Des 5 e)

4 Sustainability

4.1 Recycling:

"Consideration will be given to" the use of recycled stone from the Morrison Street wall (see Pre-Application Consultation Report, p.19. item 7c). This intention is appreciated, but it is regretted that such stone is only shown in drawings as being used for the wall at the rear of the site beside the services access. It is unclear what stone will be used elsewhere.

4.2 Green roof treatment on office block A, PV roof arrays and other Sustainability measures are welcomed. The measures do not seem, however, to be applied consistently throughout the site.

4.3 Demolition and Clearing of site:

A useful addition to the Site Management Plan would be an assurance that nearby residential streets will not be used as rat-runs for HGVs carrying spoil to landfill during the demolition and clearance stage. (Ref. Sustainability Statement 5.1.1)

5 Transport

5.1 Lay-by on Morrison Street for drop-off:

There is concern for pedestrian safety, (particularly for the visually impaired and for parents with push-chairs) over the proposal for a shared use pavement on this very busy street. There is a lack of detail on whether there would be a dropped kerb pavement, etc. The need for such a drop-off facility is questioned. In addition, it is not ideal to have 2 interruptions to the pavement within such a short distance of each other. (Ref. Transportation Statement Safety Audit)

5.2 It is noted that "Coaches can use the new street to front of hotel to drop off" (Ref. Pre-Application Consultation Report, p.18, item 6g). There are concerns over the width of this street coping safely as a shared use thoroughfare, while coaches are off/loaded and taxis drop off/pickup passengers.

5.3 Travel Plan:

5.3.1 WECC welcomes the level of detail provided at this stage. There is no indication, however, of who will be responsible for appointing and employing the Travel Plan Co-ordinator (Ref. Transportation Statement, item 6.4).

5.3.2 We are encouraged by the innovative incentives suggested for promoting the use of public transport (Ref. Transportation Statement, item 6.5.5).

5.4 Restricted access:

We support restricted access times for vehicles entering the shared use areas. We do not agree with the proposal for 24 hour access for the street that links Dalry Road and Morrison Crescent. We are in favour of the ECLP Policy Des 7 a - the provision of new traffic-free paths and spaces for pedestrians).

6 Environment

Section 2 Noise states the bore hole above the rail tunnel is only 2m above the track level. If this is just head height, vibration will be felt from the trains passing below the offices. Any errors here could cause the tunnel to collapse, blocking travel to the west and south for many weeks during repairs. The text is factually incorrect where it states that 2 or 3dB increase is barely noticeable. The physics shows that 2.6dB increase refers to a doubling of sound, so an increase of 10dB refers to four times as much sound. Shadow diagrams must be produced for the winter months of low sun, as well as for March, May and June in order to provide a full picture. Some windows fail the daylight test.

7 Other Community Concerns

7.1 Public Art:

There is no indication where the public art is to be placed, e.g. a culturally significant sculpture or railway mural. We note that it has only a brief mention as being under consideration. WECC recommends that it be the subject of a competition to ensure a high standard, perhaps under the auspices of the City Council. (Ref. ECLP Des 3 j)

7.2 Toilet provision:

Free Public Toilet provision is required under the terms of sale of the site. This provision is important to the residents of the Dalry Colonies, whose area is abused following sports events and at weekends. There is mention of provision at ground level for those using the car park, but it does not show on drawings. Such a building needs to be readily identifiable, on a direct through route.

7.3 Privacy:

It is hoped that a system of louvers will be provided on the top floor windows of the hotel overlooking the Dalry Colonies. (Ref. ECLP Des 3 c)

8 Conditions

8.1 *If the Committee's decision is to grant this Application, the West End Community Council recommends that Conditions be attached which address the above concerns.*

8.2 *Arrangements should be put in place to deal with the possibility that construction on the site is likely to be phased, depending on tenants being found for the various buildings. (Ref. Environmental Statement) An example condition might be an agreement for landscaping of levelled ground awaiting construction start-up.*

Edinburgh World Heritage Trust

Thank you for consulting Edinburgh World Heritage. Edinburgh World Heritage is a charitable trust established in 1999 by the City of Edinburgh Council and Historic Scotland. Our role is to safeguard the World Heritage Site's Outstanding Universal Value (OUV) and as such we are a non-statutory consultee of CEC on planning issues that may affect OUV. The OUV, as agreed at inscription, including its authenticity and integrity, is a key material consideration when decisions are taken on applications for planning permission and other relevant applications, whether by the Council or Scottish Ministers.

OUV: Townscape

Within the WHS Management Plan, townscape is identified as a key element of the Outstanding Universal Value. Of relevance to this application are the points on page 44, in particular:

- The planned relationships between key buildings, statues, monuments and open spaces*
- The consistency of buildings and urban grain throughout the site*

We appreciate significant reduction of the height in comparison to the previously consented scheme. However, we remain concerned that while the proposed scheme relates to the architectural context of the exchange district, it does not respond strongly to the World Heritage Site.

The views to the site from the west Haymarket Terrace and from Grosvenor Street to the north offer the opportunity for a landmark. This approach is relatively common in the New Town (see attached images) where the street view is closed either by greenery or by some form of landmark.

The approach taken in this application reflects the view down Hope Street to the Rutland Hotel, of a rounded façade with a higher block behind it (although in the case of the Hope St view, the block behind is a different material). This is an exception to the otherwise carefully planned views within the WHS, and we are concerned that the opportunity to complete this view from the WHS in

the spirit of the OUV will be lost. The opportunity could be regained through a different treatment of the northern part of building 'E', aiming for visual exposure of the round facade against the atrium and the second part of the office, or through a lessening of the height of the building to the rear.

The quality of this scheme is critical for the future development of this part of Edinburgh bearing in mind the development opportunities identified in the Haymarket Urban Design Framework. We believe that the entire Haymarket area should be a subject to careful master-planning coordinating development in Dewar Place, the extension to the EICC and the proposed redevelopment of Haymarket Train Station.

Historic Scotland

We have considered the proposed development for our statutory historic environment interests. That is scheduled monuments and their setting, category A listed buildings and their setting and gardens and designed landscapes in the Inventory.

This letter sets out both our comments on the Environmental Statement and, taking that and other considerations into account, on the planning application. To summarise, as you will be aware, in our response to the previous iteration of this application (dated 29 November 2007) we offered no objection. The amendments to the scheme, including the significant reduction in height of the Dalry Road/Morrison Street corner block (Office Block E) do not alter this previous position and as such we have no objection to offer to the application.

Your Council's Conservation and Archaeology Services will also be able to advise on the adequacy of the assessment for the historic environment and of the likely impacts and mitigation proposed for any sites of regional and local importance.

Environmental Statement

We consider the Environmental Statement (ES) to be comprehensive and correctly identifies the historic environment baseline in the vicinity of the proposal. The ES presents a thorough assessment of both the construction and residual impacts of the proposed development on the surrounding historic environment features and we are content to agree with the conclusions of the assessment.

Application

Following consideration of the assessment of the potential impacts of the development outlined in the ES, as well as both our previous comments on the application and the existing consented scheme, we are satisfied that the proposal will not detract from the surrounding historic environment assets and therefore have no objection to offer.

Architecture & Design Scotland

Pre-Application

This report relates to pre-application designs for the redevelopment of Morrison Street Goods Yard, Haymarket in Edinburgh presented at an A+DS Design Review meeting held on 25th May 2010 in Edinburgh.

Earlier designs for the scheme were considered by A+DS in April, July and November 2007 and again in May 2008 as part of a detailed planning application for the site. The application was minded for approval by the City of Edinburgh Council in June 2008, but subsequently refused planning permission by Scottish Ministers in October 2009, following a Public Local Inquiry.

The scheme has been revised to respond to key issues contained in the Local Inquiry report, and recent guidance developed by the City of Edinburgh Council, as well as development of the detailed brief for the project including issues of phasing and potential change in use from a 5 star hotel to office accommodation.

A+DS Views

1 General comments

1.1 We thank the design team for their clear presentation and welcome the opportunity to comment on the revised designs for the Morrison Street site. A+DS was very supportive of previous scheme in many respects and we are pleased to see that the general principles of the previous application have been retained. We recognise that the project has improved significantly and commend the design team for their work thus far. However, we still have concerns with regards to how the proposals tie into plans for the wider Haymarket area, in particular proposals for Haymarket Station to the west, and offer the following comments for consideration within this context.

2 Haymarket and wider context

2.1 Background

In previous reports we supported the design team in their aspirations to provide high quality public realm and their ambition to mark the entry to the World Heritage site. However, we did not think that the design approach being taken, particularly in relation to the 5 star hotel, would deliver the scale and quality of space required to establish Haymarket as a successful urban place. In order to achieve this, we suggested that the designs needed to be developed within the context of a strategy for the wider area and we encouraged the City to demonstrate much stronger leadership, co-ordinate the various initiatives in the area, and guide the development of Haymarket as a world class urban place and western gateway to Edinburgh.

2.2 Strategic overview

We welcome the new initiatives being promoted by the Council in response to our previous concerns, that the development of Haymarket was proceeding 'out of sequence' without having first established a strategic vision for the wider Haymarket area. The timing of the Southern Arc Area Development Framework is particularly critical if it is to have a positive influence on the designs for Morrison Street and the Haymarket area generally and we encourage the Council to accelerate this initiative to help provide a more definitive context for the project.

2.3 Consultation/stakeholder involvement

We are pleased to see that the design team are engaging positively with various stakeholders of the project and that the community engagement process is on track. It is essential that the major stakeholders work together for mutual benefit, to find a common good and create a joined up approach to the Haymarket area. We welcome the Council's efforts to convene a meeting between Tiger Developments and Network Rail. As such, A+DS would be pleased to be part of a discussion between the key parties developing out of this part of the city, to enable a joined up strategy to emerge that is deliverable through planning and investment frameworks.

2.4 Mediation

We encourage the project team to consider mediation as a way of avoiding and minimising potential planning disputes, if necessary; and suggest that the project could be considered by the Scottish Government to be an appropriate candidate as a case study for this process.

3 Current designs

3.1 General

We welcome the improvements that have been made to the designs and feel that the project has the potential to make a very positive addition to the Haymarket area. Our comments at this time refer to the redesign of the 5 star hotel at the north corner of the site (Building E), the surrounding public realm and connections between the site and the adjacent areas, as we were informed that the designs for the remainder of the site are otherwise unchanged.

3.2 Block E

We welcome the significant reduction in height to the proposed corner building (Block E) that is to replace the 5 star hotel with office accommodation. We note that the designs for the building are still at an early stage and that the visualisations presented are intending to convey the massing of the building only at this stage. Given its prominent location at the end of a number of important vistas in the city, it will be incumbent on the design team to give careful consideration to the detailed design of the building's external envelope. In doing so, we encourage them to find an appropriate design language, that is of its time and reflects the character of this part of Edinburgh, and to concentrate on a simplified design that focuses on quality of form rather than complexity of materials. The design of the elevation towards Grosvenor Road will be of particular importance given the broadsided aspect of the building to the street.

3.3 Connectivity / movement

We commend the design team for considering the wider area beyond the project's site boundaries. We support them in their ambition towards establishing a new public space at the west end of the site and to form pedestrian links from this space across Dalry Road into Haymarket Station immediately to the west. We note that the design team are exploring options with regards to how these links might be achieved and recognise the difficulties they face in designing around a varying set of circumstances with regards to plans for the adjacent areas. The removal of key buildings that are currently blocking pedestrian connections to the west would be advantageous, in terms of aiding pedestrian connectivity between and through the two sites, and in allowing a more meaningful public space to be created. We would endorse the consideration of CPOs being sought to allow this.

3.4 Public realm

The revised floor plate of Block E, coupled with the reduction in its height, appears to better define and give an improved sense of enclosure to the pedestrian 'boulevard' running between the proposed building and Block A to the south. Public spaces are also proposed at either end of the 'boulevard' to the east and west, providing additional public space for the city, which we welcome. However, we have some concerns with the quality of the proposed square to the east of the site as it will be largely overshadowed all year round during most of the day.

3.5 Sustainability

We note that in the previous scheme the project team had aspired towards achieving a BREEAM excellent rating and are pleased to hear that this is still at top of their agenda. We are also encouraged to hear that due cognisance will be given to the more onerous 2013 Technical Standards as part of the design development, in addition to studies on the effects of wind tunnelling and solar shading.

Conclusion

We continue to support the design team in their ambition to redevelop this prominent gateway site into Edinburgh city centre, and believe that the project has the potential to make a very positive addition to the Haymarket area. A+DS was very supportive of the previous scheme in many respects and we are pleased to see that the general principles of the previous application have been retained. We recognise that the project has improved significantly and commend the design team for their work thus far, particularly with regards to the improvements made to the office building proposed in place of the 5 star hotel. Notwithstanding, it is critical to understand the designs in the wider context of the Haymarket area, which we hope are generated in collaboration with the City, and for a joined up approach to design development to be adopted. We recognise the need for this to be resolved expediently and would be pleased to help facilitate a meeting with the relevant parties to enable a complete strategy to emerge that is deliverable through planning and investment frameworks.

Response Dated 19 October 2010 - Planning Application Comments

This report relates to a detailed planning application for the redevelopment of Morrison Street Goods Yard, Haymarket in Edinburgh presented at an A+DS Design Review meeting held on 28th September 2010 in Edinburgh.

Earlier designs for the scheme were considered by A+DS in April, July and November 2007 and again in May 2008 as part of a detailed planning application for the site. The application was minded for approval by the City of Edinburgh Council in June 2008, but subsequently refused planning permission by Scottish Ministers in October 2009, following a Public Local Inquiry.

Revised pre-application designs were subsequently presented at an A+DS Design Review meeting held on 25th May 2010 in Edinburgh and a restricted report issued on 16th June 2010. At that time our comments related primarily to how the proposals tied into the plans for the wider Haymarket area. Since then A+DS have facilitated a handful of meetings through various discussions between City of Edinburgh Council and the various stakeholders to encourage joined up thinking and to secure the best possible solution in particular for the public realm and wider setting of the Haymarket area.

The City of Edinburgh Council have now requested further comment from A+DS on the current application and in particular the design and detailing of the proposed buildings.

The review below is focused on that request.

A+DS Views

1 General

1.1 We thank the Project Team for their clear presentation. We continue to support them in their ambition to redevelop this prominent gateway site into Edinburgh city centre, and believe that the project has the potential to make a very positive addition to the Haymarket area. A+DS was very supportive of the previous application in many respects and we are pleased to see that the general principles of those designs have been retained in the revised application.

1.2 In our last report on the current proposals we recognised that the project had improved significantly and commended the project team for their work thus far, particularly with regards to the improvements made to the office building proposed in place of the 5 star hotel. We were generally supportive of the design of the other blocks in the scheme and continue to be so. We welcome the opportunity to comment on the detailed designs for the proposed buildings, the surrounding public realm and potential connections between the site and the adjacent areas at this time.

2 Block E

2.1 At the last review we welcomed the significant reduction in height to the proposed corner building (Block E) that is to replace the 5 star hotel with office accommodation. We noted that the designs for the building were still at an early stage and that the visualisations presented were intending to convey the massing of the building only at that stage. In considering the detailed design of the building's external envelope we encouraged the Project Team to find an appropriate design language, of its time and reflective of the character of this part of Edinburgh, and to concentrate on a simplified design that focused on quality of form rather than complexity of materials. We also felt that the design of the elevation towards Grosvenor Street would be of particular importance given the broadsided aspect of the building to the street.

2.2 The 3D visualisations now presented suggest a potentially attractive building of high quality, particularly as demonstrated in the night view looking east from Haymarket Terrace. We generally support the way in which the appearance of the building has developed relative to our previous comments but have reservations about aspects of the design, particularly in the articulation of the roofline and the curved block, which we suggest would benefit from further development. We also feel that an element of joy has perhaps been lost through the design process, on a building that will occupy a prominent civic position.

2.3 We note the way in which the building incorporates three separate elements - a curved northern edge and an orthogonal southern edge connected via a third glazed linear atrium element - and we support the step down in height from the centre of the development towards Morrison Street to reduce the apparent mass and scale of the building.

2.4 We understand the Project Team's intention to create a unified and calm external façade that demonstrates the internal functions of the building externally, expressed through a layer of staggered stone mullions in front of a glazed façade. This 'honeycomb' arrangement appears visually strong, however we feel that the mullions appear more convincing in the orthogonal part of the building than in the curved northern edge, particularly where they wrap around the curved edge of the façade to meet the glazed atrium. The juxtaposition of the staggered lattice of the curved form against the rectilinear block seems to create a kind of visual "interference" which detracts from the legibility of the distinctive form of the building, while the atrium element could be made more powerful as it is not clearly visible as a distinct element between the two facades, particularly as seen from Grosvenor Street.

We suggest that the elevations of the buildings do not necessarily have to be expressed in the same way, and that differentiation of these might help to address the current visual confusion, including making the atrium more prominent.

3 Block D / C and West Square

3.1 We generally support the current designs for the 3 star hotel (Block D). However, we feel that the western end of the block that addresses Dalry Road and the proposed West Square could be improved to allow better visual connections between the space and the street. We suggest that the 'prow' of the block might benefit from being pulled back and / or chamfered at ground floor level to follow the alignment of the upper floors in order to better reveal the café beyond in Block E to the Dalry Road, and so as not to preclude connections with any potential public space created in the adjacent site. We also suggest that the proposed steps in the square could perhaps be tapered to allow a less abrupt shift in the flow of pedestrian traffic through the space.

3.2 We have concerns with the position of the proposed service access into the West Square from Dalry Road with regards to pedestrian safety, as there will undoubtedly be some crossover between vehicular and pedestrian traffic at certain times. We note that there are ongoing discussions between the Project Team and the Council's Roads Department in this regard and we would encourage the minimum possible traffic use of this route, preferably on an out-of-hours only basis. We suggest that by chamfering the prow of the block as suggested above, in addition to advantages for pedestrian flow, the additional space created could help to segregate any vehicular from pedestrian traffic routes.

At the presentation we were advised of a proposed pend between Blocks D and C. We suggest that use of the pend could help to alleviate the requirement for service traffic along the pedestrian frontages of the buildings and would therefore improve the scheme, and we would recommend that this preferred access route be utilised to the fullest possible extent.

4 Public realm / active frontages

4.1 *The revised floor plate of Block E, coupled with the reduction in its height, appears to better define and give an improved sense of enclosure to the pedestrian 'boulevard' running between the proposed building and Block A to the south. We welcome the introduction of additional public space for the city through the introduction of the squares at either end of the boulevard, for which the Project Team are to be commended. The proposed introduction of café and retail spaces at ground floor level across the majority of the site is welcomed to help activate these spaces and the frontages of the buildings that address them and we would encourage ongoing detailed design of these frontages to promote these spaces as active and inviting both day and night.*

5 Sustainability

5.1 *We noted in previous reports the Project Team's aspiration towards achieving a BREEAM excellent rating for the project and are pleased to hear that this is still at the top of their agenda. We are encouraged to hear that due cognisance will be given to the more onerous 2013 Technical Standards as part of the design development, in addition to studies on the effects of wind tunnelling and solar shading.*

Conclusion

We commend the Project Team for their ambition for the project and generally support the current application, which we feel has the potential to make a positive contribution to the Haymarket area. In this presentation the design and detailing of the proposed buildings, and the surrounding new public realm, were focused on and there are detailed aspects of their design that we suggest need further development, particularly the proposed elevations and roofline to Block E and the western prow of Block D.

We welcome the introduction of additional public space for the city through the introduction of the squares at either end of a public 'boulevard', and for which the Project Team are to be commended. We encourage ongoing detailed development of the design of these spaces and their frontages to promote them as active and inviting pieces of public realm for the City both during the day and at night. As with A+DS's previous reports on the project we continue to encourage dialogue between the City and the developer to ensure that the public space which is to be created has the best possible links into the surrounding public realm and pedestrian desire lines to adjacent transport hubs, and within the city as a whole.

Lothian & Borders Police

This is a major development consisting of a hotel, retail, office premises and underground parking on a gap site in the West End of Edinburgh. This is a busy area in terms of both pedestrian and vehicular traffic heading to and from the city centre.

There will be unrestricted pedestrian access through the proposed site. Vehicular traffic will be limited to delivery vehicles to the various premises entering from Morrison Street and Dalry Road. The underground parking facility will be entered from Morrison Crescent. The main route through the site is overlooked entirely by commercial property. Consequently there will be times of the night where the vast majority if not all this property will be closed. As a result people using the route could feel isolated, premises within the area will also be vulnerable to attack with very limited natural surveillance there is little or no chance of witnesses to any incidents which take place.

Crime Prevention Through Environmental Design (CPTED) has been proven to be the cheapest and most effective method of removing/reducing the crime threat to a development. Subsequently it should be considered right at the start of the process to reduce the need expensive retro fits to address crimes that have been committed on site. I would therefore urge developers to adopt the principals and practices behind CPTED and the police "Secured By Design" (SBD) award, which will address the physical security of the individual buildings on site.

It is intended to limit vehicular access to the main street to specific delivery times. The remainder of the day the site will be a pedestrian area. Vehicular access must be strictly controlled some form of impact tested barrier should be installed at either end of the street. This could be a combination of street furniture, bollards and collapsible bollards. There is no point in simply putting up no entry signs. This will deter law-abiding citizens but will offer no protection from housebreakers, who will if the "reward" is there use all means at their disposal including "ram raiding". High profile/value designer shops on site could raise the threat of this type of crime. It makes financial sense to fit counter measures at the build stage rather than having to retro fit them.

It is important that what natural surveillance there is of the area from surrounding streets is maximised. Careful consideration must be given to the types of trees and bushes used within the development. Landscaping should not compromise security on the site by reducing sight lines, views of doors and windows, providing hiding places and reducing the effectiveness of street lighting and any CCTV on site. Ground cover should not be allowed to grow above 1 metre and tree canopies should be kept above 2.4-metres. Street lighting should comply with BS 5489-1:2003.

Underground parking can if not managed properly can become a major crime generator. It is essential where possible to limit access to the owners/drivers of vehicles. This is an easier task if car park use is limited to the businesses on site. However once it is opened to the public the task becomes a great deal harder. All entry/exit points to the car park including lifts should be fitted with access control readers, which would only allow those with a valid card access to the parking area. The ticket issued on entering the car park could be utilised for this task in addition to its principal use of billing drivers. The design, layout and management practices of the parking area should meet with the standards required for the Police Safer Parking "Park Mark" award.

When designing lighting schemes, it is not always the case that more is better. A light coloured reflective surface treatment applied to walls can substantially reduce the number of light installations required to meet the standard. It's also more cost-effective and better for the environment.

Any artificial illumination used should, whenever possible, provide high colour recognition, for example, metal halide or LED. This type of lighting ensures the best quality of CCTV footage, if installed at the facility.

The Parking area should meet the requirements of the Safer Parking Award details of which can be found at www.britishparking.co.uk

The security of delivery areas is an important factor. Where possible delivery areas should be fenced off with no public access. When this isn't possible unless managed and supervised properly these isolated areas can often become blighted with crime and anti-social behaviour. It is important that they are well lit and covered by CCTV.

The city of Edinburgh Council has an excellent public space CCTV system monitored at City Chambers. Developers should consider approaching the council to integrate CCTV on this site into the existing Council system. If CCTV were not considered necessary at this stage I would recommend laying the ducting for cable at the construction stage in order to reduce future CCTV costs considerably.

I would like to emphasize that prevention of all types of crime must be a priority and whilst a development is still on paper is the ideal time to design in security and design out crime.

Network Rail

Network Rail is in full discussion with the applicant regarding the design of this scheme and matters relating to the connectivity between the development site and Haymarket Station. We have no objections in principle to the application on the basis that full consultation with Network Rail continues. Details of our planning and basic engineering comments are also attached to this letter. These may be appropriate as conditions or advisory notes should the Authority decide to grant consent.

Suggested Conditions or Advisory Notes:*Development Drainage:*

Uncontrolled drainage towards the railway may have a direct impact on the reliability and frequency of the rail transport in your area.

- * All surface or foul water arising from the development must be collected and diverted away from Network Rail Property. (Any Sustainable Urban Drainage Scheme should not be sited within 10 metres of railway infrastructure and should be designed with long term maintenance plans which meet the needs of the development).*

Landscaping:

The proximity and type of planting proposed are important when considering a landscaping scheme. Leaf fall in particular can greatly impact upon the reliability of the railway in certain seasons. Network Rail can provide details of planting recommendations for neighbours.

- * Where trees/shrubs are to be planted adjacent to the railway boundary these should be positioned at a minimum distance from the boundary which is greater than their predicted mature height. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary.*

Amenity:

Issues often arise where sensitive development types are sited in close proximity to the rail line.

- * The applicant should be aware that any proposal for noise or vibration sensitive use adjacent to the railway may result in neighbour issues arising. Every endeavour should be made by the applicant in relation to adequate protection of the uses contained within the site.*

Demolition:

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Engineer before development can commence.

Other Considerations*Ownership:*

All applicants must assess their title deeds to establish whether Development Consent is required for the works. Title obligations may exist that require Development Consent to be obtained from Network Rail.

Commencing Work:

Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

- * *Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.*

SNH

We have no comment to make on this proposal.

Health & Safety Executive

HSE has no comments on this environmental statement.

Scottish Water

Scottish Water has no objection to this planning application. Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections.

Due to the size of this proposed development it is necessary for Scottish Water to assess the impact this new demand will have on our existing infrastructure. With Any development of 10 or more housing units, or equivalent, there is a requirement to submit a fully completed Development Impact Assessment form.

Fairmilehead Water Treatment Works currently has capacity to service this proposed development.

Edinburgh Waste Water Treatment Works currently has capacity to service this proposed development.

In some circumstances it may be necessary for the Developer to fund works on existing infrastructure to enable their development to connect. Should we become aware of any issues such as flooding, low pressure, etc the Developer will require to fund works to mitigate the effect of the development on existing customers. Scottish Water can make a contribution to these costs through Reasonable Cost funding rules.

If this development requires the existing network to be upgraded, to enable connection, the developer will generally meet these costs in advance. Scottish Water can make a contribution to these costs through Reasonable Cost funding rules. Costs can be reimbursed by us through Reasonable Cost funding rules.

A totally separate drainage system will be required with the surface water discharging to a suitable outlet. Scottish Water requires a sustainable urban drainage system (SUDS) as detailed in Sewers for Scotland 2 if the system is to be considered for adoption.

If these proposals involve the discharge of trade effluent to the public sewer they may be subject to control as defined in Part II of the Trade Effluent Control and Charging Scheme. No substance may be discharged to the public sewerage system that is likely to interfere with the free flow of its content, have detriment to treatment/disposal of their contents, or be prejudicial to health.

Appropriately sized grease traps must be installed on all drainage outlets from food preparation areas. No substance may be discharged to the public sewerage system that is likely to interfere with the free flow of its content, have detriment to treatment/disposal of their contents, or be prejudicial to health.

Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements installed, subject to compliance with the current water byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.

An appropriate water storage system Water storage equivalent to 24 hours usage is recommended for commercial premises. Details of such storage installations must be forwarded can be discussed to Scottish Water's Customers Connections department at the above address.

It is possible this proposed development may involve building over or obstruct access to existing Scottish Water infrastructure. On receipt of an application Scottish Water will provide advice that will require to be implemented by the developer to protect our existing apparatus.

SEPA

We have no objection to this planning application. Please note the advice provided below.

1. *Surface water drainage*
 - 1.1 *We note from section 3.60 of the submitted Environmental Statement dated 16 August 2010 that surface water run-off will discharge via an attenuation tank to an existing surface water drain which we understand eventually discharges to the Water of Leith.*
 - 1.2 *In order to treat surface water through a sustainable drainage system (SUDS), green roofs will be utilised on office blocks A and B and porous paving will also be employed. Surface water will then be treated through a silt trap before discharging to the surface water drain located to the west of the site.*
 - 1.3 *While limited information has been provided in relation to surface water discharge, the drainage proposal outlined is considered acceptable to us in principle in terms of water quality. However, we would advise that the Local Authority seek clarification that all surface water run-off from the site receives the required two levels of treatment before discharge. An exception to this would be roof water run-off which will require only one level of treatment.*
 - 1.4 *We have not considered the water quantity aspect of this scheme. Comments from Scottish Water, where appropriate, the Local Authority Roads Department and the Local Authority Flood Prevention Unit should be sought on any water quantity issues.*
2. *Foul drainage*
 - 2.1 *We note that foul drainage will be directed to the exiting public sewer and as such, we have no further comment on this aspect of the proposal. We would however recommend that the applicant contact Scottish Water to ensure the existing network has adequate capacity.*
3. *Air quality*
 - 3.1 *We note from Chapter 9 of the ES that air quality issues have been addressed and an attempt has been made to minimise the impact from the development proposal. The local authority is the responsible authority for local air quality management under the Environment Act 1995. We would therefore recommend that air quality issues should be discussed in more detail with the Council's air quality specialists, particularly in regard to whether the proposed tram development will affect traffic flow at this location and how this may influence air quality.*

4. *Space for waste management provision within site layout*
- 4.1 *In accordance with Scottish Planning Policy, space for collection, segregation, storage and possibly treatment of waste (eg individual and/or communal bin stores, composting facilities, and waste treatment facilities) should be allocated within the planning application site layout. Please consult with your local council's waste management team to determine what space requirements are required within the application site layout. Some local authorities have an information sheet setting out space requirements.*
5. *Flood risk*
- 5.1 *Note that the SEPA-Planning Authority Protocol Policy 41 states: "If the consultation does not specify that the planning authority would like SEPA to comment on the flood risk, this will not be assessed. In these circumstances, if SEPA makes no comment on flood risk, planning authorities should not assume that no such risk exists." If the planning authority is of the opinion that the site may be at risk from flooding please re-consult SEPA highlighting that flood risk is an issue. For your information the Indicative River & Coastal Flood Map (Scotland) can be found at www.sepa.org.uk/flooding/mapping/*

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, which may take into account factors not considered at the planning stage.

Scottish Government

This response relates to the Scottish Ministers' responsibilities for air quality and noise.

In relation to the case, on the basis of the information available and without prejudice to any further consideration the Scottish Ministers may be required to give; we have the following comments to offer on the Environmental Statement:

Air Quality

We note that the proposed development site lies within the city centre Air Quality Management Area (AQMA) and that whilst it is expected that air quality overall will be unaffected by the proposed development, adverse impacts are nonetheless predicted.

Noise

We note that predicted construction noise levels exceed the adopted target noise limit at a number of locations and whilst additional mitigation measures are proposed, significant adverse impacts are nonetheless predicted for the closest residences.

The developers and the local authority should be aware of the Environmental Noise Directive (END). This Directive concerns noise from road, rail and air traffic and from industry and ports within agglomerations. The Scottish Strategic Noise Maps and Action Plans are available at <http://www.scottishnoisemapping.org>. These plans aim to manage and reduce environmental noise where necessary and preserve environmental noise quality where it is good.

Representations

The application was advertised on 27 August 2010. Sixty-three (63) letters of representation have been received, including responses from the Cockburn Association and the Dalry Colonies' Residents Association, objecting to the proposals.

Forty-eight (48) of the letters received follow a standard template objecting to the proposals due to their size, location and materials that will be used. It is unclear as to which scheme these letters refer as they make reference only to the previously refused 2007 application.

The main points of objection/concern are:

a) Issues relating to the principle of the development, addressed in assessment a);

- the proposals should form part of a strategic approach to the Haymarket area,
- the arrangements for the phasing of the development;

b) Issues relating to the scale and design of the development, addressed in assessment b);

- the choice of materials, particularly ceramic tiles,
- the proposed facade treatment of Block E,
- the proposals represent overdevelopment of the site,
- the lack of greenspace and soft landscaping,
- the treatment of the hotel on the Dalry Road elevation,
- the uniformity of building design,
- the use of height as a 'landmark' quality,
- the role of the tunnels in the design process,
- the impact upon the existing Haymarket space,

- the height of the proposals compared to surrounding buildings,
- the massing of the proposals along Morrison Street,
- the proposed roof design and lack of pitched roofs,
- the relationship with Edinburgh's traditional architecture,

c) Issues relating to the impact upon the City's skyline, addressed on assessment c);

- the impact upon key views of the city,
- the impression given from the Haymarket gateway,
- the treatment of the vista from Grovesnor Street,

d) Issues relating to the impact upon the historic environment, addressed in assessment d);

- the impact upon the Category B-listed colonies,
- the impact of the height of the proposals upon the World Heritage Site,
- the relationship with the New Town and West End Conservation Areas,

e) Issues relating to residential amenity, addressed in assessment e);

- the impact of overshadowing and loss of daylight,
- the loss of privacy,
- the increase in noise disturbance,
- the location of the public toilets,
- an over-provision of licensed premises,
- the impact of light pollution from the hotel,

f) Issues relating to road and pedestrian safety, addressed in assessment f);

- the proposed location of the bus stops and pedestrian crossing,
- the potential increase in parking pressure,
- the provision for cyclists through the site,
- the management and provision for coach drop off/pick up and parking,
- the management of pedestrian flow, particularly towards Fountainbridge,
- the manoeuvring of vehicles within the service yard,
- the relationship between the lay-by on Morrison Street and traffic flow,
- the relationship between the left-turn only from Dalry Road and traffic flow,

g) Issues relating to the potential environmental impact, addressed in assessment g);

- the potential canyon-effect and dispersal of air pollution,

Concerns were raised over possible confusion in terms of submission dates for representations. Under planning legislation, notifiable neighbours have 21 days to comment on proposals. However, legislation also stipulates that certain applications require to be advertised in the local press. The current application has been advertised as it is the subject of an environmental statement and also meets the criteria relating to bad neighbour development, by virtue of the proposed height and licensed premises. There is usually 21 days from the date of the advert to submit comments but as the application includes an environmental statement, 28 days are given.

Due to the process set up with the Edinburgh Evening News in respect of advertising planning applications it is not always possible for the date of advertisement to correspond with the date that the neighbour notification is sent out. The legislation is quite clear that neighbour notification must be undertaken when an application is validated.

Concern has also been raised over the extent of neighbour notification. In line with the requirements of new planning legislation, all properties within 20 metres of the application site boundary have been notified by the Council. The previous requirements were only properties within 4 metres. In addition, as the proposals are the subject of an environmental assessment, separate, extensive neighbour notification was undertaken by the applicants.

The notification procedure has been conducted fully in accordance with the terms of planning legislation.

Local residents are concerned that insufficient visual images have been provided, particularly in terms of the view from the proposed hotel towards the colonies to assess potential privacy loss. However, the privacy assessment, which is included within the design & access statement, is sufficient to consider the impact on the colonies and has been addressed earlier in this report.

Also, the chosen views of the proposals from the colonies are claimed to be misleading due to the landscaping located at the end of the street, which is uncommon within the colonies. The views taken from within the colonies, at Dalry Place and Richmond Terrace, are in line with a set of viewpoints agreed with the Council enabling a comparison with the proposals previously considered in 2008. The impact upon the colonies has already been assessed in this report.

Other issues raised, including the impact of the proposals upon property values and the impact upon private views, are non-material planning considerations.

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

The application site is identified in the adopted Edinburgh City Local Plan as being within the central area. The site is also covered by the Haymarket Urban Design Framework.

Relevant Policies:

Relevant policies of the Edinburgh and Lothians Structure Plan

Policy ECON6 states that office development will be supported in Edinburgh City Centre, Edinburgh Park/South Gyle, Granton Waterfront, Leith and on business sites in the Newbridge area

Policy RET3 states that Edinburgh City Centre will continue to be supported as the main destination for comparison shopping and commercial leisure within the Lothians.

Policy ENV1C states that local plans should include policies for protecting and enhancing International and National Historic or Built Environment Designations.

Policy ENV1D states that local plans should include policies for protecting and enhancing Regional and Local Natural Built Environment Interests.

Relevant policies of the Edinburgh City Local Plan.

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

Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effective development of adjacent land or the wider area.

Policy Des 3 (Development Design) sets criteria for assessing development design.

Policy Des 4 (Layout Design) sets criteria for assessing layout design.

Policy Des 5 (External Spaces) sets criteria for assessing landscape design and external space elements of development.

Policy Des 6 (Sustainable Design & Construction) sets criteria for assessing the sustainable design and construction elements of development.

Policy Des 7 (New Pedestrian Routes in the City Centre) relates to the creation of new pedestrian routes in the City Centre.

Policy Des 10 (Tall Buildings) sets out criteria for assessing proposals for tall buildings.

Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its settings.

Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

Policy Env 6 (Conservation Areas – Development) sets out criteria for assessing development in conservation areas.

Policy Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

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

Policy Env 18 (Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

Policy Hou 8 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

Policy Emp 1 (Office Development) identifies locations and circumstances in which office development will be permitted.

Policy Emp 5 (Hotel Development) sets criteria for assessing sites for hotel development.

Policy Ret 2 (Town Centres) sets criteria for assessing retail development in or on the edge of town centres.

Policy Ret 6 (Entertainment and Leisure Developments – Preferred Locations) identifies the Central Area, Leith & Granton Waterfronts and town centres as the preferred locations for entertainment and leisure developments.

Policy Ret 12 (Food and Drink Establishments) sets criteria for assessing the change of use to a food & drink establishment.

Policy Tra 1 (Major Travel Generating Development) supports major travel generating development in the Central Area, and sets criteria for assessing major travel generating development elsewhere.

Policy Tra 2 (Planning Conditions and Agreements) requires, where appropriate, transport related conditions and/or planning agreements for major development likely to give rise to additional journeys.

Policy Tra 3m (Tram Contributions) requires contributions from developers towards the cost of tram works where the proposed tram network will help address the transport impacts of a development.

Policy Tra 4 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in supplementary planning guidance, and sets criteria for assessing lower provision.

Policy Tra 5 (Private Cycle Parking) requires cycle parking provision in accordance with levels set out in supplementary guidance.

Policy Tra 6 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

Policy Tra 14 (City Centre Public Parking) outlines the circumstances in which car parks in the Central Area will be supported.

Relevant Non-Statutory Guidelines

Non-statutory guidelines on Edinburgh Standards for Urban Design sets criteria for the quality of design in new development to maintain and improve the visual image and identity of Edinburgh.

Non-statutory guidelines 'The Edinburgh Standards for Streets' sets out principles and guidance whose aim is to achieve a coherent and enhanced public realm.

Non-statutory guidelines 'The Edinburgh Standards for Sustainable Building' sets principles to assess the sustainability of major planning applications in Edinburgh.

Non-statutory guidelines The Protection of Key Views guideline aims to safeguard public views to those features which define Edinburgh's character. In order to achieve this, a number of key views have been specifically identified for protection. View cones for each key view have been separately defined. The impact of any proposed development on a key view will be assessed in terms of its effect on the view. While there will be a presumption in favour of protecting the views, it is recognised that the Edinburgh skyline has been formed by generations adding to and evolving the skyline. Positive additions to the skyline tend to be elegant and slender - spires and towers.

Non-statutory guidelines on 'HIGH BUILDINGS AND ROOFSCAPE' supplement local plan policies on building height and roof design, and provide policy guidance on these matters.

Non-statutory guidelines on the 'SETTING OF LISTED BUILDINGS' supplement local plan conservation and design policies, providing guidance for the protection and enhancement of the setting of listed buildings.

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

Non-statutory guidelines 'FOOD AND DRINK ESTABLISHMENTS' provide guidance on the location of such uses and set out conditions to control their impact.

Non-statutory guidelines on 'QUALITY OF LANDSCAPES IN DEVELOPMENT' sets detailed design principles for hard and soft landscaping, including the retention of existing features, and relates these principles to different types of development.

Non-statutory guidelines on 'PARKING STANDARDS' set the requirements for parking provision in developments.

Non-statutory guidelines on 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

Non-statutory guidelines - Tram Developer Contributions sets out the criteria where new development should make a contribution towards the construction of the tram system and associated public realm.

Non- statutory guidelines on Transport Requirements: Developer Contributions provides guidance for new developments on the appropriate levels of contribution towards transport and associated infrastructure, where improvement is required to accommodate, and address the transport impacts of the development proposals

Other Relevant policy guidance

The West End Conservation Area Character Appraisal emphasises that the area is characterised by mixed, residential commercial buildings. The central section of the conservation area is a major modern financial area consisting of modern offices. The Georgian and Victorian tenements within the area are mainly 4-6 storeys, and constructed of stone with pitched, slated roofs.

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

Appendix B



Application Type Planning Permission
Application Address: 189 Morrison Street
 Edinburgh
 EH3 8DN

Proposal: Demolition of existing buildings and structures, re-grading of existing car park and comprehensive redevelopment comprising hotel, offices, retail, commercial, leisure, public houses, restaurants, car parking and associated landscaping/public realm and utilities infrastructure

Reference No: 10/02373/FUL

Conditions/Reasons associated with the Recommendation

Recommendation

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

Conditions

1. 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, having first been agreed by the City Archaeologist.
2. A fully detailed landscape plan, including details of all planting, including trees, shall be submitted to and approved in writing by the Head of Planning before work is commenced on site.
3. A landscape management plan, including tree replanting, shall be submitted to and approved in writing by the Head of Planning before work is commenced on site; the approved plan shall be implemented to the Head of Planning & Strategy's satisfaction.
4. 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.

5. The acoustic barrier adjacent to the main service yard, as shown on the approved plans, shall be erected prior to the operation of the service yard and maintained effectively thereafter.
6. A scheme for protecting nearby residential accommodation from noise from delivery activities in the main service yard shall be submitted to and approved in writing by the planning authority; all works which form part of the approved scheme shall be installed in agreement with the Head of Planning prior to the service yard operating.
7. Hours of deliveries and collections, including waste collections, to and from the main service yard shall be restricted to between the hours of 07.00 - 22.00, Monday to Saturday and 10.00 - 17.00 on Sundays.
8. The hotel and Class 3 kitchens 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 odours escape or are exhausted into any neighbouring premises, as agreed by the Head of Planning.
9. The design and installation 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.
10. All music and vocals, amplified or otherwise, shall be so controlled as to be inaudible within any neighbouring premises.
11.
 - 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.

12. Prior to the commencement of work on each building, 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. Thereafter, sample panels of the materials are to be erected and maintained on site as agreed by the Head of Planning.
13. Prior to the commencement of work on site a programme for the waste management facilities shall be submitted to and agreed by the Head of Planning. Thereafter, the agreed programme shall be implemented prior to the occupation of any part of the development.
14. Prior to the operation of the car park, details of its operation, including hours of operation, tariffs and measures to allocate parking, shall be submitted to and agreed in writing by the Head of Planning.
15. Prior to the occupation of the first office building, details of measures to control parking and waiting within the site shall be submitted to and agreed in writing by the Head of Planning. Thereafter the agreed measures shall be implemented in full within an agreed timescale.
16. Prior to the operation of the car park, details of the number, type, location and layout of the cycle/motorcycle parking shall be submitted to and agreed in writing by the Head of Planning. Thereafter the agreed measures shall be implemented in full within an agreed timescale.
17. Prior to the commencement of each block, full details of the numbers and the location of shower and locker facilities shall be submitted to and agreed by the Head of Planning. Thereafter the agreed measures shall be implemented in full within an agreed timescale.
18. Prior to the occupation of the first phase of the development a management plan for the restriction of traffic entering the site from Morrison Street shall be submitted and approved by the Head of Planning, this shall include any physical measures required to restrict traffic from entering the site and hours when vehicles will be permitted onto the route. Any further alterations to the approved management plan shall be agreed with the Head of Planning.

Reasons

1. In order to safeguard the interests of archaeological heritage.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
4. In order to ensure that the approved landscaping works are properly established on site.
5. In order to safeguard the amenity of neighbouring residents and other occupiers.
6. In order to safeguard the amenity of neighbouring residents and other occupiers.
7. In order to safeguard the amenity of neighbouring residents and other occupiers.
8. In order to safeguard the amenity of neighbouring residents and other occupiers.
9. In order to safeguard the amenity of neighbouring residents and other occupiers.
10. In order to safeguard the amenity of neighbouring residents and other occupiers.
11. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
12. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
13. In order to safeguard the amenity of neighbouring residents and other occupiers.
14. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
15. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
16. In order to ensure that the level of off-street parking is adequate.

17. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
18. In order to safeguard the interests of road safety.

INFORMATIVES

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. Consent shall not be issued until a suitable legal agreement, requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation to the Edinburgh tram network, the City Car Club, further transport infrastructure requirements and the provision and implementation of a green travel plan.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
5. For the duration of development, between the commencement of development on the site until its completion, a notice shall be: displayed in a prominent place at or in the vicinity of the site of the development; readily visible to the public; and printed on durable material.
6. Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Engineer before development can commence.
7. Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

8. These proposals will require an application for Roads Construction Consent, and will include the requirement for a dilapidation Survey to be carried out in conjunction with the Roads Manager in the Services for Communities Department.

9. All works within or affecting the public road, including works on the footway, must be authorised in advance by the Roads Authority. Developers will be required to reinstate the footway at the location of those existing accesses, which are no longer required by the proposed development.

If the application involves the provision of new works within the Public Road boundary the proposals shall require the consent of the Council, as roads authority under Section 56 of the Roads (Scotland) Act 1984. This will require the applicant to obtain a Road Opening Permit. At the design and post construction stages a Road User Safety Audit approval may be required if stipulated. Also, to comply with Section 56 of the Roads (Scotland) Act 1984 approval for the detailed engineering design of the works including road geometry, drainage, lighting, signing and carriageway markings will be required at the design stage.

End

Location Plan

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