

**Planning Permission 12/01212/FUL
at
14, 16-18 Bothwell Street
Edinburgh
EH7 5PS**

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

1 Purpose of report

To consider application 12/01212/FUL, submitted by Derom Property Investments, JMI Associates. The application is for: **Demolition of existing warehouse buildings at 14 - 18 B Bothwell Street, Edinburgh, and subsequent residential development with associated car parking and public realm.**

It is recommended that this application be **Granted** by Committee.

2 The Site and the Proposal

Site description

The site extends to approximately 0.5 ha and slopes from Bothwell Street towards the rear boundary of the site to the south. Access to the site is currently from Bothwell Street. A second access from Sunnyside exists, under Bothwell Street, but is currently gated off.

The site contains three industrial buildings and an area of open space. The main industrial building is vacant. The two smaller buildings are tenanted by a commercial garage and comprise an office and workshop.

The existing small residential amenity space (0.085ha) is Council owned and has been assessed to be of a low quality in the Open Space Audit 2010.

The site is surrounded on three sides by housing; four and five storey tenement buildings on Bothwell Street, a two storey former printing works on Edina Place and two storey housing at Norton Park. The former printing works is a category B listed building (LB reference 30271, dated 15.11.1991).

The site also shares a boundary with disused railway land to the east. This land is part of housing allocation HSG 4 (the Lochend Butterfly housing site) in the ECLP and contains a Transport Safeguard (for a footpath/cycleway or public transport service) immediately adjacent to the site.

Site History

7 January 1998 - planning permissions were granted for the change of use of the smaller units from workshop yard to self drive hire units (application numbers 97/02287/FUL and 97/12287FUL)

Pre-Application Process

Pre-application discussions took place on the proposals and advice was given on the principle of development, design, transport issues and required supporting information.

In accordance with the Planning etc (Scotland) Act 2006, a Proposal of Application Notice was submitted and registered on 15 September 2011. Copies of the notice were also issued to:

- Leith Central Community Council
- Craigentinny and Meadowbank Community Council
- Leith Neighbourhood Partnership
- Craigentinny and Duddingston Neighbourhood Partnership

Three consultation events were held on the site on Saturday 29 October 2011 (10am - 2pm), Monday 31 October 2011 (4pm - 8pm) and Saturday 3 December 2011 (2pm - 4pm).

Full details can be found in the Pre-Application Consultation report, which sets out the findings from community consultation. This is available to view on the Planning and Building Standards online service.

Description Of The Proposal

The proposal is for a residential development of 71 apartments, of which 15 are three bedroom and 56 are two bedroom.

The proposal extends the massing and building line of the existing tenement on the south of Bothwell Street into the site. The building then runs adjacent to the perimeter of the site boundary before terminating with a slim tower element next to the dismantled railway line.

The building is predominantly six storeys in height and incorporates tall windows and stair towers as a continuation of the existing Bothwell Street tenement. Further into the site, the proposal incorporates open access balconies on the northern elevation. The proposals include a raised landscaped deck to screen the proposed undercroft parking at the eastern part of the site.

Light brown brick is the primary material proposed. Other materials incorporated within the scheme are metal cladding for the roof and some panel elements and timber battens to screen the exposed stairway. Ventilation grills with photovoltaic panels will also be utilised.

The existing area of open space on the site is to be realigned to enable shared surface access to the site, whilst a communal drying green is proposed on the southern part of the site.

Access to the site is taken from Bothwell Street through the aforementioned realigned open space, which will lead into a lower courtyard area. A second existing access from Sunnyside, which runs under Bothwell Street, is also proposed to be opened up.

A total of 58 car parking spaces are to be provided; this includes two city car club spaces and three accessible spaces. The three accessible spaces, the two city car club spaces and nine spaces parking spaces are 'on-street' within the development site. Twenty-seven spaces are provided in an undercroft area accessible through a security gate with a further 17 spaces provided at the south of the site (accessible through the undercroft area).

Three sheltered motorbike stores are to be provided and 71 sheltered secure bicycle storage points. The proposal also provides a link to the proposed cycle path on the former railway line.

A communal bin store consisting of twenty 1,280 ltr eurobins accessed from the lower court area is proposed.

The applicant has submitted a design and access statement, a sustainability appraisal, bat survey, tree survey, an air quality impact assessment and a stage 1 quality audit including a parking statement. These documents can be viewed on the Planning and Building Standards Online Service.

3. Officer's Assessment and Recommendation

Determining Issues

Do the proposals preserve the adjacent listed building or its setting or any features of special architectural or historic interest which it possesses? If not, there is a presumption against the granting of consent. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its

existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

Do the proposals comply with the development plan?

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

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

ASSESSMENT

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

- (a) the principle of residential development is acceptable on this site;
- (b) design, scale and massing is appropriate to the site;
- (c) the proposals preserve the setting of the nearby listed building;
- (d) adequate open space has been provided within the scheme and there is an acceptable level of amenity;
- (e) the housing mix is appropriate and an adequate level of affordable housing has been provided;
- (f) there are any transport and parking issues; and
- (g) any other material considerations.

(a) Principle

The site is within the Urban Area, as shown on the Edinburgh City Local Plan (ECLP) Proposals Map, where general housing and employment policies apply. The site also contains an area of designated open space.

Policy Hou 1 states that housing development will be permitted on suitable sites within the urban area, provided proposals are compatible with other policies in the Plan. Any loss or development of the open space needs to be assessed against policy Os 1 Open Space Protection. Likewise, as the site is currently in employment use the proposals need to be assessed against policy Emp 4 Employment Sites and Premises.

Open Space

The current small area of open space (classed as residential amenity) within the site boundary (under council ownership) was assessed to be of a low quality in the Open Space Audit 2010. The Leith Neighbourhood Partnership

Open Space Action Plan includes two alternative actions for the open space. The first is to improve the quality of the open space to meet the local greenspace standard and reduce the deficiency in the area. However, the action plan notes that this deficiency could also be resolved through the strategic action for the Powderhall railway line. The second is to redevelop the site for other uses and make improvements to other greenspaces in the area.

The proposed site layout results in the existing area of open space being altered to provide a useable area of public open space and a shared surface route to the development. This enables the building line of the existing tenement to be maintained.

Although there is a presumption against the loss of open space, Policy Os 1 sets out criteria for assessing when the loss of open space may be acceptable. These relate to the impact on the character of the area, whether the open space is part of a larger area, the current provision of open space in an area, biodiversity value, potential benefits by improving open space elsewhere and also consideration if the development will benefit the community.

As indicated in the open space audit, the area is of low quality and is currently in a neglected state. The proposal would result in the area of open space being reduced (850 sqm to 500 sqm). This is a relatively small area and the proposals would involve environmental improvements resulting in useable open space which would enhance the character of the area. The proposal also provides a potential link to the proposed strategic action for the Powderhall railway line. The proposal accords with Policy Os 1 and the relevant open space action plan.

Employment policy

Policy Emp 4 seeks to ensure that proposals for redevelopment of sites which are or were last in employment use contribute to the city's stock of flexible small business premises. The site is located in an area that consists of primarily residential properties and due to the constraints of the site, it is considered it would be inappropriate to try and add the flexible work space that would be desirable for small businesses in this location. It would be possible to include office space, but this would not provide floor space suitable for a range of business users. Therefore an exception in this case can be made and employment space is not required to form part of this proposal.

Residential use is acceptable in principle at this location.

(b) Design, scale and massing

The site is within an area that is predominately characterised by existing tenements to the north with a mix of buildings to the south including the B listed former print works on Edina Place.

It is an irregular shaped site and the proposed development makes an efficient use of the land. The drop in levels allows the development to extend

up to six storeys without building higher than the tenements on Bothwell Street resulting in a positive relationship with neighbouring buildings.

The building proposed is a wide v-shape that continues the line of the existing tenements on the south side of Bothwell Street then turning to run parallel with the site boundary to the south east. This layout enables the existing area of open space to be retained (although at a reduced scale), it provides potential access to the dismantled railway line and allows views onto the new building from the Easter Road end of Bothwell Street.

The western section of the building contains vertically proportioned windows which references the existing tenement, whilst the use of timber cladding panelling at the stair wells breaks up the elevations and helps to maintain the rhythm of the existing tenement. A set back at the rooftop level adds visual interest.

Further into the site the elevations become more modern in appearance with the residential units accessed via a balcony with a raised landscape deck screening the undercroft car parking. The scheme incorporates a tower element at the western end of the site which successfully terminates the building.

Comments have been received in relation to the proposed roofscape and how this will be viewed from Calton Hill. Due to the topography of the site the development will nestle into the existing wider roofscape sitting below the existing roofline of 26-36 Bothwell Street and adjacent to the more visible recent development on Albion Gardens.

The proposed flat roof is suitable for the modern design of the building and altering the design to incorporate a pitched roof would be an inappropriate response. The development would have limited impact on the views from Carlton Hill.

There are protected key views near to the site. Most of the view cones do not cover the site, whilst the development will not be visible in the key view (reference N5a) from Pilrig Park to Arthur's Seat.

The primary material proposed is a light brown coloured brick, metal effect cladding for the set back on the rooftop level, and timber boarding. The simple palette of materials proposed and the use of brick is appropriate in this context. It is important that the brick and the mortar are specified to harmonise with the surrounding stone buildings, consequently, conditions are recommended to ensure the materials and workmanship are of a sufficient quality.

The design, massing and layout of the proposed building are acceptable subject to conditions in relation to materials.

(c) Listed building

In terms of any impact on the adjacent B listed building on Edina Place, planning policy states that development should not be detrimental to the appearance or character of a listed building or to its setting.

The listed building is a flat roofed red brick building and although originally a printing works it has the appearance of a residential building. The principle frontage of the listed building is to the south onto Edina Place and this is unaffected.

The rear of the building, which is adjacent to the application site, mainly consists of hardstanding used for car parking. The application site currently contains a mix of industrial sheds of little merit within a relatively unkempt environment. The proposed development will run parallel to the listed building and although higher, will have a positive impact on the immediate surroundings. The listed building will no longer be as visible from Bothwell Street, though historically there was a tenement along Bothwell Street which would have blocked any views. As stated above this is also not the primary outlook of the building.

The proposed development will not negatively impact on the listed building or its setting.

(d) Amenity and open space

Objections have been received in relation to the residential amenity of existing residents in the vicinity of the site. Concerns have been put forward in relation to loss of views, infringement of privacy and impact on daylighting.

Views

Private views are not a material consideration in assessing this planning application. The matter of public key view points has been considered in section b) above and there are no infringements.

Privacy

The Council's standards for privacy are a window to window distance of 18 metres. The majority of the block exceeds this standard by some distance with the building on Edina Place being at least 28 metres away, whilst 9-13 Bothwell Street is at a distance of 23 metres at its nearest point. Further east into the site the nearest part of the development to the existing tenement at 26-36 Bothwell Street is the eastern tower element. Small bathroom windows of 30cm in width are proposed in this elevation and there is a distance of approximately 18 metres from the existing tenement.

To the south/east of the site are the flatted two storey properties at Norton Park. The proposed building is pulled back away from the site boundary by 10 metres, double that of the existing industrial unit. Number 15 has a blank gable and the building does not look into the site. Number 16 does face into the site but is orientated in such a way which avoids direct overlooking and is

also 18 metres away when measured directly from the northern elevation of 16 Norton Park. The proposals are acceptable in relation to privacy.

Daylighting

The applicant has submitted information in relation to daylighting. The diagram indicates that the window on the existing ground floor flat at 26-36 Bothwell Street does not comply with the 25 degree method. In such circumstances, and in historical areas, the Vertical Sky Component (VSC) of relevant windows should pass the test to achieve a VSC of at least 27%. The VSC has been demonstrated to be 27.25% and therefore the amount of daylight reaching windows on the existing tenement is not adversely affected.

Single aspect flats

The proposal includes 12 single aspect flats split across the first to fourth floors. The flats are all south facing, have a positive outlook and there are no daylighting or privacy concerns. The single aspect flats are acceptable in this instance.

Open space and landscaping.

Landscaping details, including a tree survey, have been provided. These show the arrangement of both the private and public areas of open space.

The tree survey provides details of the current 12 trees on site, which are all within the current residential amenity space. It is proposed that all the current trees are to be removed. Five of the trees to be removed are of poor health, whilst the remaining seven will conflict with construction or removal will aid in providing a more cohesive reinstatement plan. The trees are not protected by a Tree Preservation Order and the site is not within a conservation area.

The main visual impact of the current trees is the line along Bothwell Street. The proposed replacement trees will provide a similar line delineating the open space. A total of 35 trees are proposed within the overall site.

The reshaped area of open space will be upgraded with the establishment of new trees, a perimeter of hedging and new railings, the inclusion of benches and new planting. The upgrades will improve the standard of open space whilst being of a size that will meet the local greenspace standard in this area as set out in the open space strategy.

For the proposed development itself the design provides 797sqm (602sqm drying green, including fruit trees, and 195sqm deck area) of shared open space to provide for the 38 units which do not have access to a private balcony. Further to this is also a 275 sqm roof terrace accessible from the fifth floor.

There are also a number of planting and small grassed areas, incorporating an area for permaculture, proposed within the site which equate to a further 626sqm.

Overall, not including the balconies, roof terrace or reconfigured open space, 31% of the total redline boundary site area is covered by greenspace. The proposals accord with policy ECLP policy Hou 3.

The landscaping has been considered as part of the application and the general layout and planting indicated is satisfactory, subject to conditions in relation to a detailed planting specification and a maintenance and management plan.

Overall the proposed development will provide an acceptable level of amenity for both existing and future residents.

(e) Housing mix

ECLP Policy Hou 2 seeks a mix of housing types and sizes on suitable sites. To comply with this policy at least 20% of the units should consist of larger units of three or more bedrooms. Fifteen of the 71 units have three bedrooms which equates to 21%. All communal and apartment entrances have level threshold access and all parts of the building are wheelchair accessible by elevator.

The proposed 71 units results in a minimum requirement of 17 affordable housing units to be consistent with local plan policy Hou 7. It is proposed that 61 units are to be delivered as approved affordable tenures from the start of the development. At least 12 of the affordable homes will be retained in perpetuity by the Registered Social Landlord, which is in line with the core aspirations of the affordable housing policy, and the remainder will be sold off in time. This would need to be secured through an appropriate legal agreement.

The proposed mix and affordable housing provision are acceptable.

(f) Transport

The site is currently accessed from Bothwell Street with a secondary access available from Sunnyside, though this is currently gated off. The existing area of open space is to be re-aligned to provide a new access into the site whilst Sunnyside will be used as a secondary access. Consideration has been given to providing adequate turning facilities for refuse and emergency vehicles.

A Stage 1 Quality Audit has been provided. This sets out the approach taken to road design. Transport has raised no objections to the suitability of the access to the site and the arrangements are acceptable.

The site is on the edge of the Controlled Parking Zone and comments have been made in relation to the suitability of the proposed car parking serving the development. A Parking Statement has been provided setting out the applicant's approach to car parking.

The Council's parking standards require a total of 76 parking spaces. This is based on one space per unit for the 59 units to be sold/leased by a private

developer, three spaces for the remaining 12 units to be held in perpetuity by a Registered Social Landlord and a requirement for 14 visitor spaces.

The development proposes a total of 58 spaces, which includes three accessible spaces and two city car club spaces. Two city car club spaces are taken to be the equivalent of 10 spaces.

Forty-four of the spaces are for residents only and accessed via the undercroft car parking. The remaining 12 spaces (excluding the two city car club spaces) will be 'on-street' and cannot be allocated to an individual property; these will also serve as visitor parking.

Transport has assessed the application and consider that the proposed level of parking is acceptable, based on the inclusion of city car club spaces, the constraints of the site and the requirement to provide open space.

Furthermore, the site is in an accessible location close to Easter Road and London Road which have good bus services. It is within walking distance of the city centre and Waverley Train Station. The proposals also include a future link to the adjacent railway line which is safeguarded for a cycle / footpath link. The applicant has agreed to provide a travel plan for future residents with the intention of providing a financial contribution to public transport promotion measures such as public transport tickets. This will aid in embedding public transport habitats from when occupation of the development first takes place. The travel plan will be secured through a legal agreement.

The provision for the motorcycle and cycle storage within the undercroft area and stairwells are acceptable. A condition is recommended in relation to the type of cycle racks provided.

An Air Quality Impact Assessment (AQIA) has been provided due to the proximity of the site to an area of existing poor air quality on Easter Road. Environmental Assessment has considered the AQIA and accepts that the proposed development will have negligible impact. They note that mitigation measures include the use of City Car Club spaces with a view for future residents to consider more sustainable methods of travel. An informative is also recommended in relation to the provision of electric charging points. The baseline used in the assessment is considered acceptable given that the large unit on the site has only been vacant for a relatively short period of time and could reopen for industrial / business use without reference to planning.

Drainage proposals for the site have been submitted. Flood Prevention has confirmed that as far as flood issues are concerned the proposals are adequate and conform to requirements. Transport has requested a condition in relation to SUDs and an informative in relation to maintenance.

Overall, the site is in a highly accessible location and the proposed parking meets the Council's standards. The proposed transport arrangements are

acceptable subject to a legal agreement in relation to city car club, a travel plan and any traffic regulation orders associated with the development.

(g) Other material considerations

Procedural Issues

Comments have been received in relation to both the pre-application consultation process and the neighbour notification process.

Pre-application consultation is undertaken by the applicant. The developers have exceeded the minimum statutory requirements in relation to this process. For the planning application, the Council has notified neighbours within 20 metres of the site. There was an initial issue due to a mapping error but once this was resolved further neighbour notification was undertaken to include the extra properties which fell into the extended 20m buffer.

The requirements for the necessary publicity and notification have been met in this instance.

Waste Management

The proposal includes a communal bin store accessed from the lower court area of the site. This is next to the undercroft car parking and cycling area. This provides room for twenty 1,280 ltr eurobins to meet the needs of future residents.

Waste Management has verbally indicated that the proposals have been agreed with the applicant and there are no concerns over the proposal.

Archaeology

The City Archaeologist has identified the site as being within the historic Maryfield Estate with the potential for remains of 19th century industry. The site is likely to be of low-moderate archaeological impact and there are no objections on archaeological grounds subject to a condition requiring the implementation of a programme of archaeological work prior to development.

Sustainability

The applicant has submitted a sustainability statement in support of the application. The proposal complies with the requirements of Part A of the Edinburgh Standards for Sustainable Buildings.

The proposal has been classed as a major development and has been assessed against Part B of the standards. The points achieved against the essential criteria are set out in the table below:

Essential Criteria	Available	Achieved
Section 1: Energy Needs	20	20
Section 2: Water conservation	10	10
Section 3: Surface water run off	10	10
Section 4: Recycling	10	10

Section 5: Materials	30	30
Total points	80	80

The proposal meets the essential criteria. In addition the applicants have provided a commitment to further sustainability measures as set out in the desirable elements. Additional measures include the orientation of the building to achieve a high level of passive solar gain, the provision of city car club spaces, the provision of a local communal recycling point and a commitment to using sustainable timber.

Bats

A bat survey has been provided and confirms that there is no presence of bats using the current buildings on the site and that the surrounding area does not provide good bat foraging habitat. Bats are not considered to be an issue.

Community Council Comments

Leith Central Community Council objected to the proposals. Concerns have been raised in relation to the roofline, level of green space and the size of the proposed flats (i.e. suitability for families). Full details can be found in Appendix A.

Conclusion

In conclusion, the proposals comply with the development plan and the relevant non-statutory guidelines, are of a high quality of design, will not negatively impact on the listed building and would not prejudice residential amenity or road safety.

There are no material considerations which outweigh this conclusion. It is recommended that the Committee approves this application, subject to conditions relating to materials, archaeology and parking and a section 75 agreement.

REASON FOR DECISION

The proposals comply with the development plan and the relevant non-statutory guidelines. The proposals are of a high quality of design, will not negatively impact on the listed building and would not prejudice residential amenity or road safety.

John Bury

Head of Planning & Building Standards

Contact/tel	Kenneth Bowes on 0131 529 6724
Ward affected	A12 - Leith Walk
Local Plan	Edinburgh City Local Plan
Statutory Development Plan Provision	Urban Area, Open Space
Date registered	2 April 2012
Drawing numbers/ Scheme	01, 02C, 03, 04A, 05A, 06, 07A-09A, 10-14

Advice to Committee Members and Ward Councillors

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

If you require further information about this application you should contact the following Principal Planner, Linda Hamilton, 0131 529 3146, linda.h.hamilton@edinburgh.gov.uk

If this application is not identified on the agenda for presentation and you wish to request one at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting. Contact details can be found in the Committee agenda papers.

Appendix A



Application Type	Planning Permission
Application Address:	14, 16-18 Bothwell Street Edinburgh EH7 5PS
Proposal:	Demolition of existing warehouse buildings at 14 - 18 Bothwell Street, Edinburgh, and subsequent residential development with associated car parking and public realm.
Reference No:	12/01212/FUL

Consultations, Representations and Planning Policy

Consultations

Affordable Housing comment 16/05/2012

Services for Communities has worked with Planning to develop a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy (AHP) for the city.

- The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*
- This is consistent with Policy Hou 7 Affordable Housing in the Finalised Edinburgh City Local Plan.*

This application is for a total 71 residential units to be built by a private developer in conjunction with a registered social landlord. As such, AHP will apply and 17 AHP units would be required. The applicant has proposed an above-policy level of affordable housing with 61 of the 71 homes to be delivered as approved affordable tenures from the start, which is welcomed by this department. At least 12 of the affordable homes will be retained in perpetuity by the RSL, which is in line with the core aspirations of the policy, and the remainder will be sold off in time. This will assist with achieving the core aim of the affordable housing policy, the development of mixed, sustainable communities.

The delivery model being proposed has proved effective in other areas of the city and the developer and RSL are satisfied it will also work on this development. The affordable housing-led delivery model being proposed has been developed partly in response to the current difficult economic situation, where a lack of mortgage finance favours the delivery of rental tenures over market sale homes, and it is partly due to the considerable levels of affordable housing need that exist in Edinburgh.

The department is very supportive of this approach, which has helped to deliver a record number of affordable homes in Edinburgh over the past two years. That process has many wider benefits for the city in terms of job retention and supporting economic activity, as well as delivering much needed affordable housing across the city.

Services for Communities is therefore very supportive of this application.

This affordable housing requirement will be secured through a Section 75 Legal Agreement. The Department would ask that the following details are added to the Informatives section of the report to Development Management Sub-Committee:

- A minimum of 25% of the homes will be of approved affordable housing tenures*
- These will be secured through a Section 75 Legal Agreement*

The Department would be happy to assist with any queries around the affordable housing requirement for this development.

Archaeology comment 24/04/2012

The site lies within the historic Maryfield Estate. Historic maps indicate that the site and surrounding area remained largely farmland until the spread of industry and railway into the area in the mid 19th century. The 1850's first Edition OS map of the site shows the site as open ground with a burn (leading to Lochend Loch) forming the southern boundary of the site and the then new railway forming the eastern edge. Significantly directly adjacent to the southern boundary is depicted a large glass works.

Accordingly this site has been identified as occurring within an area of archaeological potential in particular relating to 19th century industry. This application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh City Local Plan (2010) policy 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.

Having assessed the probable impact of this proposed development, it is considered that on current information such a proposal would be regarded as having a low-moderate archaeological impact. Ground-breaking works associated with the demolition of the current warehouses and the construction of the new development could disturb significant remains associated with the 19th century industrial development of this area.

Accordingly it is recommended that the following condition be attached consent, if granted, to ensure that a programme of archaeological works is undertaken prior to/during demolition and construction in order to excavate,

record and analysis any significant archaeological deposits that may be uncovered.

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

Children and Families comment 09/05/2012

We refer to your memo dated 16 April 2012 requesting comments on educational provision for the above noted planning application. Our comments are based on a residential development of 71 units which we have treated as flatted development.

This site is located within the catchment areas of:

- Leith Walk Primary School;*
- St Mary's RC Primary School;*
- Drummond High School; and*
- St Thomas of Aquin's RC High School.*

There is current capacity at Leith Walk Primary School and at Drummond High School for the proposed development. In respect of RC provision it is envisaged that priority will be given to baptised RC pupils and that where necessary intake limits will be applied to protect the capacity of the school.

On the basis of the above, we have no objections to the proposed development.

Environmental Assessment comment 01/06/2012

The application proposes the demolition of 14 -18 Bothwell Street existing Warehouses in order to erect a residential development of 71 units. The site is located off Leith Walk with surrounding residential properties. The Abbey Hill Railway line is approximately 190-200 metres away from the proposed development.

The Scottish Government is committed to low emission vehicles with regards to sustainable transport for the future. City of Edinburgh Council's parking standards now state that developers should incorporate a provision to

encourage electric vehicle charging infrastructure throughout all types of development. In an attempt to address the air quality impacts the applicant should investigate the introduction of electric vehicle charging points to a number of parking spaces for the proposed residential development, as such an informative shall be recommended.

Air Quality

The forthcoming application for the residential development has undergone preplanning discussions in relation to air quality. As a result an Air Quality Impact Assessment was submitted in support of the application on April 2012. Ref JM1.001-04-02. The report was requested by the City of Edinburgh Council due to the proximity of the proposed development to an area of existing poor air quality on Easter Road.

Mitigation Measures

The plans for the proposed development included a number of mitigation measures to minimise emissions to air.: Environmental Statements have been submitted by contractors to reduce emissions of particulate and dust. There are 2 designated parking spaces for City Car Club cars only. The scheme is designed to minimise car ownership in urban areas by having vehicles available for rent. People therefore consider more sustainable methods of travel and vehicles comply with strict emission limits.

Conclusions

The conclusions drawn from the assessment with reference to guidance document Development Control: Planning For Air Quality (2010) are the following:

- 1. The effect of the proposed development does not lead to a breach of any Air Quality Standards or significant worsening of an already poor quality area on Easter Road.*
- 2. The effect of the proposed development does not introduce new receptors into the Air Quality Management Area.*
- 3. Overall, the results of the DRMB (Design Manual For Roads and Bridges) screening method of assessment show that the air quality impact due to the proposed residential development is negligible.*

Transportation

There have been discussions with Network Rail and Transport Department regarding the extension plans for the Abbeyhill Railway line, there are no current proposals to extend the line further than on the plans submitted with the application. Therefore, this department are of the opinion the railway line is at a far enough distance from the proposed development and does not

require protection of bedroom and living room windows against rail traffic noise in the form of acoustic glazing.

Therefore, Environmental Assessment has no objections to this proposed development subject to the following condition and recommended informative:

Site In General

1. Prior to the commencement of construction works on site:

- (a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning , either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that 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.

Informative

The developer shall investigate the installation of electric vehicle charging points with reference to Making the Connection - The Plug-in Vehicle Infrastructure Strategy, Office for Low Emission Vehicles (June 2011).

Addendum

As stated above, Environmental Assessment has no objections to the approval of the application subject to the recommended conditions being attached to any consent.

NB. However, should all of the above conditions not be applied to any consent, Environmental Assessment will require to review the recommendation. In such event, it is imperative that this is notified immediately to the Environmental Assessment case officer.

Flood Prevention 30/08/2012

I have gone through the drawings and side notes and as far as flood issues are concerned the proposal are adequate and conforms to requirements. Can you please ensure a copy of the letter from Scottish water accepting the discharge into their sewer is provided. Can you please clarify what are the duties of the parties to the section 7 agreement and what department in the council will be responsible for the maintenance of the attenuation feature.

Leith Central Community Council comment 11/05/2012

We wish to object but also endorse the objections of the The Cockburn Association as outlined in their letter of 4 May. We share their concerns regarding the roofline. The applicant has clearly shown on their drawings the neighbouring varied roofline and given the prominent location of the proposal, this is a lost opportunity to contribute positively to the City's roofscape.

The Community Council are keen to make our area family friendly. The re-opening of Bonnington PS to serve at the City's GME school and the available capacity at Leith Walk PS demonstrates the potential of the area for families. The provision of private outdoor space by way of balconies and the establishment of two or more bedroom, main door ground floor flats with private garden space will enhance the amenity and make them more attractive to families.

Finally, we also support increasing the "green space" by decking over the parking. We would kindly request that the Applicant take on board these concerns prior to the Committee granting Consent.

Network Rail comment 11/05/2012

Whilst Network Rail has no objections in principle to the proposal the following matter must be noted:

Parts of the submitted application site encroach onto land in Network Rail's ownership. Please see the attached Title Plan MID132241 which shows Network Rail's ownership adjacent to the application site. This land has been identified as a possible location for a new turnback siding as part of the ongoing Edinburgh to Glasgow Improvement Programme (EGIP) works. We wish to point out that the applicant has not certified that Network Rail own land within the application site and we can confirm that we have not received notification as owners. We will be happy to receive your comments on this and to keep us informed when the application has been altered to reflect the application sites correct ownership.

The following matters should also be taken into account, and if necessary and appropriate included as conditions or advisory notes, if granting the application:

The railway can be a dangerous environment. Suitable barriers must be put in place by the applicant to prevent undue interaction between site occupiers and the railway

If not already in place, the applicant must provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and provision for the fence's future maintenance and renewal should be made. We recommend a 1.8 metre high 'rivetless palisade' or 'expanded mesh'

fence. Network Rail's existing boundary measure must not be removed without prior permission.

Buildings should be situated at least 2 metres from Network Rail's boundary. The applicant must ensure that the construction and subsequent maintenance of proposed buildings can be carried out without adversely affecting the safety of, or encroaching upon, Network Rail's adjacent land.

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.

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.

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains.

The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The applicants should obtain Network Rail's approval of their detailed lighting proposals. Following occupation of the development, if within three months Network Rail or a Train Operating Company has identified that lighting from the development is interfering with driver's vision and/or signal sighting, alteration/mitigation will be required to remove the conflict at the applicant's expense.

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.

Transport comment 24/09/2012

Transport has no objection to the proposed application subject to the following being included as conditions or informatives as appropriate:

1. *The developer will require to secure agreement with the Council and Scottish Water regarding maintenance of the cellular water storage;*
2. *All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The developer should note that:*
 - a. *Public utility provision should be located so as not to potentially obstruct access by pedestrians, vehicles and emergency service vehicles;*
 - b. *Swept path analysis will be required to demonstrate sufficient space for refuse vehicles to turn;*
 - c. *Confirmation that all of the proposed carriageway and parking spaces are to be included in the separate application for road construction consent and brought within the controlled parking zone will be required;*
3. *Consent should not be issued until the applicant has entered into a suitable legal agreement to provide the sum of £11,500 towards car club provision;*
4. *The design and specification of the proposed road, particularly the crossfalls and drainage, to be finalised as part of the road construction consent process;*
5. *The Disabled Persons Parking Places (Scotland) Act 2009 places a duty on the local authority to promote the proper use of parking places that are designated or provided for use only by disabled persons' vehicles. The applicant should therefore advise the Head of Transport if the disabled persons' parking places are to be enforced under this legislation. In order for these parking places to be enforced by the local authority, the signs and markings must comply with the Traffic Signs Regulations and General Directions 2002 Regulations. It is the applicant's responsibility to provide ongoing maintenance of the signs and markings to ensure disabled persons parking places can be enforced by the local authority. The applicant will be expected to cover the costs of introducing the order to control these spaces (estimated £2,500).*

Note:

1. *Current parking standards require provision of 1 space per residential unit, 0.2 spaces affordable unit and 0.2 spaces per unit for visitors. It is understood that at least 12 units will be retained as affordable units. Therefore a total of 76 spaces should be provided. However, the constraints of the site, the requirement to provide open space and the provision of 2 car club spaces mean that a reduced provision of 63 spaces is considered acceptable;*

2. *The applicant must be informed that the proposed on-road spaces within the site cannot be allocated to an individual property, nor can they be the subject of sale or rent. The spaces will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-road parking spaces, whether the road has been adopted or not. The developer will be expected to make this clear to prospective residents and tenants.*

Representations

Nineteen letters of representation, including one from the Cockburn Association and one from the Royal Park Terrace and Spring Gardens Resident's Association, have been received raising the following matters:

Issues of principle, taken account of in assessment (a);

- Development should not include commercial space.

Design issues, taken account of in assessment (b);

- Proposed block is too high and should be reduced.
- Number of units seems excessive.
- Roofscape from Carlton Hill is an important consideration. The roof should not be flat.
- Concern over the appropriateness of metal cladding.
- Site is within an area of protected key views in Edinburgh.

Residential amenity and open space issues, taken account of in assessment (d);

- The proposal will block natural light into adjacent residential properties and impact on overlooking / privacy.
- Single aspect flats should be avoided.
- The only accessible area of green space in Bothwell Street is being reconfigured to enable development. This will result in less greenspace per population in the area especially given proposed new increase in residents and potential number of children.
- Unclear if existing trees are being retained and what the general improvements to the park will be.
- Open space should be re-landscaped and fenced off (used as area for away fans accessing Hibs FC to congregate).
- Support plans to upgrade open space and measures should be put in place for future maintenance.
- Efforts should be made to retain as many trees as possible in the area proposed for cycle parking. Consideration should be given to the time needed for replacement trees to mature.
- There should be more green space within the development.

Transport and air quality issues, taken account of in assessment (f);

- The area is heavily congested and has parking problems, which can lead to issues with access for emergency vehicles. The proposal will exacerbate this.
- Access is from Bothwell Street which is too narrow.

- Development should be accessed via Sunnyside and / or Bothwell Street and included in the neighbouring Controlled Parking Zone.
- Proposed parking is inadequate.
- Impact on traffic safety in an area of high footfall, poor footpaths and generally poor environment.
- Development fails to adequately provide links with existing development to the south (Edina Place or Norton Park).
- Air Quality Impact Assessment traffic figures are flawed, baseline should be revised.
- Flats are being proposed in an area likely to become an Air Quality Management Area and this should be taken into consideration.

Waste management issues, taken account of in assessment (g);

- New flats should have their own waste bins.

Sustainability issues, taken account of in assessment (g);

- Design should meet sustainable building standards.

Procedural issues, taken account of in assessment (g);

- Issues relating to neighbour notification and pre-application process.

Non-material

- Proposal will block current views from properties.
- Proposal will devalue property.
- Impact during the construction phase.
- Site should be developed for alternative uses such as a medical centre or sheltered housing.
- Lack of infrastructure e.g. health centres.

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 site is within the Urban Area, as shown on the Edinburgh City Local Plan Proposals Map, and general housing and employment policies apply. The site also contains an area of designated open space, which is referred to in the Leith Neighbourhood Partnership Open Space Action Plan.

Relevant Policies:

Policy Des 9 (Waterside Development) sets criteria for assessing development on sites on the coastal edge or adjoining a watercourse.

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 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 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 12 (Trees) sets out tree protection requirements for new development.

Policy Env 17 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

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

Policy Os 1 (Open Space Protection) sets criteria for assessing the loss of open space.

Policy Hou 1 (Housing Development) supports housing on appropriate sites in the urban area, and on specific sites identified in the Plan.

Policy Hou 2 (Housing Mix) requires the provision of a mix of house types and sizes in new housing developments.

Policy Hou 3 (Private Open Space) sets out the requirements for the provision of private open space in housing development.

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

Policy Hou 7 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

Policy Emp 4 (Employment Sites and Premises) sets out criteria for development proposals affecting business & industry sites and premises.

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 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 13 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

Policy Inf 6 (Water & Drainage) sets a presumption against development where the water supply and sewerage is inadequate.

Relevant Non-Statutory Guidelines

NSESBA - Non-statutory guidelines Part A of 'The Edinburgh Standards for Sustainable Building' requires new development in Edinburgh to reduce their carbon emissions in line with the current Building Regulations

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

Non-statutory guidelines on Developer Contributions and Affordable Housing gives guidance on the situations where developers will be required to provide affordable housing and/or will be required to make financial or other contributions towards the cost of, providing new facilities for schools, transport improvements, the tram project, public realm improvements and open space.

Non-statutory guidelines 'The Edinburgh Standards for Housing' sets out principles and guidance whose aim is to achieve high quality, successful and sustainable residential developments.

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.

The Open Space Strategy and the audit and action plans which support it are used to interpret local plan policies on the loss of open space and the provision or improvement of open space through new development.

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

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

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

Appendix B



Application Type Planning Permission
Application Address: 14, 16-18 Bothwell Street
Edinburgh
EH7 5PS

Proposal: Demolition of existing warehouse buildings at 14 - 18 Bothwell Street, Edinburgh, and subsequent residential development with associated car parking and public realm.

Reference No: 12/01212/FUL

Conditions/Reasons associated with the Recommendation

It is recommended that this application be Granted by Committee, subject to the conditions, reasons and informatives stated below.

Conditions:-

1. Prior to the commencement of work on site, specification and detail drawings of adequate scale, indicating the arrangement of material junctions on external elevations, shall be submitted for written approval by the Head of Planning and Building Standards.
2. Prior to the commencement of works on site, sample panels, to be no less than 1.5m x 1.5m, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship, and submitted for written approval by the Head of Planning and Building Standards.
3. Prior to the commencement of development, specification and architectural details at a 1:5 or 1:10 scale of the proposed timber cladding shall be submitted for written approval by the Head of Planning and Building Standards. These details should set out the thickness of the timber which should not be less than 19mm finished size; the types of fixings, which should be specified to ensure no staining of the timber; and how the ends of the timber will be protected to ensure that moisture absorption is prevented.
4. No development shall take place until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis and reporting, publication) in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Head of Planning and Building Standards.
5. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning

and Building Standards, 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 Building Standards.

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 Building Standards.

6. The design, installation and operation of the lift shall be such that any associated noise complies with NR20 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

7. Prior to the commencement of development, full working details of the method of treatment of surface water and attenuation of flow from the site shall be submitted to and approved in writing by the Head of Planning and Building Standards.

This shall be in accordance with best practice Sustainable Urban Drainage (SuDS)/Sustainable Drainage principles. The development shall not be occupied/brought into use before the approved drainage system has been provided in its entirety.

8. Before the development hereby permitted starts, a full planting species specification, landscaping management and maintenance scheme in respect of the landscaping scheme shall be submitted to, and approved in writing by the Head of Planning and Building Standards. It shall include proposals for the continuing care, maintenance and protection of the landscaped amenity areas, including the park area.

9. The landscaping details, approved under the terms of condition (8) above 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.

Reasons:-

1. In order to ensure the adequacy of external building materials.

2. In order to ensure the adequacy of external building materials.
3. In order to demonstrate that the proposed timber cladding will be durable and retain a high visual quality.
4. In order to safeguard the interests of archaeological heritage.
5. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
6. In order to protect the amenity of the occupiers of the development.
7. To ensure the site is adequately drained and to prevent pollution of watercourses.
8. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
9. In order to ensure that the approved landscaping works are properly established on site.

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. 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.
3. 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.
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. The development shall be carried out in accordance with the measures identified in the approved Sustainability Statement Form. The applicant

should submit a Self Declaration Form to the Head of Planning and Building Standards on completion and prior to occupation unless otherwise agreed.

6. The developer shall investigate the installation of electric vehicle charging points with reference to Making the Connection - The Plug-in Vehicle Infrastructure Strategy, Office for Low Emission Vehicles (June 2011).
7. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The developer should note that:
 - i) Public utility provision should be located so as not to potentially obstruct access by pedestrians, vehicles and emergency service vehicles;
 - ii) Swept path analysis will be required to demonstrate sufficient space for refuse vehicles to turn; and
 - iii) Confirmation that all of the proposed carriageway and parking spaces are to be included in the separate application for road construction consent and brought within the controlled parking zone will be required.
8. The design and specification of the proposed road, particularly the crossfalls and drainage, to be finalised as part of the road construction consent process.
9. The developer will be required to secure agreement with the Council and Scottish Water regarding maintenance of the cellular water storage.
10. The Disabled Persons Parking Places (Scotland) Act 2009 places a duty on the local authority to promote the proper use of parking places that are designated or provided for use only by disabled persons' vehicles. The applicant should therefore advise the Head of Transport if the disabled persons' parking places are to be enforced under this legislation. In order for these parking places to be enforced by the local authority, the signs and markings must comply with the Traffic Signs Regulations and General Directions 2002 Regulations. It is the applicant's responsibility to provide ongoing maintenance of the signs and markings to ensure disabled persons parking places can be enforced by the local authority. The applicant will be expected to cover the costs of introducing the order to control these spaces (estimated £2,500).
11. The applicant must be informed that the proposed on-road spaces within the site cannot be allocated to an individual property, nor can they be the subject of sale or rent. The spaces will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-road parking spaces, whether the road has been adopted or not. The developer will be expected to make this clear to prospective residents and tenants.

12. The applicant will be required to enter into a suitable legal agreement in respect of the following:

- i) Affordable housing provision;
- ii) City Car Club contribution of £11,500;
- iii) Any associated traffic regulation orders; and
- iv) A draft travel plan will be required prior to first occupation and a final travel plan within 12 months of that date. The travel plan to be produced, updated and maintained.

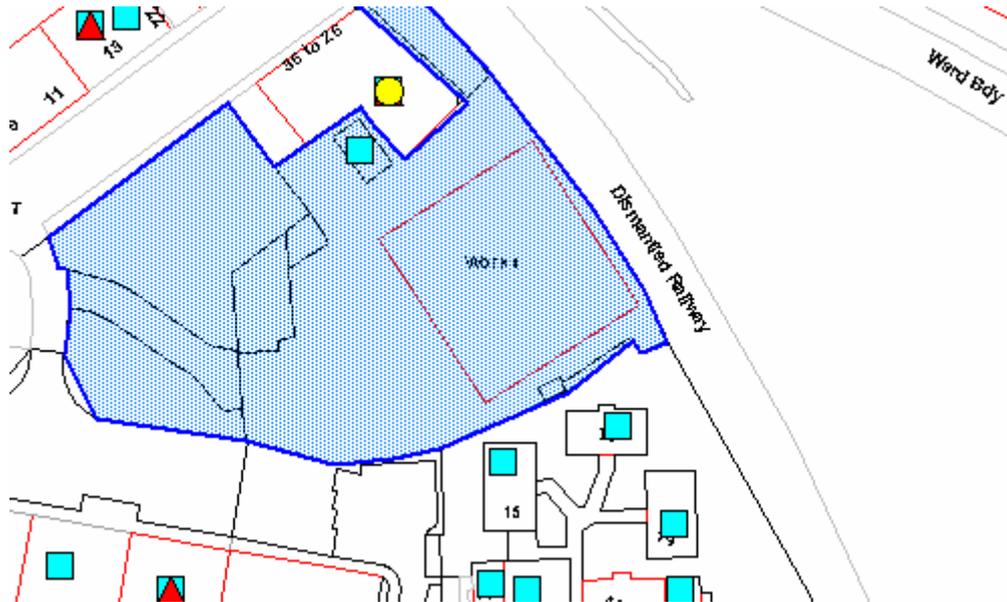
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Appendix C

Application Type Planning Permission

Proposal: Demolition of existing warehouse buildings at 14 - 18 Bothwell Street, Edinburgh, and subsequent residential development with associated car parking and public realm.

Reference No: 12/01212/FUL



Location Plan

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