

# Development Management Sub Committee

Wednesday 25 June 2014

## Application for Planning Permission 14/01061/FUL At Former Bandstand, Rennie's Isle, Edinburgh Proposed research facility comprising two Eco lodges and an Eco office and research facility.

Item number	4.16
Report number	
Wards	A13 - Leith

### Summary

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The proposal introduces housing in a designed strategic business centre and is not a suitable housing site and is contrary to local plan policy. The design fails to integrate with the spatial character or appearance of the area and townscape. The proposal fails to accord with many specific criteria in design policy Des 3 and the non-statutory Edinburgh Design Guidance that cumulatively contribute to a wholly inappropriate proposal at this site. The proposed houses provided inadequate accommodation for the future occupiers and the experimental nature of the proposal does not justify an exception. The proposal is contrary to local plan policies and non-statutory guidelines and there are no material considerations that justify approval.

### Links

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<a href="#">Policies and guidance for this application</a>	LPC, CITD3, CITE3, CITE6, CITE8, CITE9, CITE16, CITE17, CITEM1, CITH1, CITH8, CITT4, CITT6, NSG, NSGD02, NSLBCA, NSP, OTH, CRPLEI, DBLEIT,
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# Report

## Recommendations

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1.1 It is recommended that this application be Refused for the reasons below.

## Background

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### 2.1 Site description

The application site is a hard landscaped area located between Dock Place bridge and the Scottish Government's office known as Victoria Quay. The application site is currently an area of civic open space but is not designated as public open space in the Open Space Audit.

Dock Place, swing bridge and lock is a scheduled ancient monument and a category B listed building (reference: 27061, dated 16 February 1976) and is located to the south-east of the application site.

The area is mixed use with offices, public houses and residential uses nearby. The Water of Leith is located to the south and east of the site. A car park is located to the south-west of the application site.

This application site is located within the Leith Conservation Area.

### 2.2 Site History

27 April 1998 - planning permission granted to erect a class 3 kiosk (application reference: 98/01040/FUL).

2 November 2004 - planning permission granted for a temporary period of one year for an open air market at Commercial Quay car park (application reference: 04/03099/FUL).

## Main report

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### 3.1 Description Of The Proposal

The application proposes the erection of three single storey, detached buildings containing an office and two dwellings. The proposed office is positioned on the former bandstand, is octagon shaped and has a footprint of 41 square metres. The two dwellings are square shaped with a footprint of 49 square metres. The proposed buildings have flat, grass roofs and solar panels are proposed on the two dwellings. The walls will be finished with Western Cedar timber.

It is proposed the houses will act as a 'living laboratory' to test the performance of low carbon buildings and technology. Bicycle ranks are positioned to the rear and side of the proposed dwellings.

### Supporting Statement

The applicant submitted a Planning and Design Statement which raised the following issues:

- the Climate Change (Scotland) Act 2009 requires a reduction of carbon emissions from buildings;
- lack of evidence on the performance of low carbon buildings;
- proposal will be a test facility for low carbon living;
- proposed houses do not meet the minimum size required by the Edinburgh Design Guidance but an exception is justified because the proposal is an experiment.

This document is available to view on the Planning and Building Standards Online Services.

### **3.2 Determining Issues**

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

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?

### **3.3 Assessment**

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

- a) the principle of the proposal is acceptable and accords with the Leith Docks Development Brief;
- b) the proposal will be of a suitable high quality in terms of design and form, choice of materials and positioning which will maintain or enhance the character and appearance of the conservation area;
- c) the proposal adversely affects the setting of a Scheduled Ancient Monument and the setting of listed building;
- d) the proposal will adversely affect a local nature conservation site or protected species;
- e) the proposal would have implication on archaeological heritage;
- f) the proposal will result in an unreasonable loss of privacy or natural light to neighbouring properties;

- g) the proposal will provide adequate level of amenity to meet the needs of future residents;
- h) the proposal will have a detrimental impact on pedestrian or road safety:
- i) the proposal will increase flood risk or be at risk of flooding;
- j) the proposal will have any detrimental impact on equalities and human rights; and
- k) comments raised have been addressed.

a) Principle

The site is located in a designated strategic business centre where high quality office development is supported and safeguarded. The proposal introduces a small office and two houses. The principle of housing, experimental or otherwise, is not supported in principle at the application site and is contrary to policy Emp 1. While the application site is located in the urban area, its designation as a strategic business centre does not make it suitable for housing and is contrary to policy Hou 1.

The Leith Dock Development Brief 2005 envisions the creation of an underground car park south of the Scottish Government's office to create a new major public space in place of the car park. The proposal, due to its small scale, will not affect the open space potential of existing car park. However, the Brief requires proposed development to be integrated into the older areas, have clearly defined public and private spaces and for proposed development to reflect the scale and character of the existing built environment representing a logical progression from it. The proposal fails to satisfy the requirements of the Brief because it does not integrate into the surrounding area and introduces three detached structures that appear to be randomly positioned as opposed to forming part of a scheme that integrates with the existing townscape.

The proposal is contrary to policy Emp 1 and the Leith Dock Development Brief and is not acceptable in principle.

b) Design, form, materials and positioning and conservation area

The application site is located at the edge of an area the Leith Conservation Area Character Appraisal identifies as Old Leith and the Shore area where the essential character is identified as *the historic port located on the coast around the mouth of the Water of Leith with a robust streetscape that enhances the character of the medieval core and the harbour. The bridges across the harbour demarcate zones of transition from the open sea to the relatively domesticated and decreasing size of the river. The river, Shore and docks provide a sequence of spaces and important buildings that form the impression of a waterborne square.*

The proposed buildings are simple in their design and form but due to their scale, height and positioning do not integrate into the wider townscape which is characterised by traditional tenements and substantial buildings containing flats and offices.

The proposal has little regard to the spatial character of the area and represents an unplanned scheme designed around securing a lease of the land as opposed to having regard to the spatial character and appearance of the area.

The failure of the proposal to differentiate between public and private spaces contributes to its incongruous character and appearance and is contrary to policy Des 3 and non-statutory Edinburgh Design Guidance.

The proposal also fails to provide for ancillary facilities, such as refuse and recycling facilities and secure cycle storage and is contrary to policy Des 3 and non-statutory Edinburgh Design Guidance. This adds to the ill-conceived design of the overall proposal.

The proposal fails to have a positive impact on the wider townscape, is ill-conceived in its overall scale, form and positioning and fails to preserve or enhance the character or appearance of the conservation area and is contrary to policies Des 3 and Env 6 and non-statutory Edinburgh Design Guidance.

c) Setting of a Schedule Ancient Monument and Listed Buildings

The site is located to the north west of the scheduled ancient monument and category B listed building known as Dock Place, swing bridge and lock, which is an early 19th Century lock and swing bridge at the former entrance to the now infilled East Old Dock at Leith. Historic Scotland do not consider the proposal will have a significant impact on the setting of the monument and, due to the proposed materials and small scale, the proposal will not affect the way the monument is understood, appreciated and experienced. Historic Scotland has no objections to the proposal. The proposal will not adversely affect a scheduled ancient monument or listed building or its setting and accords with policies Env 3 and Env 8.

d) Local nature conservation site and protected species

Otters are known to be present along the Water of Leith, however, given the urbanisation of this part of the river, it is unlikely that any areas required to be protected for otters such as holts or resting places would be found at this location.

It is the developers' responsibility to ensure the works will not affect otters or their holts and obtain a license if necessary. An informative reminding the applicant of their duty is necessary. Given the low probability of otters to be present at the application site it is not reasonable to attach a condition requiring a survey to be carried out. The proposal will not have an adverse impact on species protected under European or UK law and accords with policy Env 16.

e) Archaeological heritage

The site is located in an area of archaeological significance because it lies on top of the remains of the 1806 East Old Dock. The City's Archaeologist recommends a condition is attached to ensure a programme of archaeological works is undertaken prior to / during construction. Therefore subject to condition the proposal will not adversely affect a site of archaeological significance and accords with policy Env 9.

f) Neighbouring amenity

The proposal will not cause an unreasonable loss to neighbouring amenity in terms of sunlight, overshadowing and privacy because of its form and distance from neighbouring properties and accords with part (c) of policy Des 3. The proposed uses as an office and housing are not uses that are incompatible with the mixed use character of the area and will not introduce uses that will have a materially detrimental impact on residential amenity and accords with policy Hou 8.

g) Amenity of future occupiers

The proposed dwellings fail to satisfy the housing size criterion for a one bedroom house in the Edinburgh Design Guidance. The applicant reasons an exception is justified because the proposal is an experiment. Arguably it is just as important for a building used to test the effectiveness of carbon neutral technology to provide accommodation that meets the minimum size standards rather than carrying out experiments on sub-standard accommodation. Accordingly an exception is not justified. The proposed dwellings also fail to provide adequate internal storage facilities as required by the Edinburgh Design Guidance. The proposed dwellings fail to meet the minimum size and storage standards of the Edinburgh Design Guidance.

The proposed dwellings have large ground floor windows that face directly onto a public place and do not provide the future occupants with a reasonable level of privacy from passing pedestrians because there is no distinction between public and private spaces. Therefore the proposal is contrary to part (e) of policy Des 3.

The proposed dwellings have no private amenity space however this in itself does not justify a refusal because the site is within walking distance to the Water of Leith and a number of smaller green spaces and civic space.

The proposal provides inadequate accommodation for one bedroom houses in terms of size and privacy and is contrary to policy Des 3 and non-statutory Edinburgh Design Guidance.

h) Parking and road safety

Transport Planning requested a parking statement to be submitted setting out how the proposal complies with the current Council parking standards or giving justification for not complying. This request was made to the applicant and agent on 2 May 2014 and no such statement has been received therefore the application will be determined without it.

The application site is located in the Leith Docks Major Growth Area with a regular bus service to and from the city centre and access to local services and facilities. The non-statutory Parking Standards require one parking space to be provided for two one-bedroom houses. No private parking space is proposed and no justification for an exception has been submitted therefore the proposal fails to accord with policy Tra 4 and the non-statutory Parking Standards.

The proposed cycle parking is located outside the dwellings and is not secure and is not sensitively integrated into the design and fails to accord with policy Des 3, Tra 6 and non-statutory Edinburgh Design Guidance.

The proposal will not cause a significant obstruction through the site because of the open nature of the site and will not be harmful to movement around the area or pedestrian safety.

i) Flood risk

The proposal is built upon an existing hard surface and will not reduce the amount of greenspace available to deal with surface water runoff. Arguably the provision of grass roofs will have a positive impact on surface water run-off. The Council's Flood Prevention Officers advise the site is not at risk to pluvial, fluvial or coastal flooding as identified under SEPA's flood maps and will not increase flood risk.

However, if the proposal was acceptable in principle and design, it is recommended the finished floor level of the proposed buildings is greater than 4.0m above ordnance datum.

The proposal is will not increase flood risk and can be designed not to be at risk of flooding itself and accords with policy Env 17.

j) Equalities and human rights.

This application was assessed in terms of equalities and human rights. No impact was identified.

k) Public comments

**Material Representations in Objection**

- overdevelopment of the site - addressed in section 3.3b and found to be contrary to policy and guidance.
- loss of open space - the application site is not identified in the Open Space Audit as designated open space and therefore its loss is not assessed against policy Os 1'Open Space Protection'.
- harm the character and appearance of the area - addressed in section 3.3b and found to be contrary to policy and guidance.
- harm the historic character of the area - addressed in section 3.3b and found to be contrary to policy and guidance.
- harm character and appearance of the conservation area - addressed in section 3.3b and found to be contrary to policy and guidance.
- piecemeal development that does not have regard to the Leith Docks Development Brief Framework - addressed in section 3.3a and found to be contrary to policy and guidance.

- loss of natural light to neighbouring properties - addressed in section 3.3f and found the proposal would not harm residential amenity.
- obstruct access through the site - addressed in section 3.3h and found the proposal would not cause a significant obstruction.
- poorly defined public and private spaces - addressed in section 3.3b and found to be contrary to policy and guidance.
- flooding - addressed in section 3.3i and found the proposal will not increase flood risk.
- poorly clarified research proposal - the proposal has been assessed as a proposed office and housing, the research nature of the proposal has not been afforded special dispensation.
- lack of information concerning the proposed materials - if acceptable in principle and design then samples of the proposed materials could be attached as a condition.
- provision of substandard housing - addressed in section 3.3g and found to be contrary to policy and guidance.
- parking - addressed in section 3.3h and found to be contrary to policy and guidance.
- failure to integrate ancillary facilities, i.e. external waste storage - addressed in section 3.3b and found to be contrary to policy and guidance.
- effect on Scheduled Ancient Monument - addressed in section 3.3c and found the proposal will not affect the way the monument is understood, appreciated and experienced. Historic Scotland has no objections to the proposal.
- noise - addressed in section 3.3f and found the proposal would not introduce a use that is incompatible with the area's character.
- adversely affect the amenity of neighbouring properties - addressed in section 3.3f and found the proposal would not harm residential amenity.
- impact on otters, a protected species, has not been assessed - addressed in section 3.3d and found due to the high urbanisation of the application site is unlikely that any areas required to be protected for otters, such as holts or resting places, would be found at this location.

### **Material Representations in Support**

- general support for the proposal;
- enhance the area and built environment;
- support for green / low carbon development and research; and
- benefits of research opportunities to the area and city;

### **Non-material Representations**

- reference to future development on the Water of Leith, including houseboats, water fountain - the application is for the erection of an office and two houses only. The houseboats or any development on the Water of Leith does not form part of this application and this proposal does not prejudice any future decision the Council may make on receipt of such a proposal.
- the applicant's integrity - planning applications are assessed against land use policies and guidance. The identity of the applicant is not material to a decision to grant or refuse planning permission.
- disturbance from construction works - this matter is addressed by the Environmental Protection Act 1990.
- challenges the eco credentials of the proposal.
- no evidence to demonstrate the proposal is sustainable.
- discrepancies in the application form and design statement, including the provision of housing.
- queries the consultation period and procedural issues concerning notice to owners - an amended land ownership certificate was submitted. This did not affect the representation period for comments.
- concerns about the information contained in the application form - an amended land ownership certificate was provided.
- drainage - due to the scale of the proposal this issue will be addressed by the Building Regulations.
- Environmental Statement and Environmental Impact Assessment required - the proposal is not a schedule 1 or 2 development described by the EIA regulations and therefore an EIA and an Environmental Statement are not required.

images contained in the Design Statement are misleading.

## CONCLUSIONS

In conclusion, the proposal is unacceptable in principle because it introduces housing in a designated strategic business centre and is contrary to local plan policy. In addition, the proposed design fails to integrate with the spatial character or appearance of the area because of its scale, form and design and is contrary to local plan policy, the principles and objectives of the Leith Docks Development Framework, and non-statutory guidance in respect of design, amenity of future occupiers and parking. There are no material considerations which outweigh this conclusion.

It is recommended that this application be Refused for the reasons below

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

#### **Reason for Refusal:-**

1. The proposal is contrary to Edinburgh City Local Plan Policies Emp 1 and Hou 1 in respect of Office and Housing Development, as the proposal is located in a strategic business centre and is not a suitable site for housing development.
2. The proposal is contrary to Edinburgh City Local Plan Policies Des 3 and Env 6 in respect of Development Design and Development in Conservation Areas and non-statutory Edinburgh Design Guidance because the proposal fails to integrate with the spatial character or appearance of the area and townscape, does not distinguish between public and private spaces, does not make a suitable provision for ancillary facilities and provides inadequate accommodation for the future occupants because of its size and the lack of privacy.
3. The development is contrary to the principles and objectives of the Leith Docks Development Framework in respect of the proposal's failure to integrate into the older areas, to provide clearly defined public and private spaces and reflect the scale and character of the existing built environment.
4. The proposal is contrary to Edinburgh City Local Plan Policies Tra 4 and Tra 6 in respect of Private Car Parking and the design of Off-Street Car and Cycle Parking because the proposal fails to provide one parking space to meet the non-statutory Parking Standards and the proposed cycle parking is not secure or integrated into the overall design.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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**5.1** Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

The application was advertised on 28 March 2014 and attracted 27 letters of representation: 16 in objection; nine in support and two making general comments. These include objections from the Cockburn Association, Friends of the Water of Leith Basin, Councillor Munro, Councillor Booth and general comments from the Water of Leith Conservation Trust.

Councillor Munro raised concerns about design, affect on the character and appearance of the Leith Conservation Area, the Leith Bocks Development Brief, the sustainability credentials, flood risk, protected species and residential amenity.

Councillor Booth raised concerns about traffic, proximity to a children's nursery, the Leith Conservation Area, the setting of a schedules ancient monument and requests an Environmental Impact Assessment to be undertaken.

### **Material Representations in Objection**

- overdevelopment of the site;
- loss of open space;
- harm the character and appearance of the area;
- harm the historic character of the area;
- harm character and appearance of the conservation area;
- piecemeal development that does not have regard to the Leith Docks Development Brief Framework;
- loss of natural light to neighbouring properties;
- obstruct access through the site;

- poorly defined public and private spaces;
- flooding;
- poorly clarified research proposal;
- lack of information concerning the proposed materials;
- provision of substandard housing;
- parking;
- failure to integrate ancillary facilities, i.e. external waste storage;
- effect on Scheduled Ancient Monument;
- noise;
- adversely affect the amenity of neighbouring properties; and
- impact on otters, a protected species, has not been assessed.

#### **Material Representations in Support**

- general support for the proposal;
- enhance the area and built environment;
- support for green / low carbon development and research; and
- benefits of research opportunities to the area and city;

#### **Non-material Representations**

- reference to future development on the Water of Leith, including houseboats, water fountain;
- the applicant's integrity;
- disturbance from construction works;
- challenges the eco credentials of the proposal;
- no evidence to demonstrate the proposal is sustainable;
- discrepancies in the application form and design statement, including the provision of housing;
- queries the consultation period and procedural issues concerning notice to owners;

- concerns about the information contained in the application form;
- drainage;
- Environmental Statement and Environmental Impact Assessment required; and
- images contained in the Design Statement are misleading

### **Community Council Comments**

Leith Links Community Council support the objection made by Friends of the Water of Leith Basin who raised a number of the concerns listed above.

Leith Harbour and Newhaven Community Council commented on the application and share the concerns raised by the Friends of the Water of Leith Basin which are listed above and also raise issues with Design Statement and what they consider to be inadequate or misleading information submitted in the application.

A full assessment of the representations can be found in the main report in the Assessment section.

### **Background reading / external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)

#### **Statutory Development**

##### **Plan Provision**

Edinburgh City Local Plan - Urban Area

##### **Date registered**

19 March 2014

##### **Drawing numbers/Scheme**

01-04,

Scheme 1

### **David R. Leslie**

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## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Edinburgh City Local Plan.**

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

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 16 (Species) sets out species protection requirements for new development.

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

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

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

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

## **Relevant Non-Statutory Guidelines**

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings and landscape, in Edinburgh.

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

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

### **Other Relevant policy guidance**

**The Leith Conservation Area Character Appraisal** emphasises the areas unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value

The Leith Docks Development Framework sets out planning and design principles for the redevelopment of Leith Docks and some of the surrounding area.

# Appendix 1

## Consultations

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### Archaeology

#### *Former Bandstand Rennie's Isle Leith*

*Further to your consultation request I would like to make the following comments and recommendations concerning this application for a proposed research facility comprising two Eco lodges and an Eco office and research facility.*

*The site overlies the remains eastern side of the 1806 East Old Dock, the masonry edge which can still be seen on the ground extending northwards beneath the former bandstand. In the stone footings for dock yard machinery bases (?crane) can also be seen retained within the cobbles between the bandstand and the edge of the Rennie's Lock. Accordingly 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.*

*The masonry remains identified above relating to the 1806 dock are considered to be of archaeological significance and also form an integral and important part of the areas historic character. Such remains must be protected insitu and foundation/ service designs must be designed and submitted to this into account, in particular those relating to the building proposed for the bandstand. In addition a programme of archaeological work is required to be undertaken during development in order to excavate, record and analysis any surviving archaeological remains and to ensure that protection measures can be put in place.*

*It is recommended that the following condition be attached consent, if granted, to ensure that this programme of archaeological works is undertaken prior to / during construction.*

*'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (conservation, 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.*

## **Environmental Assessment**

*TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
PROPOSED RESEARCH FACILITY COMPRISING TWO ECO LODGES AND AN  
ECO OFFICE AND RESEARCH FACILITY AT FORMER BANDSTAND, RENNIE'S  
ISLE, EDINBURGH (14/01061/FUL)*

*The applicant proposes the installation of an eco office and two eco lodges at Rennie's Isle. The site is located at the southeast corner of the Scottish Executive offices; the car park for that building is to the west. Approximately 30m to the south are a mix uses including commercial and some residential. Further residential dwellings on Rennie's Isle are within 20m to the east.*

*Contaminated land issues have been considered and found to be of no concern; therefore, Environmental Assessment has no objections to this proposed development.*

## **Flooding**

*As discussed this site is not at risk to pluvial, fluvial or coastal flooding as identified under SEPA's flood maps. Given its location however it is recommended that the FFL is greater than 4.0mAOD that being the tide height used to calculate the flood maps and the height of the lock gates.*

## **Historic Scotland**

*Town And Country Planning (Development Management Procedure) (Scotland) Regulations 2013  
Proposed research facility comprising two Eco lodges and an Eco office and research facility, Former Bandstand, Rennie's Isle, Edinburgh  
Dock Place, swing bridge and lock, Leith Docks*

*I refer to your consultation of 01 May on the above planning application.*

*Historic Scotland has no objection to this application.*

### *Development Proposals*

*The development proposals are for the erection of two Eco lodges and an Eco office and research facility at former bandstand, Rennie's Isle, Edinburgh. From the plans provided as part of the application the structures will be located directly to the NW of Dock Place, swing bridge and lock, Leith Docks. We have had no previous discussions with the applicants about this proposed development.*

### *Historic Environment Interests*

*The proposed development is directly to the NW of a scheduled monument, Dock Place, swing bridge and lock, Leith Docks, termed under the Ancient Monuments and Archaeological Areas Act 1979.*

*Dock Place, swing bridge and lock, Leith Docks is an early 19th Century lock and swing bridge at the former entrance to the now infilled East Old Dock at Leith. The monument is located at the N end of Dock Place, Leith.*

### *Policy Background*

*The Scottish Government's historic environment policies recognise the need for sustainable development which includes the aim to preserve and enhance the historic environment. The application affects the setting of a scheduled monument. The protection of the setting of scheduled monuments is a matter of national and local policy. Scottish Planning Policy (SPP, paragraph 118) states that "development which will have an adverse effect on a scheduled monument or the integrity of its setting should not be permitted unless there are exceptional circumstances." The preservation of both the site and its setting carry equal weight, being both of national importance.*

*In line with national policy guidelines, the monument is covered by Edinburgh and the Lothian's Structure Plan 2015 Policy ENV 1 C which states:*

*Development which would harm the character, appearance and setting of the following designated built or cultural heritage sites and/or specific features which justify their designation, should be resisted*

*This explicitly includes Scheduled Monuments.*

*The scheduled monument is covered by the Edinburgh Local Development Plan Proposed Plan (2013) under Policy ENV 8: Protection of Important Remains:*

*Development will not be permitted which would*

*(a) adversely affect a scheduled monument or other nationally important archaeological remains, or the integrity of their setting:*

### *Impacts*

*We do not consider that the proposed development will have a significant impact on the setting of the monument. The monument lies within a built up, urban industrial area which has previously had a small structure, the bandstand, in this location. Due to their proposed materials and small scale, the lodges will not affect the way the monument is understood, appreciated and experienced*

### *Historic Scotland's Position*

*We do not object to this development proposal. However, given the proximity of the Eco lodges and office to the monument we would wish to be reconsulted on any amendments to the proposed scheme, such as an increase in size or number of structures, or a change in location. In addition we note that no information has been supplied concerning the location of any utility services for the structures. We recommend that this information is ascertained to ensure that no adverse impacts will occur to the monument from connections to services.*

*Notwithstanding our comments above, we confirm that your Council should proceed to determine the application without further reference to us.*

## Transport Planning

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

PLANNING APPLICATION No: 14/01051/FUL

FOR: PROPOSED RESEARCH FACILITY COMPRISING TWO ECO LODGES AND AN ECO OFFICE AND RESEACH FACILITY.

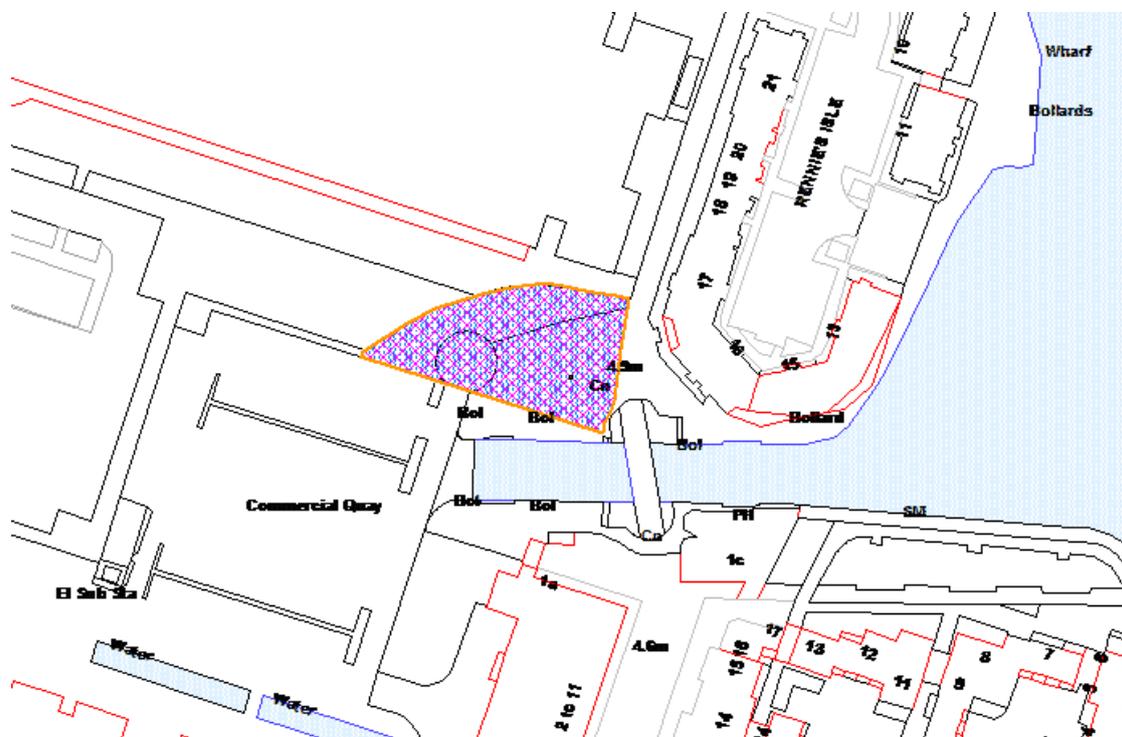
AT: FORMER BANDSTAND, RENNIE'S ISLE, EDINBURGH

Whilst I have no objections to the application in principle, I would ask that the application be continued to address the following issues:

1. the proposed residential cycle parking must be located in a secure and undercover location;
2. a parking statement is required setting out how the proposal complies with the current Council parking standards or giving justification for not complying.

## Location Plan

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