

Development Management Sub Committee

Wednesday 11 March 2015

**Application for Planning Permission 14/04044/FUL
At 52 - 52A Annandale Street, Edinburgh, EH7 4AZ
Demolition of existing office building and construction of a
flatted residential development with associated parking and
landscaping.**

Item number	4.1
Report number	
Wards	A12 - Leith Walk

Summary

The site is in the Urban Area in both the adopted Edinburgh City Local Plan (ECLP) and the Second Proposed Local Development Plan (LDP). The proposed development will improve and contribute to the wider regeneration of the area by introducing housing on an urban infill site. The proposed development is contrary to Policy Emp 4 in the Edinburgh City Local Plan because the site was formerly in employment use and there is no provision for business space within the proposals. However the proposal does accord with policy Emp 9 in the Second Proposed Local Development Plan which only requires business space to be provided on former employment sites larger than one hectare. The departure is considered minor and will not compromise the effective development or regeneration of the wider area. The layout, design and scale of the proposals are considered appropriate. The development will not result in an unacceptable loss of amenity for neighbouring property or to occupiers of the development. The proposal will not result in any traffic or road safety issues.

Links

[Policies and guidance for this application](#)

LPC, CITH1, CITEM4, CITH2, CITH3, CITH4, CITH7, CITCO2, CITD1, CITD3, CITD4, CITD6, CITT2, CITT4, CITT5, LDPP, PLDE07, PLEM09, PLH1, OTH, NSDCAH, NSESBB, NSGD02, NSMDV, NSP,

Report

Application for Planning Permission 14/04044/FUL At 52 - 52A Annandale Street, Edinburgh, EH7 4AZ Demolition of existing office building and construction of a flatted residential development with associated parking and landscaping.

Recommendations

1.1 It is recommended that this application be Granted subject to the details below.

Background

2.1 Site description

The site is to the northeast of Annandale Street and southwest of Hopetoun Street. It has an area of 0.4 hectares.

The site has an existing 2 storey office building which covers approximately 46% of the site. The site is relatively level. Hopetoun Street is at a lower level than the application site by approximately 4 metres.

The building is set back into the site from Annandale Street. There is an area of tree planting and landscaping which fronts the building along Annandale Street. There is an area of trees and planting to the rear of the site adjacent to Hopetoun Street.

There are existing gated accesses to the north and south of the building. Car parking spaces are provided to the north side of the building. There are a number of on street car parking spaces in front of the site along Annadale Street.

To the north, east and west of the site are existing residential properties. Those to the north are 4 1/2 storeys high, those to the south are four storeys high, and those to the rear along Hopetoun Street are two and three and a half storeys high immediately to the north east of the site. Other flats in the area close to the site are five and a half storeys high.

Directly opposite the site on Annandale Street is a bus depot which is set back from the Annadale Street frontage.

2.2 Site History

21 October 1998 - planning permission was granted to convert single storey units to a 2 storey office unit (as amended) (99/01243/FUL).

13 April 2005 - planning permission was granted for the construction of a cycle shelter (application reference 05/00400/FUL).

History of nearby sites:

54 Annandale Street

15 November 1993 - planning permission was granted for a change of use from a distribution/ industrial warehouse to a ten pin bowling centre (93/00544/FUL).

12 February 1997 - planning permission was granted for the renewal of consent granted for a leisure centre and alterations (as amended) (92/02488/FUL).

28 January 1998 - planning permission was granted to alter condition on planning approval A02488/96 so hours are restricted to 10-1am daily (97/03141/FUL).

30 August 2000 - planning permission was granted to erect 41 flats and car parking (as amended) (99/02400/FUL).

22 April 2003 - planning application varied to allow an increase in eaves height (01/02226/VAR1).

25 July 2003 - planning permission was varied for proposed residential development (01/02226/VAR2).

56 Annadale Street/ 8 Hopetoun Street

3 November 2004 - planning application varied to amend car parking layout (03/03523/VARY).

24 November 2004 - planning permission was granted for a mixed use office development (03/03523/FUL).

1 October 1997 - planning permission was granted to demolish existing workshops and construction of 67 flats (as amended) (97/01121/FUL).

Main report

3.1 Description Of The Proposal

This is a proposal for the demolition of the existing offices and development of a flatted development of 60 residential units. It comprises 11 x one bedroomed units, 47 x two bedroomed units and 2 x three bedroomed units. Fifteen of the units would be affordable.

The units would be provided in four blocks arranged in a terrace fronting Annadale Street.

Block A to the northwest of the site will be four and a half storeys high, blocks B and C will be five storeys high and block D to the southeast will be six storeys high.

The existing site entrance off Annandale Street will be used for vehicular access into the development. A total of 45 car parking spaces are provided for the private flats.

Three of these are for disabled persons vehicles. Three car parking spaces are allocated to the affordable housing units. In addition two on site visitor spaces are proposed. Five on street visitor spaces are shown outwith the site boundary. Cycle parking is proposed in each tenement stair. Visitor cycle parking spaces are proposed at the main entrance doors to the development. External secure and covered cycle parking is provided for the affordable units to the rear of the site.

Materials proposed include slate effect roof tiles, light buff coloured textured/ toned brick to walls, sarnafil single ply flat roof, brick, grey cladding panel, zinc cladding, recycled UPVC window frames in grey, grey timber doors and cast iron railings.

An area of open space is provided to the northeast of the site. This has an area of approximately 24% of the total site area. There are balconies and private gardens to a number of the units.

Existing trees along the northwest site boundary will be retained. Five existing trees along the Annandale Street frontage will be removed.

Revised scheme

Various revisions on the scheme include the following:

- Proposed block A has been reduced in depth so the rear elevation is in line with the adjacent property at 54A Annandale Street.
- The car parking layout and landscaping proposals have been reconfigured. A new seating area is proposed in the amenity space to the rear.
- Private gardens are proposed to the ground floor units.
- Recycling facilities are provided in the ground floor areas of the residential blocks.
- A fully detailed landscape plan has been submitted.
- Enclosed terraces to Annandale Street elevation.
- Materials have been altered.

Supporting Statement

A Pre application Consultation report, Planning Statement, Design and Access Statement, Sustainability Statement, Traffic Sensitivity Analysis, Noise Assessment, Drainage Strategy Plan Report, and Tree Survey have been submitted in support of the application.

These documents are available to view on the Planning and Building Standards Online Services.

3.2 Determining Issues

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of development is acceptable;
- b) the proposal is detrimental to the amenity of neighbours and the proposal provides sufficient amenity for the occupiers of the development;
- c) the proposed scale, design and materials are acceptable;
- d) the proposed parking, access and road safety arrangements are acceptable;
- e) the proposal meets sustainability criteria;
- f) the proposal has any equalities or human rights impacts;
- g) the representations have been addressed;
- h) affordable housing provision is acceptable;
- i) educational infrastructure provision will be sufficient; and
- j) there are any other environmental impacts.

a) Principle of development

The site is in the Urban Area in both the adopted Edinburgh City Local Plan (ECLP) and the proposed Second Local Development Plan (LDP). The proposed development will improve and contribute to the wider regeneration of the area by introducing housing on an urban infill site.

Policy Emp4 of ECLP encourages development for employment purposes in land zoned as 'Urban Areas'. Where a proposal incorporates uses other than business, industry and storage, permission will be granted subject to three criteria.

Policy Emp9 part c) of the Second Proposed Local Development Plan (LDP), which will replace policy Emp4 of ECLP, states that business floorspace should be provided for a range of users if a site is larger than 1 hectare. As this site is less than that, the requirements for business floorspace would not apply. There were no representations to the first Proposed LDP objecting to the wording of Policy Emp9. Considerable weight can therefore be given to policy Emp9 and it is not considered necessary to provide business space as part of this proposal.

Criterion b) and c) of ECLP policy Emp4 and parts a) and b) of policy Emp9 of the Second Proposed LDP require development not to prejudice or inhibit activities of any nearby employment use and that the proposals should contribute to the comprehensive regeneration and improvement of the wider area.

The proposals will not prejudice or inhibit activities of any nearby employment use; this is discussed in detail in section b) of this assessment. The introduction of housing on the site will contribute to the improvement and wider regeneration of the area.

The proposal is for 60 flats. The LDP Housing Land Study (June 2014) identifies this site in the medium category in terms of probability of being developed for housing. The windfall assumption in the LDP is based on high probability sites only. However, residential development on this site will still count towards meeting the Council's housing requirements. The Housing Land Study identifies the site as having an indicative capacity of 66 flats.

In principle, the proposed development is acceptable.

b) Amenity of neighbours and occupiers

The proposal would not result in any adverse effect on amenity to existing property within close proximity to the site. The site is within the Urban Area where there is a mix of uses including residential.

The proposal accords with the Edinburgh Urban Design Guidance in terms of privacy and overshadowing. The majority of windows proposed in the blocks would be over 9 metres to the rear site boundary. A bedroom window on first, second, third and fourth floors of block D would have a bedroom window approximately 15 metres from the rear site boundary. These face the end of the garden area of the adjacent property and will not result in an adverse effect on their privacy. Windows in the gables would not result in loss of privacy as they face the gables of adjoining properties.

There would be no adverse overshadowing or loss of daylight to neighbouring property as a result of the revised proposals. In terms of daylighting the proposal is acceptable.

The Noise Assessment report submitted with the application states that there are a number of noise sources with potential to affect the site, including the bus depot and garage, road traffic and sub-station noise. Noise associated with both the ingress and egress for the bus depot is a cause of concern to Environmental Assessment. The Noise report concludes that windows facing the bus depot to the Annandale Street frontage should have noise reduced properties to protect the amenity of future residents by the use of an advanced glazing specification.

Environmental Assessment is concerned about future amenity of residents due to the noise associated with the bus depot and recommends that further consideration is given to means to mitigate against potential noise problems. The applicant has submitted initial proposals to install glazing into the balconies facing the bus depot and by upgrading the glazing specification to bedroom windows fronting Annandale Street. Ventilation would be by a whole house ventilation system. The applicants have requested the opportunity to work on this further in conjunction with Environmental Assessment and through the Building Warrant process to enable a suitable scheme to be developed.

The applicants have confirmed that they will demonstrate that they can achieve the required measures and request that this can be dealt with in more detail at a later stage.

It is recommended that a condition is added to require full details of noise insulation measures and ventilation proposals to enable these matters to be considered and approved in detail.

The proposed development would be acceptable in terms of amenity.

c) Scale, layout, design and materials

Design policies seek to draw upon the positive characteristics of the surrounding area to create or reinforce a sense of place. Developments should have a positive impact on their setting, having regard to the positioning of the buildings on site, their height, scale and form, materials, landscape impacts and impacts on views. The Hopetoun Village Action Plan (July 1999) sets out a number of development principles associated with this area. This includes the requirement of creating a traditional street pattern in keeping with the nearby New Town Conservation Area, a mix of unit size and type, and minimal impact of car parking on the environment. A number of developments have been completed taking account of the Action Plan to the north, south and east of the application site.

The proposed development buildings are arranged to create a frontage along Annandale Street which relate well to the existing residential blocks on either side of the site. This maintains the traditional street pattern in the area. The majority of units are two bedroomed; however some one and three bedroomed units are proposed which will create a mix of unit's size and type. The car parking is to the rear of the site and does not adversely affect the street scene or amenity space provided. The density of the development is appropriate in this location.

A total of 23% shared amenity space is proposed. Ground floor units have an area of private garden area. In addition, a number of the upper units have terraces. This provides an acceptable level of amenity for occupiers of the development.

The detailed landscape plan is acceptable and a condition for its maintenance is proposed. The tree report submitted clarifies that the five trees fronting Annandale will be removed. These are in a 'fair' condition. The trees to the rear of the site are in fair and good condition and will be retained. A condition is recommended to protect these during construction.

The design of the proposal is contemporary with simple facades and flat roofs. The height of the buildings is appropriate in this context and relate well to neighbouring premises. Although there will be some impact on view cones to Calton Hill this is not detrimental given that this is an infill site in an established residential area, where similar heights of buildings already exist. The elevations and roofline are broken up with setbacks, varying rooflines and a mix of materials.

The revised materials proposed are acceptable. Brick is proposed as the main wall material which is acceptable in this location; there is a mix of materials within the area of the site which include the use of some brick.

No direct access to Hopetoun village development is proposed. This is acceptable as there is sufficient permeability for pedestrians within the immediate surroundings of the site.

In terms of design, scale, layout, landscaping and materials the proposals are acceptable.

d) Parking, access and road safety arrangements

The proposed access to the site from Annandale Street is acceptable. Current car parking standards for residential units within this area (zone 3a) require a minimum of one space per dwelling, giving 45 spaces for the 45 units proposed. A minimum of 0.2 spaces is required for the Housing Association units, resulting in three spaces being required for the 15 units proposed. The development proposes 48 car parking spaces which meets the Council's car parking standards.

Policy Tra 3 in the Edinburgh City Local Plan states that 'where the proposed tram network will help to address the transport impacts of a development, a contribution will be sought towards its construction and public realm works'. This site lies within an area where tram contributions are normally required and Transport has requested a contribution of £124,857.

However in this instance, the development will not have any additional transport impacts which the tram network would help mitigate. The site is currently occupied by an office building providing 2231 m² floorspace which could be occupied without the need for planning permission. Table 1 of the Developer Contributions and Affordable Housing Guideline indicates that the level of contribution required for 60 residential units (£124,857) would be less than for this amount of office floorspace (between £184,000 and £230,000). There is therefore no justification to require a tram contribution for this application.

Transport also requires the applicant to submit a travel plan. This should provide transport promotion measures, including season tickets and a public and sustainable transport information pack, in order to help embed public transport habits and encourage modal shift. In addition, a financial sum of £2,000 is required to progress a suitable order to control disabled parking if required.

e) Sustainability

The applicant has submitted a sustainability statement in support of the application. The proposal complies with the requirements of the Edinburgh Design Guidance.

f) Equalities and Human Rights Impacts

This application was assessed in terms of equalities and human rights. No adverse impacts were identified. An Equality and Rights Impact Assessment Summary is available to view on the Planning and Building Standards Online Services.

g) Public comments

Material representations

- Comments have raised concerns about the proposed building being too high and that it dominates the area. It does not comply with Edinburgh Design Guidance. This is addressed in 3.3(c).

- Comments have been made that the scale and size of the proposal is out of keeping and scale with buildings in the area. The design is too modern and its design is out of keeping with the area. The density is too high and it is an overdevelopment of the site. Roof and building lines should be maintained. Roof shape differs from nearby buildings. Quality of materials is poor. These comments are addressed in 3.3(c).
- Comments have raised concerns about loss of privacy and loss of daylight, and overshadowing. These issues are addressed in 3.3(b).
- Concerns have been raised about increase in traffic and safety of children and insufficient parking being provided. Underground parking may help alleviate this. These matters are considered in 3.3(d).
- The public have raised concerns about the increase in noise as a result of the development. This is addressed in 3.3(b).
- Comments have been expressed that increased pressure will be placed on local services. This is addressed in 3.3(j).
- Comments are concerned that the development will block views of Calton Hill. This matter is addressed in 3.3(c).
- Comments state that the site should remain as commercial or residential/commercial. This issue is considered in 3.3(a).
- Comments have stated that the affordable housing should be integrated into whole development. This is addressed in 3.3(h).
- Concerns have been raised that external landscaping is inadequate and insufficient planting for natural drainage is provided has been raised as an issue. This is addressed in 3.3(b) and 3.3(j).
- Comments have stated that there should be no access directly to Hopetoun village development. This is considered in 3.3(b).
- Concern has been raised that proposals do not comply with Edinburgh City Local plan Des3, Development Design. This is addressed in 3.3(b).
- Drainage connections a concern and its effect on bus operations. The development must have a water retaining wall and ensure that there is no change to the subsoil that would result in water ingress into the Hopetoun underground car park. This is addressed in 3.3(j).

Non material representations

- Provision to ensure no damage will occur to the retaining wall which leads to Hopetoun underground parking.
- Developer should take all liabilities for future water ingress.

- Construction period will disrupt operation of bus depot.

Community Council Comments

The New Town and Broughton Community Council considers the scheme to be a significant improvement. They consider it uses the available space sympathetically with a sensible housing density. The area is served reasonably well in terms of transport links (including both bus and cycle) and perhaps will be further improved if the proposed tram extension is implemented.

Density, layout and proportion of proposals are supported.

Potential overshadowing to 54A and 54B Annandale Street should comply with Daylighting, Sunlight and Privacy Guidelines. There should be no adverse overshadowing. These issues are considered in assessment 3.3(b).

The Community Council supports the location of both cycle storage & waste / recycling facilities. The tree screen to rear of the site should be protected and this is achieved in proposals. A condition is proposed to protect the existing trees at the rear of the site.

Parking spaces should not be allocated. They state that only one space is provided for the affordable units. Some Car Club spaces on street could be considered. Issues regarding transport matters are dealt with in 3.3(d) and (j).

h) Affordable Housing

25% of the units will be required to be of approved affordable housing tenures as set out within the Affordable Housing Policy. A minimum of 15 homes of an approved affordable tenure will be required to be provided on site.

The applicant has stated their commitment to provide at least a 25% affordable housing on-site and has already engaged with the Registered Social Landlord (RSL), Link Group, to deliver 15 RSL affordable homes on-site. This is welcomed by Housing and Regeneration. The affordable housing will require a s75 legal agreement and details of how this will be implemented within the development will be finalised.

i) Education

Policy Com 2 in the Edinburgh City Local Plan indicates that new housing development which would lead to an additional demand for school places that cannot be met in schools serving the development will be expected to make a financial contribution to meet the cost of providing the necessary additional places.

The Second Proposed Local Development Plan, accompanying Proposed Action Programme the Developer Contributions and Affordable Housing Guideline (February 2014) sets out a new approach to developer contributions focussing on identified actions.

The application site is not identified as a housing proposal in the Second Proposed Plan and it does not lie within a Contribution Zone. A new policy is being prepared to cover education contributions for development on sites outwith Contribution Zones. In

the meantime, the Guidance states "the net impact on infrastructure capacity will be assessed. If it is necessary to mitigate that impact by providing additional capacity above and beyond the actions identified within the Action Programme, the Council will consider whether a legal agreement can be used to mitigate those impacts. These identified infrastructure requirements may be added to the actions in the Action Programme. The Council will always ensure that contributions are proportionate to the impacts arising from any new development and used to mitigate those impacts."

Children and Families has indicated that contributions are required towards increasing capacity at non-denominational primary and secondary schools in the vicinity of the site. The non-denominational catchment schools for the application site are Drummond High and Broughton Primary. Using the assumed pupil generation rates set out in the Edinburgh Local Development Plan Revised Education Appraisal (June 2014), Children and Families has advised that the development will generate two high school pupils and four primary school pupils.

Information held by Planning indicates that in 2013/2014 Drummond High School was at 69% capacity and its feeder primary schools were at 117% capacity (Broughton Primary), 66 % capacity (Leith Walk Primary) and 75% capacity (Abbeyhill Primary). A report on Rising School Rolls to the Education, Children and Families Committee on 9 December 2014 indicated that there will be insufficient capacity in primary and secondary schools across the City within eight years.

The Developer Contributions Guidance requires the Council to ensure that contributions are proportionate to the impacts arising and used to mitigate those impacts. At present it has not been possible for a new contribution zone with appropriate actions to be developed for the area in which this development site is located. In the absence of a contribution zone, it is proposed to use the figures in the Council's previous developer contributions policy to identify "a proportionate contribution". In October 2009, these were £411 per flat for non-denominational primary and £357 per flat for non-denominational secondary. This would equate to a total education contribution of £46,080 (at 2009 prices) for the proposed 60 flats. These figures will be index linked when payment is made but, for information purposes, equates to a total of £55,860 at 1st quarter 2015 values.

It is recommended that this be secured through a legal agreement which will include a requirement for the Council to identify and implement relevant actions to increase non-denominational capacity at Drummond High School and one or more of its feeder primary schools within a set time limit.

If there is a funding shortfall in providing additional non-denominational primary capacity in this area, it is the Council's responsibility to investigate other means of addressing this. This may have financial implications for the Council as at present there is no budget provision for education infrastructure required as a result of new development.

j) Environmental Impacts

Environmental Assessment advises that the site is located on the old Hopetoun Street engineering works and that a condition to assess and deal with any contamination at the site should be added.

In terms of air quality, Environmental Assessment has raised concern about the effect of the development in terms of air quality. They state that the site is located 200m north west of the Central Air Quality Management Area (AQMA) which was declared due to breaches of statutory standards for nitrogen dioxide, generally related to road traffic pollution. The developer has confirmed they have no objection to providing additional vehicle charging points and that all boiler plant can be installed within the development will have emission factors $\leq 40\text{mg/NOx/kWh}$. This can be added as an informative.

City Archaeology recommends that a condition is attached to secure and implement a programme of archaeological work in accordance with a written scheme of investigation.

The Drainage Strategy Plan report has been assessed by Bridges and Structures. It has been demonstrated that a Sustainable Urban Drainage scheme has been incorporated into the proposals. The applicant has demonstrated that the development itself and neighbouring properties are not at risk to flooding from the above ground storage. The proposed system will reduce the volume of surface water discharging into the existing sewer. Bridges and Structures have no objection to the proposed development.

The development has the potential to provide opportunity for swifts (*Apus apus*) by incorporating swift brick in to the building. This is included as an informative.

Concern has been raised that increasing pressure will be placed on local services. Growing demand for such services may enable operators to remain and plan for expansion. Extra demand for these types of services would not merit a reason for refusal.

Conclusion

In conclusion, the proposal will improve and contribute to the wider regeneration of the area by introducing housing on an urban infill site. The proposal is contrary to the Development Plan because it does not include provision for business space as required by ECLP policy Emp4. However, the equivalent policy in the Second Proposed LDP (policy Emp9) only requires business space to be provided on sites larger than one hectare. This site is only 0.4 hectares and therefore in terms of policy Emp9, business space is not required. There were no objections to the wording of policy Emp9 during the representation stage of the proposed LDP. Considerable weight can therefore be given to policy Emp9 in setting out the Council's current approach to development on former employment sites. As such, this outweighs the presumption in favour of the development plan in this case. The proposal is acceptable in this location, and is of an appropriate scale and design. The development would not result in any unacceptable impact on the amenity.

It is recommended that this application be Granted subject to the details below.

3.4 Conditions/reasons/informatives

Conditions:-

1. 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, 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 Planning Authority.
- 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 for the approval of the Planning Authority.
2. All trees to be retained on site as shown in the tree protection plan in the Tree survey dated 16.01.2015 shall be protected during the construction period by the erection of protective fencing, in accordance with figure 2 of BS 5837:2012 'Trees in relation to design, demolition and construction recommendations.'

The recommended tree works shall be carried out in accordance with BS 3998:2010. No other works to remaining trees shall be carried out without the approval of the Head of Planning and Building Standards.
3. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
4. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
5. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
6. Prior to the commencement of works on site, sample panels, to be no less than 1.5 metres by 1.5 metres 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. These details shall be implemented during construction as approved.

7. Prior to the commencement of construction, the applicant shall submit to the Head of Planning for approval details of the proposed scheme for acoustic insulation. The proposed scheme will demonstrate that the noise levels inside dwellings will comply with (a closed window) environmental noise criteria of 30 dB LAeq 8 hours and 45 dB L_{Amax} inside bedrooms, between the hours of 23:00 and 07:00 and shall not exceed 35 dB LAeq 16 hours between the hours of 07:00 and 23:00 noise inside all habitable rooms. The approved scheme shall be implemented in accordance with the approved details prior to the occupation of the first flatted dwelling.
8. Prior to the initiation of development, the applicant shall submit details of the alternative ventilation system which shall be agreed in writing by the Planning Authority. The scheme approved shall be implemented prior to occupation and maintained to the approved standard.

Reasons:-

1. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
2. In order to safeguard protected trees.
3. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
4. In order to safeguard the interests of archaeological heritage.
5. In order to enable the Head of Planning to consider this/these matter/s in detail.
6. In order to enable the Head of Planning to consider this/these matter/s in detail.
7. In order to protect the amenity of the occupiers of the development.
8. In order to protect the amenity of the occupiers of the development.

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. 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.

4. 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.
5. The incorporation of swift nesting sites/swift bricks into the scheme is recommended. Further details on swift bricks can be found at www.edinburgh.gov.uk/biodiversity
6. The applicant shall enter into a suitable legal agreement in respect of the following:
 - i) Education contributions as set out in section 3.3 k);
 - ii) 25% affordable housing provision;
 - iii) Transport contributions as set out in section 3.3 d); and
 - iv) A Draft Travel Plan to be submitted prior to occupation and Final Travel Plan within three months of that date. It should provide transport promotion measures including public transport season tickets and a public and sustainable transport information pack to help embed public transport habits and encourage modal shift.
7. Transport and roads requirements:
 1. The internal layout of the development should be designed in accordance with Designing Streets and Quality Audits will be required. Note that Designing Streets states that a Stage 2 Quality Audit should be provided as part of the detailed planning application. This will include car park layout for turning manoeuvres, swept-paths, refuse storage and collection.
 2. The applicant should be advised that they will be eligible for one residential parking permit for each new property in accordance with Transport and Environment Committee decision of 4 June 2013. See <http://www.edinburgh.gov.uk/download/meetings/id/39382/item7> 7.
 3. The proposed development access and parking area will not form a 'road' under the meaning of the Roads (Scotland) Act 1984 and will not be adopted for maintenance purposes by the Council.
 4. Any works affecting the existing footway must be carried out in accordance with 'Development Roads- Guidelines and Specification'. (<http://www.edinburgh.gov.uk/download/downloads/id/704/guidance> for householders.
 5. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled person's vehicles. The applicant should therefore advise the Head of Transport if he wishes the bays to be enforced under this legislation.
 6. The applicant should contact Lothian Buses in relation to any potential road restrictions during the construction phase.

8. The developer should consider the installation of EV charge points to encourage increased usage of low emission vehicles. Low NOx boilers should be considered as a good form of mitigation. Gas fired boilers should meet a standard $\leq 40\text{mgNOx/kWh}$.
9. The internal noise levels associated with any mechanical ventilation units and associated ductwork shall not exceed NR20. The alternative ventilation system shall be designed to ensure that noise from external sources is not conducted into any habitable room. The system should meet sustainability requirements of the Council in consultation with the Head of Planning. The ventilation system will provide sufficient ventilation with the windows closed. This should be equivalent to (or better than) the natural ventilation requirements of the building standards.
10. Prior to the initiation of development, the applicant shall submit details of the electric vehicle charging points to be provided in the car-park for approval in writing by the Planning Authority. The scheme approved shall be implemented prior to occupation and maintain to approved standard.

Financial impact

4.1 The financial impact has been assessed as follows:

The application is subject to a legal agreement for developer contributions.

Risk, Policy, compliance and governance impact

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

Equalities impact

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

7.1 The sustainability impact has been assessed as follows:

This application meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 17 October 2014.

A total of 19 letters of representation were received. Ten letters were received on scheme 1.

The letters of representation raised the following material issues:

- design out of keeping and too modern;
- increased traffic;
- insufficient parking;
- Commercial use should be retained at least in part;
- inadequate landscaping;
- view of Calton Hill will be blocked;
- materials used; and
- effect on bus depot operations/ traffic movement.

Non material issues:

- retaining wall damage; and
- developer to take liability for future water ingress.

Neighbours were notified of the revised drawings on 29 December 2014. Nine letters of representation were received. Comments raised are as follows:

- drafting error on drawing;
- buildings too high;
- loss of light;
- overlooking;
- local services under increased pressure;
- contrary to local plan policy on design;
- overdevelopment; and
- density too high.

Community Council:

New Town and Broughton Community Council raise the following points:

- development is not out of proportion. The density is supported. Arcitectural style is acceptable;
- loss of daylight and overshadowing should be addressed;
- tree screen should be preserved;
- revised car park layout and amenity space reconfiguration welcomed;
- car parking provision allocation should be looked at;
- support an increase in family units;
- support affordable housing although the split is unclear;
- support location of cycle and waste storage;
- development is an improvement on existing; and
- the area is well served by transport links.

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

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Edinburgh City Local Plan and Rural West Edinburgh Local Plan](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development
Plan Provision**

Edinburgh City Local Plan

The site is within the Urban area.

Second Proposed Local Development Plan

The site is within the urban area.

Hopetoun Village Action Plan

The Action Plan provided supplementary guidance to facilitate the development of various parcels of land within the area.

Date registered

7 October 2014

Drawing numbers/Scheme

1a-9b, 10a-13a,

Scheme 3

David R. Leslie

Acting Head of Planning and Building Standards

Contact: Karen Robertson, Senior planning officer

E-mail:karen.robertson@edinburgh.gov.uk Tel:0131 529 3990

Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

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

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

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 Com2 (School Contributions) sets the requirements for school contributions associated with new housing development.

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

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

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

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.

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Relevant policies of the Proposed Local Development Plan.

Policy Des 7 (Layout Design) sets criteria for assessing layout design.

Proposed Local Development Plan Policy Emp 9 sets criteria for assessing proposals in sites currently or last in use for employment purposes.

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

Other Relevant policy guidance

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.

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 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 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.

Appendix 1

Application for Planning Permission 14/04044/FUL At 52 - 52A Annandale Street, Edinburgh, EH7 4AZ Demolition of existing office building and construction of a flatted residential development with associated parking and landscaping.

Consultations

Archaeology - response dated 28 October 2014

52-52A Annandale Street

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the demolition of the existing office building and construction of a flatted residential development with associated parking and landscaping.

Until the 20th century the site appears to have remained open (farmland) ground, with the surrounding area gradually being developed with a mix of housing and industry through the Victorian Period. The site is first developed in 1909 with the construction of the Olympia Skating Place. This building opened on the 8th September 1909 was constructed to meet the craze of (American) roller skating but also designed for other public uses. The building was converted into a cinema in 1912 which operated until 1915 when it was converted into garages. Unviewed plans held by RCAHMS indicate that air-raid shelters were constructed on the site during 1942.

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) and ELDP Second proposed plan (2014) 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.

It is considered that on current information this proposal scheme is regarded as having a low-moderate archaeological impact upon any potential surviving buried remains associated with the Olympia Skating Palace & Cinema and later WWII air-raid shelters. It is therefore considered essential that an appropriate programme of archaeological works is undertaken prior to development in order to fully excavate, record and analysis any significant buried remains affected by ground breaking works.

Accordingly it is recommended that that the following condition is attached to this consent to ensure that this programme of archaeological works is undertaken prior to construction.

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, reporting and analysis & 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.

Strategy and Investment - response dated 17 November 2014

1. Introduction

I refer to the consultation request from the Planning Department about this planning application.

Services for Communities have developed 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.

o This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.

2. Affordable Housing Requirement

As this application is proposing a development which could accommodate up to 60 residential units, the AHP will apply; 25% of the units will be required to be of approved affordable housing tenures as set out within the AHP. As such a minimum of 15 homes of an approved affordable tenure will be required to be provided on-site.

The applicant has stated their commitment to provide at least a 25% affordable housing on-site and has already engaged with the Registered Social Landlord (RSL), Link Group to deliver 15 RSL social homes on-site. This is welcomed by this department.

This department is supportive of this application provided that the affordable housing follows the principles of blind tenure construction and is well integrated with the market housing. We would request that the applicant enter into dialogue with this department to discuss the affordable housing provision.

We would require that the applicant enter into a S.75 agreement on the above terms and that this be included in the informatives section of the report to Committee.

Strategy and Investment - revised comments dated 17 November 2014

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I refer to the consultation request from the Planning Department about this planning application.

Services for Communities have developed a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy (AHP) for the city.

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We would require that the applicant enter into a S.75 agreement on the above terms and that this be included in the informative section of the report to Committee.

Bridges and Structures - response dated 2 December 2014

Please see queries/issues noted below regarding the drainage assessment document titled:

Proposed Residential Development, Annandale Street, Edinburgh, Drainage Strategy Plan Report, 21st October 2014

Drain Strategy Assessment

CEC Flood Prevention acknowledge the information provided with regards drainage at the proposed development within the report referenced above, but further detail is required.

5.2 Surface Water Attenuation

It is stated that the 1 in 30 year return period storm will be attenuated below ground, with the 1 in 200 year return period storm attenuated above ground within the site boundary. This is considered to be acceptable by CEC Flood Prevention, though the location of above ground storage must be confirmed by the applicant, including details of flood depths and velocities to be expected. Please note this should be analysed up to the 1 in 200 year event plus 20% climate change allowance. The developer must demonstrate that the neighbouring properties are not at risk to flooding from the above ground storage.

MicroDrainage calculations are required to show how the proposed drainage system functions. Full MicroDrainage outputs should be provided including all manholes, pipes and SUDS features to show where flooding may be occurring in the system. The results should correspond to a drainage plan, with all node names identified on the drawing.

In addition to the information above, pre and post development flow paths, to show that the topography of the proposed development does not put itself or others at risk, must be provided. Overland flow paths must also demonstrate how flows will be routed if a rainfall event is greater than the system design event, or if a blockage is encountered in the system. The flow path diagram should include flow arrows which are supported by detailed topographical information to corroborate falls

Please provide confirmation that Scottish Water has accepted the additional connections to drainage system located under Annandale Street.

New Town and Broughton Community Council - response dated 4 December 2014

With reference to your letter dated 25th November and your previous letter requesting comments from the New Town & Broughton Community Council (NTBCC) on the above application, we agreed to provide representation even though the period for comments has expired, and we had not sought an extension to the period of consultation by Friday 5th December.

As previously indicated, we did provide a response to the Pre Application Notification (14/02568/PAN) direct to the developer's agent.

Representation on behalf of the New Town & Broughton Community Council.

Having considered this application, we have the following comments :

(1) We continue to conclude that proposed new building would not be out of proportion with its neighbours and does not result in a glaring mismatch in terms of architectural style. In addition, we continue to support the proposed density of the development.

(1) We support the proposed footprint of the new development as well as the increases massing to the south-east corner. Despite the proposed building being higher than the former Standard Life call centre, the proposed building is set further forward which should result in there being no loss of daylight for the buildings behind on

Hopetoun Street. We therefore welcome the reduction in the depth of the building vs. the current premises which should allow the daylighting requirements to be met in Hopetoun Street to the north of the development. We note that the applicant states in the Planning statement (under section 3.4.26) that "the impacts on views from surrounding residences have been considered. The building has been designed to sit within the existing townscape and the proposed development integrates with the surrounding building form. The proposed development also takes account of and complies with CEC's guidelines with respect to Sunlight, Daylight and Overshadowing and Privacy." We discussed the possible impact of the western corner of the proposed building and its impact on the existing flats in 54a & 54b Annandale Street (and potentially 85 Hopetoun Street) with the developer and would suggest that the Daylight Compliance assessment is confirmed to ensure that there is not excessive over-shadowing of these properties.

(2) We welcome the changes from the PAN presentation to reconfigure the car parking area to the rear to provide more amenity whilst maintaining the mature tree screen to the rear as it abuts Hopetoun Street. As you are aware, there is an appreciable fall in gradient to the rear of the building towards the annexe of Hopetoun Street. This reinforces our view that careful consideration would be required as to the exact layout of the car park / amenity area to the rear and the need to preserve (as far as possible) the tree screen (such as it is) to the rear to minimise the impact of this development to the residents of Hopetoun Street to the rear. We believe that this has largely been achieved in the current proposal.

(3) Regarding parking provision, we note that in accordance with CEC Planning guidance, 1 parking space has been provided for the "non-affordable" housing units (45 in total) as well as a further 2 additional spaces. No parking has been provided for the affordable housing units. WE also note that there is an option for the developer to provide a further 5 on-street parking spaces - we would suggest that although this area is local to good transport links on Leith Walk, that the provision of some Car Club spaces on street could be considered. There is also a further option that the available car parking spaces are not directly allocated to each unit but would be allocated on an as need basis - this would further increase the parking flexibility.

(4) We support the provision (as required) of 25% affordable housing units. It is unclear as to the split between 1, 2 & 3 bedroom units allocated for affordable housing but it would appear that this is a mix of 1 & 2 bedroom units. This would appear to be a sensible approach. With regard to the overall mix of units - we estimate that >65% are 2 bedroom units with ~10% being larger (3 bedroom). Given the public amenity / green space area to the rear of the proposed development, we would support an increase in family accommodation (being 3 bedroom units) at the expense of a reduction in 2 bedroom units.

(5) We support the location of both cycle storage & waste / recycling facilities being predominantly within the 4 cores of the development i.e. at the foot of the common tenement stairs in blocks A, B, C & D. It would appear that the cycle storage, although secure would be communal - but we believe that this would be adequate. Whilst it is unclear as to the paving / landscaping proposed to the front of the development, access for waste / recycling collection from Annandale Street seems the most pragmatic option. However, a more comprehensive waste management plan could be developed to ensure that waste & waste collection does not impact the amenity /

cleanliness of the street as has happened at other locations where communal bins remain on the street.

In summary, we believe that the proposed development constitutes a significant improvement to the area vs. the current call centre and appears to use the available space sympathetically with a sensible housing density. The area is served reasonably well in terms of transport links (including both bus and cycle) and perhaps will be further improved if the proposed tram extension towards the foot of Leith Walk or at least to MacDonald Road materialises in the future.

Transport Planning response - dated 13 January 2015

I have no objections to the application subject to the following being included as conditions or informatives as appropriate:

1. Consent should not be issued until the applicant has entered into a suitable legal agreement to provide:-

a. A financial contribution to the Edinburgh Tram of £124,857 in line with the approved Tram Line Developer Contributions report (based on 60 residential units in Zone 1). Note: change of use is expected to provide a contribution;

b. A draft Travel Plan and Management Agreement to be submitted prior to first occupation and a final Travel Plan within 3 months of that date;

c. A financial contribution to transport promotion measures, including contributions to or provision of public transport season tickets. The provision of a public and sustainable transport information pack, in order to help embed public transport habits and encourage modal shift;

d. A financial contribution of £2,000 to progress a suitable order to control disabled parking if required (See 9. Below);

2. The internal layout of the development should be designed in accordance with Designing Streets and Quality Audits will be required. Note that Designing Streets states that a Stage 2 Quality Audit should be provided as part of the detailed planning application. This will include car park layout for turning manoeuvres, swept-paths, refuse storage and collection;

3. The applicant should be advised that they will be eligible for one residential parking permit for each new property in accordance with Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7;

4. The proposed development access and parking area will not form a 'road' under the meaning of the Roads (Scotland) Act 1984 and will not be adopted for maintenance purposes by the Council;

5. Any works affecting the existing footway must be carried out in accordance with "Development Roads - Guidelines and Specification". See pages 5, 15 & 16 of http://www.edinburgh.gov.uk/download/downloads/id/704/guidance_for_householders

6. To meet the Council's parking standards 2 cycle spaces per flat should be provided. Storage should be of a suitable size in a communal area on the ground floor of the building or in a fully enclosed and weather protected communal parking facility in the vehicle parking area. External cycle parking facilities for residents will not be accepted. The proposed cycle parking to be to the Council's satisfaction regarding specification, design, security and location. Cycle stand products should meet the criteria of ease of use and provide secure locking points for wheels/frame. The visitor cycle parking for the development should be located at convenient locations;

7. 2no. motorcycle parking spaces should be provided for the development;

8. The developer must submit a maintenance schedule for any SUDS infrastructure for the approval of Head of Transport. This is to ensure there is no discharge of water onto the public road network;

9. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Head of Transport if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2002 regulations or British Standard 8300:2009 as approved by the Head of Transport.

Note:

* Current Council car parking standards for residential units within this area (Zone 3a) requires a minimum of 1 space per dwelling, giving 45 spaces for the 45 new units proposed. There is no maximum requirement. For the Housing Association units a minimum of 0.2 spaces per dwelling is required, giving 3 spaces for the 15 proposed units spaces. There is no maximum requirement. The developer proposes to provide 48 spaces which meets the Council's standards;

* The proposed development is immediately opposite the existing bus depot. The applicant is asked to contact Lothian Buses in relation to any proposed road closures or other restrictions during the construction phase.

Environmental Assessment - response dated 23 January 2015

The applicant proposes to demolish an existing office block and develop a flatted residential building with associated car parking and landscaping. The site is surrounded by office use, except to the rear, where there are a number of mews residential properties across from the car park.

Environmental Assessment has considered the impact of the development in terms of air quality, noise, odour and contaminated land concerns.

Noise

There were a number of noise sources with the potential to affect the sensitive use proposed for the development site, namely the operation of the bus depot and garage, road traffic and sub-station noise. A Noise Impact Assessment (NIA) was therefore submitted in support of the application.

The sub-station noise was determined to be inaudible and hence not considered in detail.

Noise monitoring surveys undertaken at the development site during day and night time hours, recorded excessive noise levels likely to impact on future amenity of the residents of the development, predominately from road traffic movements on Annandale Street although there was also a number of recorded incidents of noise from the garage at the bus depot.

It was acknowledged that the Annandale Street noise included buses entering, parking and leaving the depot which operates 24 hours per day, every day. Information from Lothian Buses who operate the depot state that there are approximately 205 buses that leave the depot between 04.00 and 0745 in the morning, with the majority returning between 1800 and midnight. There are also approximately 30 night buses that operate from the depot, around midnight, at weekend (fewer mid-week).

Environmental Assessment is concerned about future amenity of residents of the proposed flats due to the nature of noise associated with the depot and its likely impact on the residential properties and associated amenity, which might include

- * undisturbed sleep;
- * ability to relax;
- * ability to concentrate i.e. reading-listening to radio/ TV;
- * use of outdoor facilities - garden etc

Both the ingress and egress to the bus depot is located to the front of the development site. Although there are other residential properties in the proximity, the development site represents the worse-case location in respect to the depot entrances.

The Noise Impact Assessment makes no reference to the bus depot layout and refers to general road traffic noise rather than the noise from the buses being related to the commercial operations of the depot. It was previously recommended that the noise assessment methodology in respect to British Standard guidance BS 4142:1997 (updated 2014) - Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas be undertaken, to give a view on whether complaints would be likely with the development. This assessment would better inform the Development Control process.

With any assessment however, it is expected that consideration be given to the industrial/commercial operations of the depot separate to road traffic noise.

The Noise Impact Assessment submitted with the planning application concludes that an advanced glazing specification is needed for the development to protect against noise. A recommendation such as this is based on the envelope of the building as a means of sound protection so it is necessary for occupants to keep windows closed for a reasonable noise environment inside. The Local Authority does run the risk of receiving future complaints about noise from the depot, when residents open the windows and are disturbed by noise.

That said, if an alternative form of ventilation that is equivalent to (or better than) the natural ventilation requirements of building standards is provided the Local Authority can in exceptional circumstances consider such proposals. Typically this type of alternative system should be sustainable in terms of energy use, and meet NR20 noise standards for internal noise.

In terms of the balconies present on the Annandale Street elevation - they do not meet basic World Health Organisation Guidelines regarding of amenity of outdoor living areas.

In conclusion Environmental Assessment recommends that the developer gives further consideration to the noise affecting the site. Reorganisation of the layout of the flats should be considered as a first means of mitigation to deal with the noise. Other than that, full details of the technical specification of any other possible mitigation would need to be included in support of the planning application. Environmental Assessment could not support the application in its current state.

Air Quality

The site is located 200m north west of the Central Air Quality Management Area (AQMA) which was declared due to breaches of statutory standards for nitrogen dioxide, generally related to road traffic pollution.

The traffic sensitivity analysis undertaken for the development shows that there is likely to be a net reduction of trips during the peak am/pm periods. However it is expectant of a development of this kind in close proximity to an area of poor air quality to considered mitigation measures to reduce the impact on air quality.

From a Council point of view it is highlighted in Edinburgh's Local Transport Strategy 2014-2019 that the Council seeks to support increased use of low emission vehicles and support the extension of the network of EV charging points.

The City of Edinburgh Parking Standards for Development Management also now encourages the use of EVs. It states that the Council is likely to introduce a requirement for EV charging infrastructure which depends on how charging technology evolves this includes:

- * Dedicated parking spaces with charging facilities.
- * Ducting and infrastructure to allow electric vehicles to be readily accommodated in the future, I would suggest at 20% of the spaces are 'future proofed'

Developers should now consider the potential for EV charging as they develop their proposals. Advice can be given on technology standards.

It should be noted that support is available to developers to adopt EV's through the Energy Saving Trust's Sustainable Transport Advice Service and Interest Free Low Carbon Loans.

Grants are also available for the installation of EV charge points for workplaces, with 100% funding currently available for installations up to £10,000. More information can be found at <http://www.energysavingtrust.org.uk/scotland/Organisations/Transport/Electric-vehicles/Electric-Vehicle-Charge-Point-Funding>.

It should also be noted that the Parking Standards for Development Management also states that minimum parking standards can be relaxed where there are concerns about air quality and therefore maximum car parking may not always be appropriate.

In addition low NOx boilers can also be considered as a good form of mitigation with such developments. Gas fired boilers should meet a standard of <40mgNOx/kWh.

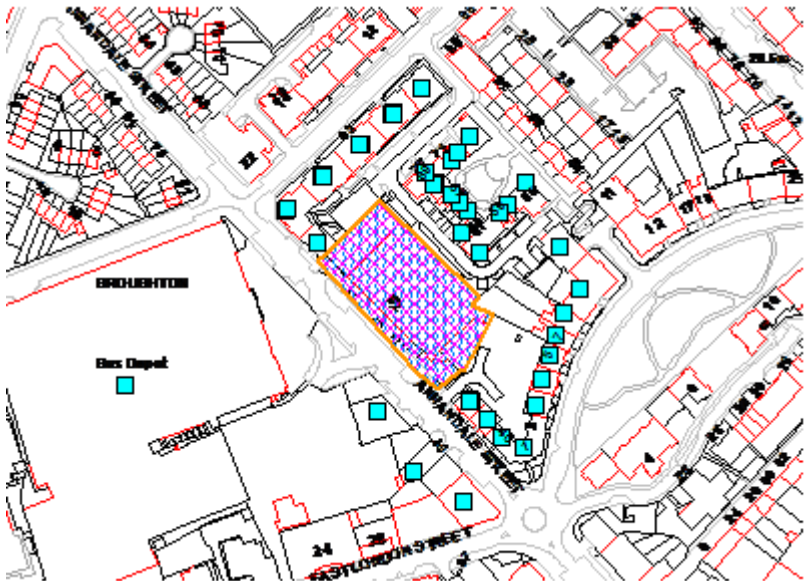
The developer needs to consider the impact on air quality in the planning submission and without a full assessment of the matters, the above mitigation measures should be considered.

Contaminated Land

The site is located on the old Hopetoun Street engineering works. Due to the historical industrial nature of the land, it is likely that some land contamination issues may arise. The developer would need to address this element of the proposal going forward.

However in conclusion, Environmental Assessment recommends refusal of the application due to the likelihood of future occupants having a very poor level of amenity because of noise in the surrounding environment and also due to the likely impact on air quality.

Location Plan



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