

# Development Management Sub Committee

Wednesday 22 April 2015

**Application for Planning Permission 14/05075/FUL  
At 40 Stanley Place, Edinburgh, EH7 5TB  
Demolition of existing buildings and construction of 93no  
units of student accommodation with ancillary services.**

<b>Item number</b>	6.2
<b>Report number</b>	
<b>Wards</b>	A14 - Craigentinny/Duddingston

## Summary

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The proposal complies with the development plan, the Council's Guidance for Student Housing and Edinburgh Design Guidance. The scale, form and design are satisfactory. There is no unacceptable loss of residential amenity and the proposal provides a satisfactory level of amenity for the new occupiers. There are no road safety or parking issues. No impact on equalities or human rights was identified. There are no other material considerations which outweigh this conclusion.

## Links

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[Policies and guidance for this application](#)    LPC, CITD1, CITD3, CITD4, CITH10, NSG, NSGD02,

# Report

## **Application for Planning Permission 14/05075/FUL At 40 Stanley Place, Edinburgh, EH7 5TB Demolition of existing buildings and construction of 93no units of student accommodation with ancillary services.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The site lies at the eastern end of Stanley Place and is 0.26 hectares of land presently occupied by a derelict church and vacant commercial buildings. To the south lies a busy railway line. Residential development lies to the north and east. To the west lies a commercial business.

#### **2.2 Site History**

There is no relevant planning history for this site.

### **Main report**

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#### **3.1 Description Of The Proposal**

The application is for full planning permission to demolish the existing buildings and the erection of a building for 93 units of student accommodation with ancillary services.

The proposed building would be flat roofed, linear in form and occupy virtually the full length of the application site. It would measure 96 metres in length, 15 metres wide and 12 metres high. It would be 4 storeys in height but stepped down to 3 storeys at its eastern end closest to the existing residential properties. The mass would be articulated into smaller volumes remaining sympathetic in scale to the flats in the immediate surrounding area. On the ground floor a reception, office area, gym and 16 units of student accommodation are proposed in addition to cycle storage and laundry facilities. A communal lounge would be positioned to the rear. On the first, second and third floors more student accommodation is proposed with a communal lounge on each floor facing to the railway line.

Landscaping is proposed in the form of trees and planting to the rear separating the building from the railway line and paving is proposed to the front.

Vehicle access to the site is from Stanley Street. There are 9 car parking spaces and secure motorcycle is proposed within the site. Cycle parking is also proposed for each student.

A 24 hour management security system is proposed with an entry door system being operated from Stanley Street. A gate would be formed at the eastern end of the site leading to the existing footpath connecting the site to Holyrood Park.

The proposed materials are brick and metal cladding on the elevations, dark grey upvc framed windows and doors, curtain wall panels and glazing.

### **Supporting Information**

The application is supported by the following documents:

- Drainage layout;
- Shadow Study;
- Design and Access Statement;
- Noise and Vibration Assessment;
- Noise Assessment Addendum; and
- Planning Statement.

These 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 the development is acceptable;
- (b) the proposed scale, design and materials are acceptable;
- (c) the proposal is acceptable in terms of the impact on the amenity of neighbours and new occupiers;
- (d) the proposal is acceptable in terms of road safety and parking;
- (e) the proposal is acceptable in terms of archaeology;
- (f) the proposal is acceptable in terms of equalities and human rights;
- (g) there are any other issues; and
- (h) material representations have been addressed.

#### a) Principle of Development

The site lies within the urban area of Edinburgh City Local Plan where Policy Hou 10 states that planning permission will be granted for purpose built student accommodation where:

- a) the location is appropriate in terms of access to public transport and university and college facilities; and
- b) the proposal will not result in an excessive concentration of student accommodation in any one locality.

The non-statutory guideline on student housing provides guidance for interpreting policy Hou 10 and is a material consideration in the determination of this application. The criteria in policy Hou 10 are applied to proposals for student accommodation using the locational guidance set out in the guideline.

The site does not lie adjacent to a main campus however it does lie within close proximity to London Road which is well served by public transport leading to university and college campuses across the city and to Jewel and Esk College and Queen Margaret University in East Lothian. Furthermore it is short walk to Holyrood Park which ensures a short walk (30mins) or cycle (15mins) to the main Edinburgh University campus. The proposal complies with part a) of Policy Hou10 of Edinburgh City Local Plan.

To comply with the policy, both criteria a) and b) are required to be met. Criterion b) states that the proposal must not result in an excessive concentration of student accommodation in any one locality. The local plan does not define a percentage figure above which it is concluded that there is an excessive concentration of student accommodation in any one locality. However, the Student Housing non-statutory guidance states that in locations with good access to university and college facilities by public transport, purpose-built student accommodation will be acceptable provided it does not result in a student population of 30% or more in the locality.

In assessing the degree of concentration of student accommodation in an area, the supporting text of policy Hou 10 sets out that the Council is required to take into account the nature of the locality in terms of mix of land use and housing types, and the existing and proposed number of students in the locality. The nature of the locality is predominantly flats and houses. The site is located within two data zones; S01002151 and S01002163. Where a proposed site straddles or lies along the boundary of two or more data zones, the data is combined to provide a more realistic representation of the locality in which the site is located. The figures have been combined for both data zones, providing a total concentration of 11.95%. An additional 93 bed spaces will increase this further to 15%. This figure is acceptable as it does not result in a student population of 30% or more in the locality.

The proposal complies with Policy Hou 10 of the Edinburgh City Local Plan.

## b) Scale, Design and Materials

In assessing the scale and form of the proposal, policies Des 1 and Des 3 of the Edinburgh City Local Plan provide a robust framework for assessing design quality.

Policy Des 1 states that planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a high quality, sustainable living environment. In terms of policy Des 1, the surrounding built environment is an urban form with a mix of building materials. The layout of the proposed development contributes towards the urban form by forming a strong frontage onto Stanley Place. The design of the proposed frontage demonstrates a clear design concept where the architecture includes strong contemporary elements and this is appropriate in its context. The landscaping and open space provided within the site has been well considered and designed to a high standard.

Policy Des 3 states that developments should have a positive impact on their setting having regard to the positioning of buildings on the site, their height, scale and form, materials and detailing and wider townscape and impact on views. In assessing the development against this policy, the positioning of the buildings is appropriate in creating a strong frontage. The height of the building is sympathetic to the area. It is mainly 4 storeys in height which is greater than the existing residential properties and is 3 storeys at the eastern end closest the existing residential properties. The proposal would define the clear streetscape within Stanley Place with a continuous yet set back urban frontage. The building would be flat roofed and finished in brick in keeping with the context. The windows would have a vertical emphasis large glazed areas and communal facilities would animate the ground floor. The projecting canopies provide cover for the buildings entrances and exits. Large areas of glazing to the south elevation are to maximise light and views and to provide solar gain. The south elevation also acts as a noise buffer to the adjacent railway line.

In conclusion, the impact of the development on its setting, the redevelopment of the site will not have a detrimental impact on the setting and wider townscape. The design and materials of the development are of a high quality and the development accords with policies Des 1 and Des 3 of the Edinburgh City Local Plan.

## c) Residential Amenity

### Rail Noise

The site is adjacent to a railway line so a noise impact assessment was carried out to investigate the likely effects vibration from rail traffic may have on the proposed development. The noise impact assessment indicates that there is less than low probability of adverse comment during the daytime and low probability of adverse comment during the night time which indicates that there are vibration constraints at this site.

To ensure adequate attenuation to internal noise levels within units from railway noise, the noise impact assessment states that the internal stud walls to the units must be constructed with minimum 2x12.5mm plasterboard either side of 48mm studs with 25mm acoustic partition roll in the cavity, standard double glazing, and seals around entrance doors. It is recommended that a condition is attached requiring that these mitigation measures are achieved.

A number of units have windows on the eastern facade of the building with a line of site of the railway line. For these units the facade, including glazing will need to reduce the external noise level by 38dB to ensure that maximum noise levels during the night-time are within the specified limit. The applicant has confirmed that a glazing unit of the following minimum measurements will be installed to ensure that the above level of attenuation is achieved 10mm/16mm/12.4mm. It is recommended that a condition is attached to ensure these mitigation measures are achieved.

The units on the facade of the building facing away from the railway line will benefit from attenuation by the building structure itself. For these units the facade, including glazing, will need to reduce the external noise level by 28dB to ensure that maximum noise levels during the night-time are within the specified limit. The applicant has confirmed that a standard glazing unit of 4mm/12mm/6mm will be installed to ensure that the above level of attenuation is achieved. It is recommended that a condition is attached to ensure these mitigation measures are achieved.

There is a corridor between the facade overlooking the railway line and the entrance door to the proposed accommodation units to reduce the noise levels from the railway line. The proposed layout of the building shows that the proposed flats are protected at the facade overlooking the railway by an isolating corridor between the facade and the entrance doors to the flats. Windows to units do not look out onto the corridor.

The noise impact assessment has also addressed the potential for train noise being reflected from the facade of the proposed building and impacting upon properties across the railway line (Spring Gardens).

The noise impact assessment has demonstrated that noise levels will only increase by 1dB at the existing residential properties on Spring Gardens due to noise reflecting from the facade of the proposed new development. This increase will be imperceptible to those residents and Environmental Assessment is satisfied that this proposed development will not adversely impact upon the amenity of the Spring Gardens residents.

### Commercial Noise

To the west of the site there is a Class 4 use which is currently a rickshaw depot with associated maintenance activities. The main noise generating activities are likely to comprise repairs to rickshaws which may involve the use of power tools. The applicant has pointed out that the depot is in an existing residential area albeit this proposal will bring residential units closer.

To ensure that an open window noise level can be achieved it is proposed to provide a double skin window system to the affected facade of the proposed building. This is a means of maintaining ventilation with open windows, but achieving better attenuation because of the additional skin. The detailing of the double skin façade should be two leafs of glazing separated by airspace. There would be openable sections in each leaf to provide ventilation, the openings being offset or staggered to maximise the acoustic attenuation. The soffit and vertical reveals are to be lined with acoustically absorbent treatment to further enhance the attenuation. The treatment must be applied to all windows to apartments at the western extent of the proposed building (11no. windows in total).

The double skin façade would be expected to provide a reduction of around 40 dB when the windows are closed, and around 20 dB when opened. It is recommended that a condition is attached to ensure these mitigation measures are achieved.

### Local Air Quality

The application has also been considered in terms of the impact it may have on air quality. The application includes the introduction of parking areas for 9 residents car parking spaces. The Council is currently reviewing the parking standards and it is anticipated that these will incorporate a provision to install electric vehicle charging points throughout all types of development. The development is well placed to encourage good use of electric vehicle charging points. Air Quality on and surrounding London Road is of concern to Environmental Assessment and any measure to decrease traffic related pollution affecting this area is supported. The agent for the application has previously confirmed that they would be willing to introduce electric vehicle charging points in an attempt to off-set the impacts of increased car trips in and around the local area.

### Daylighting

The Design Guidance states that adequate daylighting will be maintained to the existing buildings where the measure of daylighting falling on the wall (the Vertical Sky Component) does not fall below 27%. This standard can be achieved where the new development is kept below a 25 degree line from the midpoint of an existing window. The proposal meets this requirement for both 17 Stanley Place and 15 Sunnybank Terrace which the closest residential properties. Daylighting to side or gable windows is not protected by the guidance.

### Sunlight

New buildings should be laid out so that reasonable levels of sunlight are maintained to existing gardens and spaces. A sunlight assessment was carried out which confirms that the proposal will not generate any additional overshadowing to driveways and gardens of Stanley Place and the gardens of Taylor Place.

With regard to Sunnybank Terrace, in the late hours of the afternoon the proposal causes greater overshadowing than the existing church but still maintains an acceptable level of sunlight to gardens and amenity spaces in accordance with the Edinburgh Design Guidance.

### Privacy

The proposed development lies 18 metres from the adjacent residential development which complies with the distance standards set out in the Edinburgh Design Guidance.

### Amenity Space for New Occupiers

The new building is dual aspect. Open space is provided in the form of landscaped area to the rear of the building but given its nature and proximity to the railway line this would not be usable. However, the proposal is located in close proximity to Holyrood Park and a gym is provided for the students use.

The proposal maintains an acceptable level of residential amenity. A satisfactory level of amenity is provided for the new occupiers.

d) Road safety and parking

The proposal includes the provision of nine car parking to be located to the front of the proposed building. This figure complies with the Council's approved guidelines. On-street parking is also proposed but as this forms part of the road it would be available for all road users and may not be available at all times to the residents of this development. The existing parking controls in the adjacent street are sufficient to control overspill parking. Four secure motorcycle spaces and cycle parking for all students is provided within the site. Transport Planning offer no objections to the proposal subject to a contribution of £2000 for a redetermination order for sections of the footway and carriageway and Draft Travel Plan. It is recommended that a condition be attached relating to these factors.

e) Archaeology

The Archaeologist has confirmed that there is a potential that there may be some remains of archaeological interest on the site. It is therefore recommended that a condition be attached relating to a programme of archaeological works for the site.

f) Equalities and Human Rights Impacts.

This application was assessed in terms of equalities and human rights. No impact was identified. An Equality and Rights Impact Assessment Summary is available to view on Planning and Building Standards online services.

g)) Any other issues

Due to the historic land use a condition is recommended to ensure contaminated land is adequately investigated.

h) Public Comments

**material considerations**

- principle of the development - there are too many projects for student housing - assessed in section 3.3a);
- scale, form and design-assessed in section 3.3b);
- road safety issues - traffic and car parking assessed in section 3.3d); and
- loss of residential amenity - loss of light/overshadowing, increased noise from railway as noise reflected from the new building to neighbouring properties, loss of privacy-assessed in section 3.3c).

**non-material considerations**

- antisocial behaviour;
- loss of view; and
- decrease in property value.

## **Community Council**

Craigentiny and Meadowbank Community Council object to the application as it considers that proposal is too close to the railway to achieve an acceptable level of accommodation. Due to the height of the building and proximity to existing buildings this would be detrimental to the existing amenity of the residents living in Stanley Place. The amount of existing student housing exceeds the Council standards - assessed in sections 3.3a, 3.3c).

### Conclusion

The proposal complies with the development plan and the Council's Guidance for Student Housing and Edinburgh Design Guidance. The scale, form and design are satisfactory. There is no loss of residential amenity and the proposal provides a satisfactory level of amenity to the new occupiers subject to a condition requiring mitigation measures being undertaken. There are no road safety or roads issues. No impact on equalities or human rights was identified. There are no other material considerations which outweigh this conclusion.

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

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

#### **Conditions: -**

1. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
2. 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.

3. Before the building is occupied the following noise protection measures to the proposed development, as defined in the SLR 'Noise and Vibration Assessment' report (Ref 415.04479.00001), dated January 2015 & SLR 'Noise and Vibration Assessment' report (Ref 415.05229.00001- REV 3), dated January 2015 shall be carried out in full:
  - The internal stud walls to the flats must be constructed with minimum 2x12.5mm plasterboard either side of 48mm studs with 25mm acoustic partition roll in the cavity, entrance doors with seals around will be required as a minimum to ensure adequate attenuation to internal noise levels within flats from railway noise.
  - Glazing units with a minimum insulation value of 10mm/16mm/12.4mm double glazing should be installed for the external glazing on the eastern facade.
  - Glazing units shall be installed to provide a double skin window system to the windows of apartments on the western facade of the proposed building. The glazing shall be a double skin façade with two leafs of glazing separated by airspace. The glazing shall be openable in sections so that each leaf can provide ventilation, the openings being capable of being offset or staggered. The soffit and vertical reveals must be lined with acoustically absorbent treatment. The double skin façade must be capable of providing a minimal reduction of 40 dB when the windows are closed, and 20 dB when opened.

**Reasons:-**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
3. 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. Consent should not be issued until the applicant has entered into a suitable legal agreement to:
  - a. Provide a contribution of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as required for the development. The agreement will include provision by the applicant to the Council of a redetermination plan to enable the order to be advertised; and
  - b. A Draft Travel Plan to be submitted to the Council prior to first occupation and a Final Travel Plan to be submitted within 12 months of that date.
5. The works to form the laybys and footways on Stanley Place will require separate application for Road Construction Consent and must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent, including materials, layout, design, specification, drainage, SUDs, lighting etc.
6. Short sections of parking restrictions should be introduced at the proposed footway build out locations, to maintain two way traffic at this location.
7. To the West of the development the footway bounding No 49 should be upgraded with suitable kerb up stand with bollards. Reason to provide adequate footway given the increase of pedestrians that will be using this route and to discourage motorists from parking their vehicles on it.
8. The applicant must be informed that the proposed on-street spaces on Stanley Place cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road extension has been adopted or not. The developer is expected to make this clear to prospective residents and tenants.
9. The proposed cycle parking to be to the Council's satisfaction regarding specification, design, security and location.
10. Any gate or gates must open inwards onto the property. The doors linking to the existing footpath to the east of the site must not open outwards.
11. Electric vehicle charging outlets (wall or ground mounted) should be of the following standard:

Type 2 (EN62196-2), Mode 3 (EN61851-1) compliant and be twin outlet. With the ability to supply 22 kW (32 Amps) AC - Three Phase power and have the ability to be de rated to supply 11 kW to each outlet when both are in use. Where this is not possible then 7 kW (32 Amps) AC - Single Phase chargers that have the ability to deliver power of 7 kW capacity to each outlet simultaneously.

## **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**

Pre-application discussions took place on this application.

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

Prior to the application being submitted the applicant carried out a public exhibition advising the residents of the forthcoming application. Following the neighbour notification 60 letters of representation were received. Fifty one letters of objection were received from Sheila Gilmore MP, Kenny MacAskill MSP, The Cockburn Association, Craigentiny and Meadowbank Community Council, Spring Gardens and Royal Park Terrace Residents Association, neighbours and a letter enclosing a petition with 146 signature. Nine letters of support were received.

### **Material Representations objecting**

- principle of the development - are there too many projects for student housing already;
- scale, form and design;
- road safety issues - traffic and car parking; and
- loss of residential amenity - loss of light overshadowing, increased noise from railway as noise reflected from the new building to neighbouring properties, loss of privacy.

## **Material Representations in Support**

- benefits of the proposal;
- employment opportunities; and
- improve derelict site.

## **Non-Material Representations**

- antisocial behaviour;
- loss of view; and
- decrease in property value.

## **Community Council**

Craigentenny and Meadowbank Community Council object to the application as it considers the proposal is too close to the railway to achieve an acceptable level of accommodation. The height of the proposed building and proximity to existing buildings would be detrimental to the existing amenity of the residents living in Stanley Place. The amount of student housing exceeds the Council's standards.

## **Background reading/external references**

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- 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

The site lies within the urban area of the Edinburgh City Local Plan.

### Date registered

8 December 2014

### D David R. Leslie rawing numbers/Scheme

1-10,

Scheme 1

## David R. Leslie

Acting Head of Planning and Building Standards

Contact: Jennifer Zochowska, Senior Planning Officer

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## Links - Policies

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### Relevant Policies:

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

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

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

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

Policy Hou 10 (Student Housing) supports provision of student housing on suitable sites.

#### **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.

# Appendix 1

## **Application for Planning Permission 14/05075/FUL At 40 Stanley Place, Edinburgh, EH7 5TB Demolition of existing buildings and construction of 93no units of student accommodation with ancillary services.**

### **Consultations**

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#### **Archaeology**

*Further to your consultation request I would like to make the following comments and recommendations concerning this application to demolish the existing buildings and construction of 93units for student accommodation with ancillary services.*

*The site is occupied by the recently fire damaged late 19th century the Episcopal Church Of the Holy Spirit, part of the Victoria and development of the area which took place in the second half of the 19th century The 1876 & 1893 OS maps of the site depict in addition to the church a range of buildings occupying the site including tenements and possible small mission hall. Previous to this the site is depicted on General Roy's mid-18th century map of Scotland as open ground located to the rear of the post-medieval settlement of Abbeyhill.*

*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 ENV4, ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

*It is considered that on current information due to the severe affect of the recent fire, that the loss of this former church is regarded as having a moderate archaeological impact. It is therefore considered essential that a programme archaeological historic building survey (level 2: annotated phased plans/elevations, photographic and written survey) of the existing building prior to its demolition is undertaken. This archaeological building survey work must also be linked to an appropriate programme of archaeological excavation work undertaken as part of the demolition process and prior to development. This is in order to fully excavate, record and analysis any significant buried remains affected by ground breaking works associated with the Victorian development of the site and possible earlier Abbeyhill settlement.*

*It is recommended that that the following condition is attached to this consent to ensure that a 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 (historic building survey, excavation, reporting and analysis) 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.*

*Please contact me if you require any further information.*

### **Transport Planning**

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

- 1. The works to form the laybys and footways on Stanley Place will require separate application for Road Construction Consent and must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent, including materials, layout, design, specification, drainage, SUDs, lighting etc.;*
- 2. Short sections of parking restrictions should be introduced at the proposed footway build out locations. Reason to maintain two way traffic at this location;*
- 3. The disabled bay at the most eastern section of the development may be difficult for drivers to manoeuvre given the location of the bin store;*
- 4. To the West of the development the footway bounding No 49 should be upgraded with suitable kerb up stand with bollards. Reason to provide adequate footway given the increase of pedestrians that will be using this route and to discourage motorists from parking their vehicles on it.*
- 5. The applicant must be informed that the proposed on-street spaces on Stanley Place cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road extension has been adopted or not. The developer is expected to make this clear to prospective residents and tenants;*
- 6. Consent should not be issued until the applicant has entered into a suitable legal agreement to:
  - a. Provide a contribution of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as required for the development. The agreement to include provision by the applicant to the Council of a redetermination plan to enable the order to be advertised.*
  - b. A Draft Travel Plan to be submitted to the Council prior to first occupation and a Final Travel Plan to be submitted within 12 months of that date;**
- 7. The proposed cycle parking to be to the Council's satisfaction regarding specification, design, security and location;*
- 8. Any gate or gates must open inwards onto the property. The doors linking to the existing footpath to the east of the site must not open outwards.*

#### *Note*

*Minimum car parking provision for student accommodation this Zone (3a), as per the Council's approved guidelines, is 1 per 12 beds and 1 per 4 staff. For 93 beds this equates to 8 student spaces. It is unclear from the submitted documentation what staffing level is proposed but it is assumed less than 4 and therefore a total of 9 spaces are considered appropriate. The spaces being created on Stanley Place may not be available at all times to residents of this development (see 2 above). However, it is considered that existing parking controls in the adjacent streets are sufficient to control overspill parking.*

*100 secure cycle spaces are proposed and the location is well located for walking cycling and public transport access.*

*If you have any queries, please call Lynn Russell on 0131 529 7212 (Direct Dial).*

#### **Environmental Assessment**

*The application proposes to site student residential properties on the site of a former factory and offices. Opposite the site to the north and east are residential properties. To the south is a well used rail track and to the west there are commercial uses at 46 Stanley Place.*

*Prior to this application being submitted, Environmental Assessment previously advised of concerns relating to the proximity of the nearby commercial units to the west and the rail line to the south.*

#### *Rail Noise*

*The applicant's noise impact assessment has investigated the likely affects vibration from rail traffic may have on the proposed development. The noise impact assessment indicates that there is less than low probability of adverse comment during the daytime and a low probability of adverse comment during the night-time which indicates that there are vibration constraints at this site.*

*The noise impacts assessment states that the following noise mitigation measures will be required. The internal stud walls to the flats must be constructed with a minimum 2x12.5mm plasterboard either side of 48mm studs with 25mm acoustic partition roll in the cavity, standard double glazing, entrance doors with seals around will be required as a minimum to ensure adequate attenuation to internal noise levels within flats from railway noise.*

*A number of flats have windows on the eastern facade of the building with a line of site of the railway line. For these flats the facade, including glazing will need to reduce the external noise level by 38dB to ensure that maximum noise levels during the night-time are within the specified limit. The applicant has confirmed that a glazing unit of the following minimum measurements will be installed to ensure that the above level of attenuation is achieved 10mm/16mm/12.4mm.*

*Flats on the facade of the building facing away from the railway line will benefit from attenuation by the building structure itself which. For these flats the facade, including glazing, will need to reduce the external noise level by 28dB to ensure that maximum noise levels during the night-time are within the specified limit.*

*The applicant has confirmed that a standard glazing unit of the following minimum measurements will be installed to ensure that the above level of attenuation is achieved 4mm/12mm/6mm.*

*The proposed layout of the building shows that the proposed flats are protected at the facade overlooking the railway by an isolating corridor between the facade and the entrance doors to the flats. Windows to flats do not look out onto the corridor.*

*The noise impact assessment has also addressed the potential for train noise being reflected from the facade of the proposed building and impacting upon properties across the railway line (Spring Gardens).*

*The noise impact assessment has demonstrated that noise levels will only increase by 1dB at the existing residential properties on Sprig Gardens due to noise reflecting from the facade of the proposed new development. This increase will be imperceptible to those residents and Environmental Assessment are satisfied that this proposed development will not adversely impact upon the amenity of the Spring Gardens residents.*

#### *Commercial Noise*

*There is a Class 4 use neighbouring the site to the west which is currently a rickshaw depot with associated maintenance activities. The main noise generating activities are likely to comprise repairs to rickshaws which may involve the use of power tools. The applicant has pointed out that the depot is in an existing residential area albeit this proposal will bring residential units closer.*

*To ensure that a open window noise level can be achieved it is proposed to provide a double skin window system to the affected facade of the proposed building. This is a means of maintaining ventilation with open windows, but achieving better attenuation because of the additional skin. The detailing of the double skin façade should be two leafs of glazing separated by airspace. There would be openable sections in each leaf to provide ventilation, the openings being offset or staggered to maximise the acoustic attenuation. The soffit and vertical reveals are to be lined with acoustically absorbent treatment to further enhance the attenuation. The treatment must be applied to all windows to apartments at the western extent of the proposed building (11no. windows in total). The double skin façade would be expected to provide a reduction of around 40 dB when the windows are closed, and around 20 dB when opened.*

#### *Local Air Quality*

*Additionally, Environmental Assessment has considered the application in terms of the impact it may have on air quality. The application includes the introduction of parking areas for 9 resident's car parking spaces. The Government has recently announced a commitment to low emission vehicles with regards to sustainable transport for the future. The Council is currently reviewing the parking standards and it is anticipated that these will incorporate a provision to install electric vehicle charging points throughout all types of development.*

*These measures contribute to improving air quality throughout the city. Low emission vehicles and specifically electric vehicles are emission free and therefore do not contribute to traffic related pollution, which is the main source of air pollution in Edinburgh. The development is well placed to encourage good use of electric vehicle charging points. Air Quality on and surrounding London Road is of concern to this Department and any measure to decrease traffic related pollution affecting this area is supported. The agent for the application has previously confirmed that they would be willing to introduce electric vehicle charging points in an attempt to off-set the impacts of increased car trips in and around the local area. Air quality is a material planning consideration and thus Environmental Assessment will recommend that electric vehicle charging points be included.*

*It should be noted that up to 100% funding can be provided for this type of installation from the Energy Saving Trust, further details can be obtained from the Energy Saving Trust [website](http://www.energysavingtrust.org.uk/scotland/Organisations/Transport/Electric-vehicles/Electric-Vehicle-Charge-Point-Funding);  
<http://www.energysavingtrust.org.uk/scotland/Organisations/Transport/Electric-vehicles/Electric-Vehicle-Charge-Point-Funding>*

#### *Contaminated Land*

*Due to the historic land use Environmental Assessment request that a condition is attached to ensure contaminated land is adequately investigated.*

*Therefore, Environmental Assessment has no objections to this proposed development subject to the following conditions:*

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

- (a) A site survey ( including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning , either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and*
- (b) Where necessary, a detailed schedule of any remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.*

*Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.*

*2. The following noise protection measures to the proposed development, as defined in the SLR 'Noise and Vibration Assessment' report (Ref 415.04479.00001), dated January 2015 & SLR 'Noise and Vibration Assessment' report (Ref 415.05229.00001- REV 3), dated January 2015:*

- The internal stud walls to the flats must be constructed with minimum 2x12.5mm plasterboard either side of 48mm studs with 25mm acoustic partition roll in the cavity, entrance doors with seals around will be required as a minimum to ensure adequate attenuation to internal noise levels within flats from railway noise.*

- Glazing units with a minimum insulation value of 10mm/16mm/12.4mm double glazing should be installed for the external glazing on the eastern facade

- Glazing units shall be installed to provide a double skin window system to the windows of apartments on the western facade of the proposed building. The glazing shall be a double skin façade with two leafs of glazing separated by airspace. The glazing shall be openable in sections so that each leaf can provide ventilation, the openings being capable of being offset or staggered. The soffit and vertical reveals must be lined with acoustically absorbent treatment. The double skin façade must be capable of providing a minimal reduction of 40 dB when the windows are closed, and 20 dB when opened.

shall be carried out in full and completed prior to the development being occupied.

#### *Informative*

*Electric vehicle charging outlets (wall or ground mounted) should be of the following standard:*

*Type 2 (EN62196-2), Mode 3 (EN61851-1) compliant and be twin outlet. With the ability to supply 22 kW (32 Amps) AC - Three Phase power and have the ability to be de rated to supply 11 kW to each outlet when both are in use. Where this is not possible then 7 kW (32 Amps) AC - Single Phase chargers that have the ability to deliver power of 7 kW capacity to each outlet simultaneously.*

*Should you wish to discuss the above, please do not hesitate to contact me on 0131 469 5802.*

#### **Network Rail**

*Thank you for consulting Network Rail regarding the above development.*

*Whilst Network Rail has no objections in principle to the proposal, due to its close proximity to the operational railway, we would request that the following matters are taken into account, and if necessary and appropriate included as conditions or advisory notes, if granting the application:*

*The railway can be a dangerous environment. Suitable barriers must be put in place by the applicant to prevent unauthorised and unsafe access to the railway.*

*o If not already in place, the applicant must provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and provision for the fence's future maintenance and renewal should be made. We recommend a 1.8 metre high 'rivetless palisade' or 'expanded mesh' fence. Network Rail's existing boundary measure must not be removed without prior permission.*

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

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

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

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

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

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

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

*The developer must contact our Asset Protection Engineers regarding the above matters, contact details below:*

*Network Rail Asset Protection Engineer  
151 St. Vincent Street, GLASGOW, G2 5NW  
Tel: 0141 555 4087  
E-mail - AssetProtectionScotland@networkrail.co.uk*

*We trust full cognisance will be taken of these comments. We would be grateful if Local Planning Authorities would provide a copy of the Decision Notice.*

## Location Plan

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**END**