

# Development Management Sub Committee

Wednesday 8 June 2016

**Application for Planning Permission 15/05401/FUL  
At 27, 35, 37-39, Lanark Road, Edinburgh  
Change of Use to purpose built student accommodation and  
erection of two new high quality, managed student  
residences. Both blocks to have office/reception and  
communal area with associated facilities at Ground Floor  
Level, landscaping, amenity space and cycle storage (as  
amended).**

<b>Item number</b>	8.1
<b>Report number</b>	
<b>Wards</b>	A02 - Pentland Hills

## Summary

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The proposal is unacceptable in principle as it constitutes a non-conforming use within the Green Belt and, notwithstanding this, the site location is not acceptable for student housing development. It is also of an inappropriate design, scale, height, massing and footprint and would represent an incongruous feature within the streetscape. Furthermore, the site is in an important location being a gateway to Colinton Dell and the wooded river valley, and the proposal is unacceptable in this context. The proposal would also have an adverse impact on the flora, fauna and landscape of the Local Nature Conservation Site.

## Links

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[Policies and guidance for this application](#)

LPC, CITD1, CITD3, CITD5, CITE8, CITD9, CITE3, CITE10, CITE12, CITE15, CITH10, CITT1, NSG, NSBUS, NSGD02, NSGSTU,

# Report

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amended).**

## Recommendations

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

## Background

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### 2.1 Site description

The application site lies to the south of Lanark Road and straddles the Water of Leith, with two distinct halves lying respectively on the west and east banks of the river, and has an area of 0.6507 ha. The eastern half of the site is partially occupied by the Blue Goose pub and car park, formerly the Tickled Trout, with the remainder of this half of the site being mature woodland. The western half of the site is partially occupied by Westside Motors Garage, with the remainder being mature woodland. Immediately to the south of the site runs the Water of Leith Walkway.

The canal viaduct and towpath lie to the north west of the site, across Lanark Road. A group of category B listed buildings including the Cross Keys Inn (Reference: LB30121) (Date of Listing: 12 December 1974), Slateford Church and Manse (Reference: LB30122) (Date of Listing: 12 December 1974) lie immediately to the south west and further category C listed buildings beyond.

The buildings in the vicinity of the site are mostly of a domestic scale, possessing a village character and a lower scale of development than the areas to the east, e.g. Slateford Road. The bridges and aqueducts form the principal landmarks, these rising above the prevailing scale of development.

The existing buildings on the sites are low rise. This creates a break in urban form at the Water of Leith. The Westside Motors premises comprise one and two storey structures of a domestic scale. The Blue Goose Public House is a modern two storey structure with pitched roofs, this being set back from the street behind a forecourt.

The Lanark Road Bridge provides a strong visual connection with the Water of Leith Corridor which possesses a natural character with wooded backdrop which is clearly evident in views from the bridge.

## 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 to erect two blocks of purpose built student accommodation totalling 247 units. Block 1 is located on the western portion of the site, which is currently occupied by Westside Motors, and Block 2 is located on the eastern half of the site, currently occupied by the public house. The scheme proposes a total of 150 bedrooms in studio flat style and 97 bedrooms in cluster flat style arrangement and shared kitchen facilities. Five car parking spaces are proposed at the west block, four car parking spaces at the east block, including DDA compliant spaces. A total of 247 cycle spaces are proposed.

The proposed development is a mixture of four, five and six storeys in height. One block is located on the east bank and one on the west bank of the Water of Leith. Both front onto Lanark Road. The proposed buildings are of a pitched roof, contemporary design. Landscaped outdoor amenity space is also proposed. Vehicular and pedestrian access is proposed off Lanark Road. Building materials are not specified, however the submitted drawings appear to show predominantly red brick and slate roof tiles.

### Supporting Statement

The following documents have been submitted in support of the application and are available to view on the Planning and Building Standards Online Services:

- Design Statement;
- Planning Statement;
- Planning Statement Addendum;
- Accessibility Statement;
- Archaeological Study;
- Ecology Assessment;
- Ecology Report;
- Flood Risk Assessment;
- Noise Assessment;
- PAC Report;
- Sustainability Statement;
- Green Belt Policy Note;
- Landscape and Visual Appraisal;
- Tree Survey;
- Applicants Position Statement
- Legal Opinion (Student Housing Guidance); and
- Urban Design Statement.

### **3.2 Determining Issues**

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

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 proposed development is acceptable;
- b) The landscape impacts and design are acceptable;
- c) The proposal will have an impact on the setting of any listed building;
- d) The proposal will impact on the amenity of neighbouring residents and will provide sufficient residential amenity for the occupiers of the development;
- e) The proposal raises issues in terms of traffic or road safety;
- f) The proposal will affect local biodiversity;
- g) The proposal raises any flooding and drainage issues;
- h) The proposal meets sustainability criteria;
- i) Any impacts on equalities or human rights are acceptable; and
- j) Comments raised have been addressed.

#### a) Principle of development

### **The Development Plan**

The development plan for the area comprises the adopted Strategic Development Plan for South East Scotland (SDP) (June 2013) and the adopted Edinburgh City Local Plan (ECLP) (January 2010). The ECLP be replaced by the Edinburgh Local Development Plan, once adopted.

## **Development Within the Green Belt**

### Edinburgh City Local Plan

The ECLP Proposals Map identifies the majority of the application site as forming part of the Edinburgh Green Belt. Policy Env 10 describes that within the green belt development will only be permitted where necessary for the purposes of agriculture, woodland and forestry, horticulture or for a countryside recreational use compatible with an agricultural or natural setting. The proposed development for student accommodation does not relate to any of this identified range of uses acceptable in principle within the green belt. Furthermore, the proposal is not for a change of use of an existing building and is not related to the existing non-conforming use or building. The existing non-conforming use of the site as a public house does not justify the development of the site for any other non-conforming use. Policy Env 10 is clear in this respect.

The proposal is contrary to ECLP Policy Env 10 with respects to development within the green belt.

### Second Proposed Local Development Plan

The Second Proposed Local Development Plan (LDP), and the Council's response to representations made to the LDP, were approved by the Planning Committee in May 2015 and duly submitted to Scottish Ministers for Examination.

The Second Proposed LDP Proposals Map identifies the application site as forming part of the Green Belt. Accordingly, development of the site for student accommodation would be contrary to Policy Env 10: Development in the Green Belt and Countryside.

### Strategic Development Plan (SDP)

The applicant argues, within their supporting information, that the development of the green belt site will not undermine green belt objectives, as set out by SDP Policy 12.

SDP Policy 12 is intended to guide how Local Development Plans define green belt boundaries to conform to the guiding principles. It is not intended to be applied to individual proposal sites during the development management process.

No representations were received, during the LDP consultation process, seeking to remove the site from the green belt.

## **Student Housing Development**

Since the proposal does not comply with Green Belt policy it is necessary to consider whether there are any compelling reasons in, principle, why the development would be acceptable. As the proposal is for student housing it is necessary to consider it with reference to ECLP Policy Hou 10 Student Housing and the equivalent LDP Policy Hou 8. The criteria in ECLP Policy Hou 10 and LDP Policy Hou 8 is applied to proposals for student housing using the locational and design guidance set out by the Council's Student Housing Guidance.

In respect of the guidance, an Issues Paper on Student Housing was approved for consultation at the 4 December 2014 Planning Committee. A draft revised guideline was reported to Committee on the 6 August 2015 and consulted on from 9 October 2015 to 20 November 2015. New guidance was approved at the 25 February 2016 Planning Committee. This application was submitted before 25 February and to ensure a fair and balanced assessment, the proposal should be considered in terms of both the previous Student Housing Guidance and the new guidance.

In terms of the policy requirement (Hou 10a) that purpose built student accommodation be accessible to public transport, the site is adjacent to a number of bus services, including Lothian Bus numbers 4 and 34 to the Heriot Watt University Campus at Riccarton, and the Napier Craiglockhart Campus respectively. As a result, the proposal is considered acceptable in relation to Policy Hou 10a as interpreted by either the old or the new Student Housing Guidance.

In terms of the policy requirement (Hou 10b) that the proposal will not result in an excessive concentration in one locality, under the previous Student Housing Guidance the proposed development is considered to comply with policy. The existing concentration of students in the locality is 7.48 percent. The additional 247 bed spaces proposed would increase the concentration to 24.67 percent which is below the 30% threshold stipulated by the previous guidance, and as such complies in principle with Policy Hou 10 b).

The new Student Housing Guidance seeks to balance the need for student accommodation against the impact on a locality by introducing a requirement for larger sites to deliver 50% of the total student housing development as general housing. Sites greater than 0.25ha are required to provide a 50/50 split between student accommodation and general housing, measured by gross floor area, to ensure larger developments deliver and maintain balanced communities. The guidance also introduces a requirement for a mix of student accommodation, i.e. cluster flats, to be provided to meet the varying needs of students.

The site is approximately 0.38 ha in size (developable area) and therefore would be subject to the requirement to provide general housing. With no proposed uses other than student accommodation the proposal fails to provide the 50/50 split between student accommodation and general housing required by the guidance. Even if it is assessed as two sites, as a result of the site being split by the Water of Leith, it would still have a cumulative impact and one or other of the sites would not be supported as student housing. As such, under the new guidance, the proposal does not comply with ECLP Policy Hou 10 (b).

The applicant has submitted a legal opinion, available to view on the Planning and Building Standards online services, which questions the non-statutory status of the Student Housing Guidance and also whether it is appropriate to apply this guidance to applications which were submitted before it came into effect. As stated above the guidance was approved at the 25 February 2016 Planning Committee, with no phased introduction or deferred implementation date set. As such it is appropriate that it is a material consideration in determining this application and is given appropriate weight. Concerning the non-statutory status of the guidance, the aforementioned legal opinion states the belief that it should be in the form of Supplementary Guidance to the LDP. This position is not accepted.

While the proposal will not result in an excessive concentration of student housing within the wider area, as defined by the previous guidance, it would result in a concentration within the site and would not provide the appropriate mix of use, as identified by the new guidance.

Should the Committee be minded to consider this application under the previous Student Housing Guidance, in light of the application submission date, then the proposed reason for refusal based on ECLP Policy Hou 10 should not be included.

## **Housing Land Supply**

The proposal is for purpose built student accommodation and as such will not make any contribution to the city's effective housing land supply. Nonetheless it is the Council's position that there is a five-year effective housing land supply in the Council's area. This is set out in the 3 December 2015 report on the Housing Land Audit to the Planning Committee. There is no justification for developing the site on this basis.

## **Conclusion**

The proposed development is contrary to the adopted ECLP, in particular policy Env 10: Green Belt. The development is not supported by the LDP and is contrary to the provisions of Policy ENV 10: Development in the Green Belt and Countryside.

Furthermore the proposed development fails to accord with ECLP Policy Hou 10 and LDP Policy Hou 8, with respect to student housing, and the adopted Student Housing Guidance, in terms of its proximity to university/college facilities and the failure to provide a 50/50 split between student accommodation and general housing.

The proposal is unacceptable in principle.

### **b) Landscape and Design**

#### **Design and Streetscape**

The two blocks proposed would be situated to the eastern and western banks of the Water of Leith adjacent to the Lanark Road Bridge. To the western side of the river, a five storey block is identified, this reducing to a four and three storeys (including attic space) to the western edge of the site. Substantial and dominant gables are proposed to the street and Water of Leith elevations. A further four storey crescent shaped block, with additional attic space, would be situated to the eastern side of the river.

The scale, mass and footprint of the proposed development would be alien to the prevailing character of the locality, as outlined above, and would have a detrimental urbanising effect. The gable ends and steeply pitched roof to the western block would be dominant visual elements, further exacerbating the scale of development. The proposal appears to have been based upon historic mill buildings. However, from assessment of historic OS maps for this site, it would appear that buildings of the scale proposed have not occupied this location in the past. The history of the site does not therefore provide a rationale for buildings of the proposed scale.

The proposed material finishes would appear to suggest red multi type brick, stone or stone effect and slate roofing to the blocks fronting the street. Whilst the proposed use of these materials may be generally appropriate to the context, this does not override broader concerns relating to the scale of development. The proposed material treatment to the rear blocks suggest a contrasting finish, possibly render, although the precise details are unclear. Were such finishes to be pursued, these could result in a stark visual contrast to the Water of Leith corridor and further exacerbate the scale of the proposals. If Committee is minded to grant planning permission a condition is recommended to ensure appropriate materials and detailing.

Overall the proposal is of an inappropriate design, scale, height, massing and footprint, and would represent an incongruous and overbearing feature within its setting and within the streetscape. It is contrary to ECLP Policies Des 1 Design Quality and Context, and Des 3 Development design.

### **Waterside Development**

ECLP Policy Des 9: Waterside development states that '*development on sites adjoining a watercourse, including the Union Canal, will only be permitted where the proposal provides an attractive frontage to the water in question, maintains or provides public access to the water's edge, maintains and enhances the nature conservation or landscape interest of the water body including its margins, and, if appropriate, promotes recreational use of the water*'.

Due to the special qualities and character of the Water of Leith between Colinton and Balerno, the river valley is proposed for designation as a Special Landscape Area (SLA). The Review of Local Landscape Designations was approved by Committee in 2010 and forms a material consideration. It highlights the importance of the wooded, incised valley of the Water of Leith in the west of Edinburgh and its tranquil, secluded and natural character of high scenic value, which should be conserved and enhanced. The intrusion of built development and associated curtilages upon the edge of the river corridor is identified as a pressure on the integrity of the landscape.

The inappropriate scale, height, massing and footprint of the proposal, as discussed above, will impact adversely on existing views from the Slateford Road Bridge and from the Water of Leith Visitor Centre up the Water of Leith. Presently, the view includes the relationship between the river and backdrop of wooded valley slopes, highlighting the route of this important natural feature within the City. This view would be enclosed by the introduction of the proposed student accommodation due to its mass and scale, blocking much of the wooded backdrop. Whilst the existing car park and beer garden do not necessarily enhance the natural qualities of the river valley, they do maintain its open character. Views from the Water of Leith Walkway would also be adversely affected by the proximity of the proposed building line. The proposal would sever the visual link between the Water of Leith Walkway and the river, which currently exist because of the modest scale of the public house and the open nature of its carpark.

The conclusions drawn in the applicants supporting information, including the Design and Access Statement and Urban Design Statement, are not agreed. No computer generated visualisations from eye level viewpoints have been submitted to support the conclusions of the Landscape and Visual Appraisal. This does not meet the submission advice set out in the Edinburgh Design Guidance.

The proposal is contrary to ECLP Policy Des 9 as it does not provide an attractive frontage to the Water of Leith, and it does not maintain and enhance the nature conservation or landscape interest of the river or its margins. The proposal site is situated in the Green Belt and the scale of the proposals would impact upon the landscape setting of the Water of Leith and character of Lanark Road, as discussed above, a key radial route leading into the city.

### **Design of External Spaces**

The proposed open spaces are limited in extent. Whilst there are not open space standards for student accommodation the proposed spaces are expected to provide amenity to future occupants. However, the emphasis in any waterside location should be upon optimising wildlife value through the establishment of an appropriate landscape framework to enhance the existing banking. This cannot realistically be achieved through the siting and quantity of development proposed.

Block 2 is poorly sited in relation to the existing woodland and Water of Leith Walkway. It is proposed to create an alternative walkway to the riverside and publicly accessible amenity space. Whilst this could provide the benefit of a new alternative access along the river bank and a west facing amenity space, this does not outweigh the poor siting of Block 2, as discussed above. To form a new section of the Water of Leith Walkway, a multi-user path of 3 - 4.5 metre width would be required, rather than the 2 metre path proposed. If the proposed path is intended as more of a local link to the main walkway, then any gateway feature should naturally be located at the end of the existing Walkway route.

The proposal is contrary to ECLP Policy Des 5: External Spaces, as the design is not appropriate for its intended purpose and, as discussed above, does not take proper account of the natural features present on the site.

### **Woodland Setting and Tree Protection**

Section 3.5 of the Edinburgh Design Guidance advises 'a tree survey is required for all trees with a stem diameter of 75mm or more at 1.5m above ground on the site or within 12m of its boundary'. A tree survey has been provided which covers only the Westside Motors land. Existing trees include Willow, Ash and Elm. The survey recommends all but one tree is removed, including an Elm which is growing out of the wall and river channel. The findings of the tree survey are not reflected in the tree-protection proposals shown on the landscape drawings, where all trees are shown to be retained.

Significantly, the tree survey does not cover the trees beyond the site boundary to Block 2 at the public house site. As noted above, trees beyond the site boundary have not been considered in a constraints mapping process, as is required. Accordingly Block 2, on the eastern bank of the river, has an unacceptable relationship with the existing woodland, where bedrooms to the south and east will be overshadowed by the woodland. For Block 2, for much of this length, the set-back from the woodland is between 1-2 metre only. It is not sufficient to simply show trees to be retained on the landscape proposals without supporting evidence that this is achievable. Further assessment in this respect is required.

The footprint of the building comes hard against the land ownership boundary and within the root protection area and canopy spread of existing trees. This is likely to result in damage to these trees and this may be further exasperated by the construction process. Furthermore, the trees are likely to be jeopardised indirectly through complaints due to fear of damage to property and blocked light. The existing woodland on the slopes to the south of the Water of Leith will overshadow the site and proposed accommodation, blocking daylight for much of the day from the south. This may result in subsequent pressure upon the Council to carry out tree works or removal at a later date due to the inappropriate siting of the new development, which is not a practice supported by the Council's Tree and Woodland Strategy.

The proposal is contrary to ECLP policy Env 12 as it is likely to damage trees worthy of retention around the development site.

## **Conclusion**

The proposal is of an inappropriate design, scale, height, massing and footprint, and would represent an incongruous and overbearing feature within its setting and within the streetscape. In terms of design the proposal is contrary to the following ECLP Policies:

- Des 1 Design Quality and Context - the proposal would be damaging to the character or appearance of the area, which has special importance.
- Des 3 Development Design - the proposal will not have a positive impact on its setting, having regard to the positioning of buildings on the site, their height, scale and form, materials and detailing, wider townscape and landscape impacts and impacts on views; it does not retain features worthy of retention on the site and in the surrounding area, including potential views, and does not enhance visual interest and a sense of place; the design does not facilitate adaptability in the future to the needs of different occupiers or promote opportunities for mixed uses; and it does not protect and enhance biodiversity.
- Des 5 Design of External Spaces - the design of external spaces is not appropriate for its intended purpose and, as discussed above, does not take proper account of the natural features present on the site.
- Des 8 Development on Urban Edge Sites - The proposal site is situated at the Green Belt boundary. The scale of the proposals would impact upon the landscape setting of the Water of Leith and character of Lanark Road, a key radial route leading into the city.
- Des 9 Waterside Development - The proposal does not provide an attractive frontage to the Water of Leith, and it does not maintain and enhance the nature conservation or landscape interest of the river or its margins.
- Env 12 - the proposal is likely to damage trees worthy of retention around the development site.

### c) Listed Buildings

The scale of development has been massed down towards the group of listed buildings to the south west with open space oriented to the former Slateford Church. The proposal would not directly affect the setting of the listed buildings.

### d) Amenity

The application site is not located immediately adjacent to any residential properties and the proposed use will not have any detrimental impact on neighbouring residential amenity. Environmental Assessment raised no concerns regarding impacts on the amenity of neighbouring residents through noise or air pollution.

The daylighting study submitted in support of the application does not take into consideration of all neighbouring properties, and as such is insufficient to demonstrate that the amenity of all neighbouring properties will not suffer due to a loss of daylight or overshadowing.

As discussed above the existing woodland on the slopes to the south of the Water of Leith will overshadow the site and proposed accommodation, blocking daylight for much of the day from the south. This may result in subsequent pressure upon the Council to carry out tree works or removal at public expense due to inappropriate siting of new development.

Should Committee be minded to grant the proposal planning permission, it is advised that the application is continued to consider these matters further.

### e) Transport

An Accessibility Statement was submitted in support of the application. Current Council parking standards require between 21 and 42 spaces for the development of 247 student rooms. The applicant proposes to provide 9 spaces. Given the restricted nature of the site, the proximity to public transport, the on-road parking restrictions on roads in the immediate vicinity of the development and the proposed travel plan, this is considered acceptable in this case.

The proposal is acceptable in terms of transport impacts and will not have any detrimental impact on pedestrian or road safety.

### f) Biodiversity

The application site is largely located within a Local Nature Conservation Site. An Ecology Report and Addendum was submitted in support of the application. Reference is made within the report to biodiversity enhancement through the landscape proposals. The open space retained around the proposal is limited as to have no demonstrable benefit to biodiversity and no measures are proposed within the built form, such as swift bricks or green roofs. The wildflower grassland proposed could potentially provide a biodiversity benefit. However, across space of this scale, its management is likely to conflict with its use by resident students and the public in summer months, if the area is to be actively used. This would limit its biodiversity value.

As discussed above, the proximity of the proposed buildings, particularly Block 2, to the existing woodland is such that the proposal is likely to damage trees worthy of retention around the development site. The tree survey submitted has not demonstrated that this is not the case.

The proposal is contrary to ECLP policy Env 15 in that it is likely to have an adverse impact on the flora, fauna and landscape of the Local Nature Conservation Site, and the mitigation measures proposed are inadequate.

#### g) Flooding and Drainage

A Flood Risk Assessment and addendum has been submitted in support of the application, however no self-certification checklist has been provided. Consultation responses from both SEPA and the Council's Flood Prevention Unit highlight a number of issues concerning flood prevention, SUDS and ground water drainage which require further attention.

Should the Committee be minded to grant the proposal planning permission, it is recommended that the application is continued to consider these matters further.

#### h) Sustainability

A Sustainability Statement has been submitted in support of the application. The applicant has, however, not provided a completed S1 Sustainability Form, as required by the Edinburgh Design Guidance.

The Sustainability Statement submitted in support of the application identifies a number of sustainable measures that can be considered further, but makes no commitment to their implementation. No assessment of the proposal against the sustainability requirements of the Edinburgh Design Guidance has been carried out, and as such it has not been demonstrated that the proposal meets the sustainability requirements.

Should the Committee be minded to grant the proposal, it is recommended that the application is continued to consider this matter further.

#### i) Equalities and Human Rights

The proposals offer the potential to provide a good standard of living with access to transport and other services. The proposal will not have any detrimental impact on equalities or human rights.

#### j) Public Comments

This application was advertised on 11 December 2015 and attracted 99 letters of objection, 12 letters of support and nine general comments. The objections received included those from the Craiglockhart Community Council and The Water of Leith Conservation Trust.

## Material Objections

- Increase in local traffic and detrimental impact on pedestrian and road safety - addressed in section 3.3 e).
- Lack of vehicular parking spaces - addressed in section 3.3 e).
- Inappropriate size, scale, design and materials within the streetscape and landscape setting - addressed in section 3.3 b).
- Inappropriate green belt development - addressed in section 3.3 a).
- Lack of local amenity or recreational benefit provided - addressed in section 3.3).
- Detrimental impact on setting of listed buildings - addressed in section 3.3 c).
- Detrimental impact on water of Leith Walkway - addressed in section 3.3 b).
- Detrimental impact on neighbouring amenity through increased noise - addressed in section 3.3 d).
- Detrimental impact on Water of Leith, surrounding woodland area and Craiglockhart Dell - addressed in section 3.3 b).
- Detrimental impact on ecology including otters and bats (European Protected Species) - addressed in section 3.3 f).
- Loss of privacy and natural light to neighbouring residential properties - addressed in section 3.3 d).
- Increased air pollution - addressed in section 3.3 d).
- Excessive cycle provision - addressed in section 3.3 e).

## Non-Material Objections

- Loss of the existing public house.
- Impact of proposed development elsewhere within the locality.
- Lack of depth and detail to assessments and supporting information.
- Potential for anti-social behaviour and increased littering.
- Disturbance during construction period.
- Lack of evidence that the existing public house has been marketed.
- Who the applicant is, what status the company has and whether it is registered.
- Alternative uses to student accommodation.
- Impact on existing property prices.
- Cumulative impacts with potential future development in the locality. These cannot be considered for as yet to be proposed or consented schemes.
- Changes to the scheme since pre-application consultation stage.

## Support

- Sustainability and cycle provision.
- Proximity to Napier University campus.
- Purpose built nature of the proposal.
- Appropriate design to its setting.
- Beneficial to local economy.
- Existing businesses are unviable/unattractive.

## **Community Council Objections**

The Craiglockhart Community Council were consulted and raised the following objections:

- Inappropriate size, scale and design within the streetscape and landscape setting -addressed in section 3.3 b).
- Insufficient parking provision which is likely to lead to increased local parking pressure - addressed in section 3.3 e).
- Increase in local traffic and detrimental impact on pedestrian and road safety - addressed in section 3.3 e).
- Detrimental impact on ecology and lack of detailed consideration - addressed in section 3.3 f).

### Conclusion

The proposal is unacceptable in principle as it constitutes a non-conforming use within the Green Belt and, notwithstanding this, the site location is not acceptable for student housing development. Furthermore the proposal is of an inappropriate design, scale, height, massing and footprint, and would represent an incongruous feature within its setting and within the streetscape. The proposal would also have an adverse impact on the flora, fauna and landscape of the Local Nature Conservation Site.

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

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

#### **Conditions:-**

1. The proposal is contrary to Edinburgh City Local Plan Policy Env 10 in respect of Green Belt, as development of the site for student accommodation constitutes a non-conforming use within the Green Belt.
2. The proposal is contrary to Edinburgh City Local Plan Policy Hou 10 in respect of Student Housing, as the location is not appropriate in terms of its proximity to university or college facilities.
3. The proposal is contrary to Edinburgh City Local Plan Policy Des 1 in respect of Design Quality and Context, as proposal would be damaging to the character or appearance of the area, which has special importance.
4. The proposal is contrary to Edinburgh City Local Plan Policy Des 3 in respect of Development Design, as it will not have a positive impact on its setting, having regard to the positioning of buildings on the site, their height, scale and form, materials and detailing, wider townscape and landscape impacts and impacts on views; it does not retain features worthy of retention on the site and in the surrounding area, including potential views, and does not enhance visual interest and a sense of place; the design does not facilitate adaptability in the future to the needs of different occupiers or promote opportunities for mixed uses; and it does not protect and enhance biodiversity.

5. The proposal is contrary to Edinburgh City Local Plan Policy Des 5 in respect of External Spaces, as the design of external spaces is not appropriate to the intended purpose and, as discussed above, trees worthy of
6. The proposal is contrary to Edinburgh City Local Plan Policy Des 8 in respect of Urban Edge Sites, as the scale of the proposals would impact upon the landscape setting of the Water of Leith and character of Lanark Road.
7. The proposal is contrary to Edinburgh City Local Plan Policy Des 9 in respect of Waterside Development, as it does not provide an attractive frontage to the Water of Leith, and it does not maintain and enhance the nature
8. The proposal is contrary to Edinburgh City Local Plan Policy Env 12 in respect of Trees, as it is likely to damage trees worthy of retention around the development site.
9. The proposal is contrary to Edinburgh City Local Plan Policy Env 15 in respect of Sites of Local Importance, as it is likely to have an adverse impact on the flora, fauna and landscape of the Local Nature Conservation Site, and the

## **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:**

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

## **Sustainability impact**

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

A Sustainability Statement has been submitted in support of the application. The applicant has, however, not provided a completed S1 Sustainability Form, as required by the Edinburgh Design Guidance.

The Sustainability Statement submitted in support of the application identifies a number of sustainable measures that can be considered further, but makes no commitment to their implementation. No assessment of the proposal against the sustainability requirements of the Edinburgh Design Guidance has been carried out, and as such it has not been demonstrated that the proposal meets the sustainability requirements.

Should the committee be minded to grant the proposal planning permission, it is recommended that the application is continued to consider this matter further.

## **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**

This application was advertised on 11 December 2015 and attracted 99 letters of objection, 12 letters of support and nine general comments.

An assessment of the issues raised in representations can be found in section 3.3 of the main report.

## **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 Edinburgh City Local Plan identifies the majority of the application site as forming part of the Green Belt, a Local Nature Conservation Site and as Open Space (Water of Leith).

The Second Proposed Local Development Plan identifies the application site as forming part of the Green Belt, a Local Nature Conservation Site and as part of the Water of Leith-West Special Landscape Area.

**Date registered**

3 December 2015

**Drawing numbers/Scheme**

01,02a,03,04a,05a,06-11,12a,13a,14,15a,16-20,21a-27,28,

Scheme 2

**John Bury**

Head of Planning & Transport  
PLACE  
City of Edinburgh Council

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

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

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

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

Policy Env 10 (Green Belt) identifies the types of development that will be permitted in the Green Belt.

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

Policy Env 15 (Sites of Local Importance) identifies the circumstances in which development likely to affect Sites of Local Importance will be permitted.

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

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

#### **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** 'GUIDANCE FOR BUSINESSES' provides guidance for proposals likely to be made on behalf of businesses. It includes food and drink uses, conversion to residential use, changing housing to commercial uses, altering shop fronts and signage and advertisements.

**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** Student Housing Guidance interprets local plan policy, supporting student housing proposals in accessible locations provided that they will not result in an excessive concentration.

# Appendix 1

**Application for Planning Permission 15/05401/FUL  
At 27, 35, 37-39, Lanark Road, Edinburgh  
Change of Use to purpose built student accommodation and  
erection of two new high quality, managed student  
residences. Both blocks to have office/reception and  
communal area with associated facilities at Ground Floor  
Level, landscaping, amenity space and cycle storage (as  
amended).**

## Consultations

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### Craiglockhart Community Council

*We hereby make formal objection on behalf of the Craiglockhart community under the name of the Craiglockhart Community Council ("CCC"), based on consultation and what was effectively a 100% dissatisfaction vote at a Public Meeting (refer below), when detailed presentation was made by the Consultants (including the Architect and Town Planner) as well as the Developer.*

*We have expanded with reasons and made our comments that are not entirely negative, as it is acknowledged that development of some suitable and acceptable nature is required on these two important sites. It is worthy of note that should the Council support and grant permission to this application then it would be contrary to with wishes of effectively the entire community under our ambit and in isolation of the rejection by the strong local environmental support grouping.*

*Whilst the documentation under the Planning Application at face value appears efficient and comprehensive, on occasion as expanded to an extent in the attachment, there is an impression that much has been churned out in a regular and usual manner without adequate attention being given to the in situ site conditions with little or no empathy given to the surrounding community neither to the natural environment nor to the practicalities relating to traffic / pedestrian / cycle flows.*

*The Westside Motors development should also be referred to the Longstone Community Council, to be separately consulted in the process. As the response time over the seasonal holiday period has been short, we have not had the opportunity to liaise with Longstone CC neither to address each and every point in detail.*

*The Public Meeting was held at the Craiglockhart Church and chaired by CCC on the 15th December 2015, whereby close on 200 people from the local area at different times attended the meeting at short notice. It is fair to say that there was unanimous dissatisfaction with the Planning Application and at time there was loud and vociferous argument, as witnessed by Mr Andrew Sikes, Planning and Transport Directorate, Edinburgh Council and Councilor Gavin Corbett. A record of the meeting is attached to*

confirm the many aspects discussed and to give further credence to this objection (Attachment 2).

There is attached further detailed explanation and comments in regard to the Planning Application (Attachment 1), that form part of and should be read in conjunction with this Objection Notice. The main reasons for objection can be summarized as follows:

1. The development exhibits excessive scale and massing: i.e cramming of accommodation units, the height of all buildings should be much reduced.
2. The entire aspect of parking is improperly addressed with only 7 No + 2 No disabled parking spaces allocated, that appears insufficient. The concern is that there will in reality be considerable nuisance as a result of the excess parking in the surrounding streets.
3. The introduction of 247 students plus 12 employees that will be traveling to and from the development with a considerable number of cyclists and pedestrians traveling between (mainly we are advised) the Napier University campus and the Proposed Development, that will have unacceptable impact on existing routes, including pedestrian and cycles through the Craiglockhart Dell woodland and potentially add risk of accident to the local traffic flow system that is already close to bursting. The Accessibility Assessment is not convincing
4. Lack of proper environmental considerations, the Ecology Assessment is also glib and unconvincing.

We request that this entire document be taken into account, this letter has attempted to simplify the main issues, effectively acting as an Executive Summary comprising the salient points.

Further to bullet points made above and to enhance in a transparent manner the possibilities for much needed development on these sites and in the area as a whole for future consideration, we request that Edinburgh City Council initiate (if not already done, in which case make available existing information):

- o an independent Environmental Impact Assessment to make recommendations for what is acceptable adjacent to the Water of Leith.
- o an independent Traffic Impact Assessment and Traffic Management plan for the area to make recommendations as to what the area can support, not only for this development under purview, but also to incorporate potential uses for other sites in the area that have potential for development.

*Brief Report on Behalf of Craiglockhart Community in Relation to the Objection to Planning Application No 15/05401/FUL, Student Flats in Lanark Road*  
Attachment 1

## 1. Overview of The Development Site - Appropriateness and Constraints on the Site for Development

### 1.1. Natural and Physical Constraints

Natural and physical constraints to the proximity of the sites in question include:

- o *Water of Leith Conservation area bounds and bisects the sites and crosses underneath Lanark Road*
- o *High Level waterway canal with restricted pedestrian / cycle access*
- o *Aqueduct / Viaduct of historic value as part of the canal system*
- o *Listed buildings adjacent to the site east and west*
- o *Busy Road system including main arterial road out of the city and busy junctions*
- o *Railway line and crossing at old stone bridge east of the site*

*The Planning Submission frequently refers to the sites as a Brownfield Development and not in a sensitive area. Strict definition is inappropriate and an oversimplification of what is otherwise a complex and sensitive site.*

## *1.2. Traffic Flows*

*These major constraints limit the possibilities for large development sites in the area. Traffic along Slateford and Lanark Roads is frequently choked, with long tailbacks leading to and between the Chesser / Hutchison /Slateford Station junction to the Ingles Green, Longstone Road intersection. Worse congestion is encountered on the important steep cross town thoroughfare that is Craiglockhart Avenue, where gridlock is frequently encountered along its full length between Slateford and Colinton Roads.*

## *1.3. Student Flat Development*

*The development of brownfield and other larger suitable sites for Student Accommodation aforementioned constraints are acknowledged as being part of the solution to the growing student population in UK, particularly with the import of overseas students that is an important benefit for the economy of this country.*

*However it is worthy of note that Student Accommodation schemes are being marketed through the UK as and as far as the Middle East and even South East Asia, on the basis of better than average returns to investors. In order to achieve better than average returns good uncomplicated and well located sites are a prerequisite to such returns.*

*There are however, risks attached to the construction of such purpose made developments, e.g. should foreign intervention (eg government intervention / restrictions) or exchange rate fluctuations or national economic deterioration make such development uneconomic.*

## *1.4. Community Support for Development of the Sites*

*CCC recognize the need to support reasonable development proposals on the site that is otherwise in a state of deterioration. Whilst there is at best mixed feelings about student accommodation on a behavioral basis, it is acknowledged from a purely planning aspect as being a potential solution for development of the land currently being utilized by the Westside Motors Garage and possibly even the Blue Goose Public House.*

## *1.5. Unacceptability of the Planning Application as Submitted to the Craiglockhart Community.*

*The schemes however as designed and presented are too focused on maximizing investor return and utilization of the land space, by cramming in too many student accommodation units. The current design should rather fit in, rather than dominate the entrance into the Water of Leith Walkway leading to the Craiglockhart Dell , that is stated in the Edinburgh City Council website to, "provide a beautiful tree clad section of the Water of Leith Walkway. The woodlands are classified as ancient or long-established" ..... etc. The current proposed development only has negative impact on the Dell.*

*The Planning Statement severally states, including in the Summary (1.13) that consideration has been made to the Community's comments and has addressed environmental considerations. However, as stated previously at the Community Meeting held on 15th December at Craiglockhart Church there was not one solitary member of the community in attendance that appeared to support the development as presented in its current form, although there was partial acknowledgement of some appetite for an amended scheme.*

## *2. Comments on the Planning Application as Submitted*

### *2.1 Overall Design*

*The drawings as submitted give a good indication of the developer's intentions. The flats vary between 3 and 5 storeys excluding basements, and whilst the variation in height creates an interesting street line the overall height is too great and imposing in this locale.*

*The overall impression given is of excessive scale and massing i.e cramming of accommodation units and the height of all buildings should be much reduced by at least one storey and the design amended in line with natural constraints following suitable consultation with appropriate Water of Leith Conservation representation.*

*The architect stated there were no mills existing however this is incorrect and the possibility of utilizing stone similar to that on the existing mill buildings (Redhall Mill) should be investigated.*

*As a general comment there was extensive use of render on the Blue Goose facades, this should be reviewed to ensure pleasing aspects. Additional use of stone or brick facades is generally preferred.*

### *2. 2. Student Transport, Parking and the Impact on Roads and the Surrounding Streets:*

*Chronic Traffic Congestion Issues in Relation to Planning Application Document entitled, "Accessibility Assessment."*

*This appears to be the biggest bone of contention amongst the local community.*

*The Main Edinburgh City Council Application Form and Check list (8 pages) shows 259 Parking spaces, which is presumed to be in error as the number is clearly much reduced as referred to throughout the documentation.*

*The Accessibility Assessment Summary and Conclusions state:*

*"6.1. The development is ideally located to integrate into existing, pedestrian, cycle and public transport networks." - Comment this will only add to the existing overstressed and pertinent main roads that are already choked, as mentioned in the earlier section of the document. The road system was designed long before economic activity growth resulted in greater traffic movement eg by construction of Sainsbury's and Asda and increasing cross city transport channels and restrictions on using side roads.*

*"6.2. The location of the development, in relation to the existing footway network would encourage many development residents to travel, at least in part on foot." - Comment, the existing footpath up Craiglockhart Avenue is extremely narrow (pedestrian single to double width mainly) for the estimated 108 students (43%) that would use it. Should the Dell be used as a shortcut for regular pedestrian movement there is potential negative environmental impact.*

*"6.3. The site is located close to the existing cycle network .....this would encourage the residents of the proposed development to choose cycling as their mode of transportation particularly for short to medium distance trips." Comment, this is too glib with insufficient thought or direction as to how this would work in practice. The Accessibility Assessment refers to a website for cyclists namely "Edinburgh.cyclestreets.net." This indicates the most direct route to take 10 minutes and mainly traverse up the steep and in places winding, Craiglockhart Avenue ¾ mile, furthermore conditions are advised as having busy sections and are very hostile on the meter scale approaching the maximum danger level.*

*The Quietest route alternative given is 16 minutes circuitous route up to the viaduct staircase and along the canal crossing at the first bridge and cycling from Happy Valley up the Colinton Road. It is suggested that this is unlikely to be an acceptable alternative to the students and not used.*

*A third alternative, mooted by the architect Kenneth Reid Architects ("KRA") was to cycle through the Craiglockhart Dell. This is probably a reality and the potential for 53 No cyclists upwards (21%), through the often muddy and hilly Dell has potential negative environmental impact.*

*We note there are no existing cycle lanes on Craiglockhart Avenue nor on Lanark Road and certainly do not advocate any such introduction.*

*6.5 states, "Car Parking provision has been assessed making reference to the Council's Standards." Comment, this statement could be misleading as the Standard is not used.*

*6.5 goes on further to state, "Parking Provision below Council's standards, is provided however, this is on the basis of the high accessibility of the development site and the findings of the University of Edinburgh's ("UoE") travel survey which indicate that the proposed level of provision would be adequate." Comment, in the short period we have been unable to obtain a copy of the UoE travel document that was apparently drafted in relation to the Kings Building Campus. We do have in our possession a not entirely dissimilar report carried out by Sheffield University that shows 4% students traveling to Campus by car plus 1% shared.*

*This compares with the UoE survey, however the Sheffield University survey goes further to state that 38% of students have a car and that 25% parked on the surrounding streets.*

*The number of Parking spaces is therefore questioned as being inadequate, viz:*

- o Westside Motors site (100 units and 5 parking spaces),*
- o Blue Goose site (150 units and 3 parking spaces)*

*The community's concern is that student's cars (estimate of 27 No), as well as visitors (including parents) and some of the 12 staff (10 full-time) indicated in the Planning Document, would be parked in the surrounding areas and disrupt local residents.*

*The use of surrounding streets off Craiglockhart Avenue for long term parking is therefore a real concern as these are already narrow with parking close to the Avenue posing a greater risk for accidents to take place.*

*In summary, the comment in 6.9 is disagreed, viz:" The Parking Provision is in line with current policy and would correspond with anticipated car trip generation rates indicated by available student travel mode split data."*

*As a final point, Edinburgh City Council are recommended to carry out a Traffic Impact assessment for the development potential in the area referred to under 1.2., as well as to review potential road and pavement improvements in the area to improve traffic, pedestrian and cycle flows and safety. It was raised at the Community meeting that this is an opportunity for compulsory purchase of small or suitable parcels or corridors of land for the benefit of the whole area. In addition advanced upgrading of services would be carried out on an holistic and cost effective basis.*

### *2.3. Ecology concerns for the Water of Leith in Relation to Planning Application Document entitled, "Accessibility Assessment."*

*This is a vital aspect, as the Water of Leith is a Conservation area for which there has been insufficient account taken in the Planning Application documentation.*

*The Ecology Assessment Report ("EA" Report) appears to be based on isolated survey and a site visit in October / November 2015. In regard to Otter life in the Water of Leith, the survey was not able to be done properly on the day of inspection as there had been a lot of heavy rain and the water level was high making it difficult to find evidence. Otter life could be condemned because the date of inspection in November was raining and wet - this is unacceptable!*

*This EA Report is insubstantial in relation to comments received from the Water of Leith Centre's representations made on 15th December Meeting. The EA Report frequently states there is no evidence of resting place on or around the land in relation to:*

- o Otters*
- o Badgers,*
- o Bats roosting*

*There is extensive reference to the contradictory view in the document entitled Record of Public Meeting on 15th December 2015.*

*The EA report therefore appears to be an oversimplification with standard phraseology used.*

*In addition a cofferdam is stated to be constructed for construction temporary works and the submission purports to give assurance that the Contractors shall prevent contamination, eg from flow of liquids and waste flowing into the river. This will require real control as the risk of contamination could flow the several miles towards Leith.*

*An independent Environmental Impact Assessments is therefore recommended to be instituted and funded by the Edinburgh City Council. This will give greater clarity as to the extent of development capable of being carried out in the area.*

*Finally, it was raised at the the 15 December Meeting that the eastern site, i.e. the Blue Goose section of the development, particularly affected the Water of Leith more so than the Westside Motors site. This would be borne out by an independent Environmental Impact Assessment.*

### *2.3. Sustainability Report*

*The Sustainability Report appears to be a fairly standard document used by developers. Item 3.6 refers to offering a safe and direct pedestrian route reusing the existing cycle and pedestrian routes. This statement is made without further elaboration as to how this will be achieved. Previous comments made under section 2.2 refer.*

### *2.4 Scottish Planning Policy (2014)*

*The Planning document refers to the objectives in an effort to validate the development within the National Planning Framework, referring to protection and enhancing of natural and cultural resources. Furthermore the Six Qualities for Successful Places are highlighted, however as is apparent from the Community and Environmental consideration, many of these issues are questioned as not being accounted for, in such a contradictory development.*

### *2.5 Rider*

*Finally, the comments as given throughout this document are made in good faith owing to the relatively short period allowed against the voluminous submission and the failure to address each and every point, does not constitute agreement to points not addressed.*

## **Police Scotland**

*I am writing on behalf of Police Scotland regarding the above planning application for a proposed residential development in Edinburgh.*

*We recommended that the architect and client meet with a Police Architectural Liaison Officer to discuss Secured by Design principles and crime prevention through environmental design in relation to this development.*

## **Edinburgh Airport**

*The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the conditions detailed below:*

### *Submission of a Bird Hazard Management Plan*

*Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of:*

- monitoring of any standing water within the site temporary or permanent*
- sustainable urban drainage schemes (SUDS) - Such schemes shall comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS) (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).*
- management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design'*
- reinstatement of grass areas*
- maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow*
- which waste materials can be brought on to the site/what if any exceptions e.g. green waste- monitoring of waste imports (although this may be covered by the site licence)*
- physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste*
- signs deterring people from feeding the birds.*

*The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.*

*Reason: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport.*

### *Submission of SUDS Details*

*Development shall not commence until details of the Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS). The submitted Plan shall include details of:*

- Attenuation times*
- Profiles & dimensions of water bodies*
- Details of marginal planting*

*No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.*

*Reason: To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 6 'Potential*

*Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)' (available at <http://www.aoa.org.uk/operations-safety/>).*

*We, therefore, have no aerodrome safeguarding objection to this proposal, provided that the above conditions are applied to any planning permission.*

*It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Edinburgh Airport, or not to attach conditions which Edinburgh Airport has advised, it shall notify Edinburgh Airport, and the Civil Aviation Authority and the Scottish Ministers as specified in the Safeguarding of Aerodromes Direction 2003.*

## **SEPA**

*Further to the letters from Kaya Consulting to Kenneth Reid Architects on 7th March (Re: Addressing CEC and SEPA comments related to flooding risk) and 18th March (Re: Compensatory storage calculations at site) which SEPA received on 21 March 2016.*

*We are now in a position to remove our objection to the proposed development on flood risk grounds provided that, should the Planning Authority be minded to approve this application, the following planning conditions are imposed:*

- o Finished floor levels are set no lower than 61.60metres Above Ordnance Datum (mAOD) to provide adequate freeboard above the predicted 0.5% annual probability flood level; and*
- o Compensatory storage is provided in the under croft of buildings to west of Water of Leith to account for lost volume of storage across site.*

*In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.*

*Notwithstanding the removal of our objection subject to the above conditions, we would expect Edinburgh Council to undertake their responsibilities as the Flood Prevention Authority.*

*Please note the advice provided below.*

*Advice for the planning authority*

### *1. Flood Risk*

*1.1 SEPA were consulted on an earlier application (06/02249/FUL) application at this site for development of 15 residential units in three blocks of flats. We agreed this development provided the finished floor levels were set no lower than 61.41m AOD and that the car parking area was lowered to provide compensatory storage. The current application is for the erection of a 247 student bed facility within two separate blocks. We previously objected to this application as no information had been provided on flood*

risk and to demonstrate that our previous conditions had been incorporated into the new development design.

1.2 Updated flood risk information has now been provided by Kaya Consulting who have re-run the model previously developed for this site by Jacobs Consulting (2007). The results of this assessment provide predicted 0.5% annual probability flood levels of 60.61m AOD and 60.81m AOD when including an allowance for climate change. The proposed finished floor levels for the development are 61.60m AOD and as such provide sufficient freeboard above the flood level.

1.3 It is noted that predicted flood depths in the area of the development are 0 - 300mm and as such the impact on flood levels at the site and on downstream flows is negligible. However, Scottish Planning Policy states in Paragraph 256 that "Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity". The proposals are to provide compensatory storage below the buildings with the undercroft areas of the buildings on the north bank lowered to 60.30m AOD which is the lowest level the buildings sit. Using existing ground levels will allow the area to flood at the same point as existing scenario and also prevent a significant depth of water under the building, which we would not support. The volume of compensatory storage provided during the 0.5% annual probability event is 2500m<sup>3</sup> and 2910m<sup>3</sup> when including climate change. This is greater than the volume lost through the development of 2360m<sup>3</sup> and 2780m<sup>3</sup> during the same design events. We support these proposals for provision of compensatory storage.

1.4 Access and egress for the block to the east of the Water of Leith is provided north to Lanark Road and higher ground. The blocks to the west appear to get access/egress through the centre of the development where there is a potential for flood depths of 100mm. The drawings indicate an emergency access to the west of the building at higher ground and it would be recommended that there is access direct to Lanark Road from this point. Edinburgh Council should satisfy themselves that adequate provision has been made for safe access/egress for the site during a flood event.

1.5 In summary we are now in a position to remove our objection to the proposed development on flood risk grounds, subject to the following planning conditions being imposed:

- o Finished floor levels are set no lower than 61.60m AOD to provide adequate freeboard above the predicted 0.5% annual probability flood level.
- o Compensatory storage is provided in the undercroft of buildings to west of Water of Leith to account for lost volume of storage across site.

## 2. Surface Water Drainage

2.1 The treatment of surface water runoff by sustainable drainage systems (SUDS) is a legal requirement for most forms of development, however the location, design and type of SUDS are largely controlled through planning. As responsible authorities under 2(2) Water Environment and Water Services (Scotland) Act 2003, planning authorities are required to work to prevent deterioration in and promote improvements in Scotland's water environment. Ensuring development sites are serviced with appropriate SUDS is one of the key ways in which SEPA consider planning authorities can discharge these duties. We encourage surface water runoff from all developments to be treated by SUDS in line with Scottish Planning Policy.

2.2 We note the proposals for the treatment of surface water drainage (SUDS) and we can confirm these are acceptable.

Detailed advice for the applicant

## 3. Flood Risk

3.1 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km<sup>2</sup> using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess, flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>.

3.2 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

3.3 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>.

Regulatory advice for the applicant

#### 4. Regulatory requirements

4.1 Any works to the river banks, including reinforcement or alteration, are likely to require authorisation under the Water Environment (Controlled Activities) (Scotland) Regulations 2011. Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office (address provided at the end of this letter).

4.2 Our preference would be that all the technical information required for all permissions and licensing is submitted at the same time as the planning application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application and/or neighbour notification or advertising.

4.3 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office.

#### Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the change of use too purpose built student accommodation and erection of two new high quality, managed student residences, both blocks to have office/reception and communal area with associated facilities at ground floor level, landscaping amenity space and cycle storage.

The site occupies the eastern half of the historic village of Slateford which, as the name suggests, grew up around the historic ford across the Water of Leith at this point. Occupation around such an important ford is likely to have occurred prior to the first reference to the settlement here in the mid-17th century (Stuart Harris Place Names of Edinburgh, 1996) with the road forming main medieval route between Edinburgh &

*Lanark. Little is accurately known about the pre 19th century layout of Slateford, though the 17th and 18th century maps suggest that its main focus was split between the site of its mill on Logie Green Road and on the eastern bank of Water of Leith (the site of the current public house). By the mid-19th century settlement on the western bank had developed with a range of buildings shown occupying this application site on the 1st edition OS map (the remains of which are still seen in the surviving boundary wall fronting Lanark Rd)*

*Mills have existed on the Water of Leith at Slateford from probably the medieval period, with Slateford Waulk Mill first recorded in 1659. This 17th century mill stood on the opposite side of the Lanark Road, too the south of the Union Canal Aqueduct. The western part of this development site is known to overly the remains of the mill-lade associated with this 17th-20th century Mill. Furthermore it is recorded that a sluice gate once stood on the river boundary of the site before disappearing under a development of the car park by late 1980's. The date of the current stone weir is unknown however it is likely to date at least in part to the 17th century given its association with Slateford Mill.*

*The site is regarded as occurring within an area of archaeological significance relating both to the historic Settlement of Slateford and in particular its post-medieval milling industry. As such 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 Policies ENV9.*

#### *Historic Buildings*

*The current site is occupied by a range of buildings and boundary walls which appear to date back in part date back to the 19th century. The proposed scheme will see the demolition of these structures and walls considered to be local archaeological interest, as such their loss is considered as having a significant but acceptable impact subject to their recording. Accordingly if permission is granted it is essential that prior to and during demolition that a detailed historic building survey is undertaken. This will require the production of surveyed phased plans and elevation (interior and exterior) along with detailed descriptions and photographic analysis /survey.*

#### *Buried Archaeology*

*As stated this site is regarded as being of archaeological significance primarily in terms of its post-medieval industrial and settlement archaeology associated with Slateford. The proposed development will require extensive excavations in terms of demolition, construction, landscaping, utilities etc. Accordingly it is recommended that a programme of archaeological excavation is undertaken post-demolition and prior to development.*

*In essence this will see a phased archaeological programme of works, the initial phase being an archaeological evaluation up to a maximum of 10% of both areas. The results of which would allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection of the surviving mill dams/lade and the full excavation, recording and analysis of any further surviving archaeological remains.*

#### *Archaeological Public Engagement*

*Further given the potential importance of these remains in terms of the local Slateford Area and the Water of Leith, it is recommended that the programme of archaeological works contain a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) the scope of which will be agreed with CECAS.*

*Accordingly it is essential that the following condition is attached to this consent to ensure that undertaking of the above elements of archaeological work are undertaken.*

*'No demolition/development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (historic building recording, preservation, excavation, reporting & analysis and 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.*

## **Economic Development**

*The following are comments from the City of Edinburgh Council's City Strategy and Economy service which relate to planning application 15/05401/FUL:*

*Change of use to purpose built student accommodation and erection of two new high quality, managed student residences. Both blocks to have office/reception and communal area with associated facilities at ground floor level, landscaping, amenity space and cycle storage. | 27, 35, 37-39, Lanark Road, Edinburgh, EH14 1TG.*

*Commentary on existing uses*

*Location*

*The site (6507m<sup>2</sup>) proposed for development is 27 - 39 Lanark Road which sits on either side of the Water of Leith (WOL). To the east of the site is the Blue Goose Pub and to the west is Westside Motors. There is a mix of uses in the local area and good access via public transport, as well as the WOL walkway.*

*Jobs*

*Information provided by the applicant suggests that the Blue Goose Pub has been struggling in recent years and could be expected to close soon. If true, this could result in the loss of approximately 8 FTEs.*

*As per the same information, Westside Motors is expected to move to a new location within Edinburgh. The car garage currently supports approximately 6 FTEs.*

*Commentary on proposed uses*

*The applicant proposes to develop purpose built student accommodation (247 beds) on the site across two buildings connected by a public walkway. With an increasing number of students choosing to come to Edinburgh to study, it is important to continue to provide high quality, safe and comfortable accommodation.*

*Economic impact*

*Edinburgh's economic strategy, "A Strategy for Jobs 2012-17" aims to achieve sustainable economic growth through supporting the creation and safeguarding of jobs*

in Edinburgh. A key element of delivering jobs-driven economic growth is the provision of an adequate supply of workplaces.

The proposed development can be expected to support an increase in economic impact in two ways. Firstly, direct employment and secondly, student spending in Edinburgh.

*(1) Direct employment*

The applicant has indicated that the proposed development will support approximately 10 FTEs. During the construction period the proposed development would support approximately 3.7 FTEs. An annual maintenance budget of £160,000 for the accommodation will also contribute to local employment.

*(2) Student spending*

According to a recent study, universities now generate £73 billion in output, an increase of 24% from £59 billion when the last study was published in 2009.<sup>1</sup> There were around 58,000 students attending Edinburgh's four universities in 2012/13; c.16, 000 were international students.

Based on figures from the University of Edinburgh, students in Scotland directly support additional economic output of between £1.18 billion and £2.4 billion.<sup>2</sup>

*Other considerations*

The proposed development has the potential to enliven the area, in the same way that other such developments across the City have done, but would result in the loss of potential retail/business space.

That said the number of FTEs that could be supported by current uses would be slightly less than the proposed development, assuming the information provided by the applicant is correct (14 FTEs are supported by the pub and garage combined but with the pub allegedly likely to close this number would reduce to 6 FTEs - i.e. 4 FTEs less than the proposed development could offer).

*Summary*

The proposed development is likely to attract inward investment and encourage other developers to the City if successful.

There is an ever-growing student community in Edinburgh with various successful developments of purpose built student accommodation across the City in recent years, e.g. Shrubhill, Abbeyhill and Fountainbridge.

With a growing number of students coming to universities and colleges in Edinburgh, it is important to continue to support them by providing high quality accommodation across the City.

The pub currently occupying part of the site is (according to the applicant) likely to close soon, resulting in the loss of around 8 FTEs.

The garage currently on the site is (according to the applicant) due to relocate in Edinburgh, taking with it around 6 FTEs from the local area.

The proposed development would offer approximately 10 FTEs to the local area as well as approximately 3.7 FTEs during construction.

An annual maintenance budget of £160,000 for the accommodation will also contribute to local employment.

Maintaining the current uses on site could result in slightly more FTEs being supported (4) but given the alleged situation of the garage and pub respectively this is unlikely.

## **Environmental Services**

The application proposes erection of two blocks of managed student residences at 27, 35 and 37-39 Lanark Road. The site is divided by the Water of Leith (running north-south) with a licensed restaurant/public house on the eastern half and car garage on

*the western side. The site is bordered on its northern edge by the busy Lanark Road with areas of mature trees along the river to the east and south. A public house is within 5m to the west.*

*Environmental Assessment has concerns with this proposal regarding the potential impact to amenity from noise created by road traffic and the nearby public house. The agent has submitted a noise impact assessment which has measured these noise sources and predicted the likely resulting internal levels. The study finds that road traffic noise will need to be attenuated by a mitigation strategy including enhanced glazing and acoustic ventilation to meet acceptable standards; noise break-out from the public house was found to be of no concern due to the high background level created by road traffic. A condition is recommended.*

*The current (and previous) uses of the site indicate that the land could have become contaminated; the site should therefore be investigated to ensure that it is made safe for the intended end use. A condition is recommended in this regard.*

*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 initial desk study as a minimum) 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 enhanced glazing and ventilation strategy, as detailed in sections 4.6, 4.7 and 4.8 of the RMP Noise Impact Assessment: Lanark Road, Edinburgh (Technical Report No. R-7301-ST1-RGM) dated 22nd December 2015, shall be implemented in full prior to the first use of the blocks as residences. These enhancements are:*

- a. Façades closest to Lanark Road (appendix 2)*
  - i. Glazing of 10/12/6.4mm Stadip Silence or equivalent to provide a minimum value of  $Rw+CTR$  35dB*
  - ii. Passive ventilation to provide a minimum reduction of  $D_{n,e,w}$  41dB*
- b. Façade closest to the Water of Leith (appendix 2)*
  - i. Glazing of 4/12/16mm or equivalent to provide a minimum value of  $Rw+CTR$  28dB*
  - ii. Passive ventilation to provide a minimum reduction of  $D_{n,e,w}$  34dB.*

## **Roads Authority Issues**

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

- 1. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);*
- 2. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;*
- 3. Any gate or doors must open inwards onto the property;*
- 4. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;*
- 5. Any works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits [http://www.edinburgh.gov.uk/downloads/file/1263/apply\\_for\\_permission\\_to\\_create\\_or\\_alter\\_a\\_driveway\\_or\\_other\\_access\\_point](http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point)*
- 6. 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;*
- 7. A welcome pack should be provided for each resident containing a high quality map of the neighbourhood, showing cycling, walking and public transport routes to key local facilities, plus timetables for local buses and trains. The applicant should consider providing at least a month's bus or rail travel vouchers for each resident.*

*Note:*

*Current Council parking standards require between 21 and 42 spaces for the development of 247 student rooms. The applicant proposes to provide 9 spaces. Given the restricted nature of the site, the proximity to public transport, the on-road parking restrictions on roads in the immediate vicinity of the development and the proposed travel plan, this is considered acceptable in this case (i.e. a justification below minimum in accordance with Tra4 (a), (b)&(c) of the ECLP is considered acceptable); There are 'Greenway' restrictions on Lanark Road which prevent parking and loading at certain times. There is no intention to amend these restrictions in connection with this development and the applicant should ensure that the proposed development does not require amendments to the restrictions or layout of the road. It is noted that the submitted drawings do not accurately reflect the existing road layout.*

### *Waste Services*

*Waste and Fleet Services takes no stance either for or against the proposed development but as a consultee would make the following comments:*

*Waste and Fleet Services would expect to be the service provider for the collection of waste as this appears to be a residential development. We are pleased to note that the sustainability section of the application refers to the need for high quality waste management services including recycling, as well as hard standing and access.*

*It is imperative that adequate provision is made for the storage of waste off street, and that cognisance is taken of the need to provide adequate space for the storage of*

*segregated waste streams in line with the Waste (Scotland) Regulations which require the source separation of dry recyclable materials, glass, food, etc.*

*Adequate provision should also be made for the effective segregation of materials within the building not just at the point of collection.*

*Adequate access must also be provided to allow uplift of waste safely from the collection point taking into consideration the traffic flows at this busy location.*

*In view of these factors the developer must contact Waste Services' Community Waste Team at the earliest point to ensure adequate provision of segregated household waste bins, off street storage and access for the refuse collectors.*

## **Flood Prevention**

*In support of the above planning application the Flood Prevention Unit have reviewed the following documents,*

- o Letter from Kaya Consulting 7 March 2016, ref: KC1033, re: CEC and SEPA comments*
- o Letter from Kaya Consulting 18 March 2016, ref: KC1033/MS, re: Compensatory storage*
- o Scott Bennett Associates Drainage Strategy Report November 2015*
- o Goodson Associates Flood Risk Assessment November 2015*

*In order to better inform the planning application process further information is required with respect to drainage.*

- 1. The applicant has not completed a self-certification checklist for this application. This should be completed to provide a summary of the information submitted in support of the application.*
- 2. Please confirm the impermeable area of the proposed development.*
- 3. Please provide microdrainage outputs for all underground pipework including rainfall data, manhole and pipe schedules (to mAOD), pipe surcharge report for all underground pipe connections. The manholes in the calculation should be cross-referenced to the drainage drawing to enable interpretation. The results should include the 30yr, 200 year and 200 yr plus climate change results. Should the model identify flood or flood risk in the system then drawings will be required to indicate where exceedence flow will be directed, how it will be contained within the site and lastly how it will be drained once the event has subsided.*
- 4. Please provide details of the proposed outfalls to the Water of Leith. Prior to construction, details of the proposed outfall to the Water of Leith should be submitted to CEC Flood Prevention so that we can confirm the design is in line with best practice and SEPA's Controlled Activities Regulations General Binding Rules.*
- 5. Climate change allowance shall be applied at 30% as per Sewers for Scotland v3.*
- 6. We would also require the design to include allowance for a high water level in the Water of Leith during the extreme design scenario preventing discharge of drainage. As a result an update of the microdrainage calculations will be required, with the surcharged outfall scenario modelled as worst case for attenuation volume calculation.*

7. As noted by SEPA in section 1.4 of their letter dated 8 April 2016, please demonstrate that safe pedestrian access and egress can be maintained at all times during the 1:200 year plus climate change event.

### **Parks and Greenspace (dated 14/01/2016)**

1. Ownership-The Water of Leith section contained within the provided site plan as proposed as marked in red is actually under the ownership of City of Edinburgh Council. See attached CEC ownership map. Therefore any proposal that impacts on this area would require permission from Parks and Greenspace.

2. Biodiversity and Landscape- The Water of Leith Walkway is a Core Path and runs adjacent to the site, with the land to the south of the proposed development being the Dells. Both would be adversely affected. Their character would be affected due to the inappropriate, position, scale, height and does not provide an attractive frontage to the Water of Leith. Views to the historic aqueduct would be lost from the Core Path. There are several notable species that are present in this area which include:

Otters. These are protected by the EC Habitats Directive, which is transposed into domestic law through the Conservation (Natural Habitats, &c.) Regulations 1994. The latter are hereafter referred to as 'the Habitats Regulations'. Under the Habitats Regulations, otters are classed as "European Protected Species" and therefore given the highest level of species protection. The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007 enhanced this protection such that, in summary, it is now illegal to:

deliberately or recklessly kill, injure or take (capture) an otter

deliberately or recklessly disturb or harass an otter

damage, destroy or obstruct access to a breeding site or resting place of an otter (i.e. an otter shelter)

National Planning Policy Guideline (NPPG) 14 defines Government policy on the natural heritage and land use planning in Scotland, and provides guidance to local authorities on how consideration of these interests should be reflected within the planning system. NPPG 14 states that the presence of a protected species is a material consideration when determining a planning application. Planners and developers are therefore strongly advised to contact SNH as soon as possible if they know of an otter shelter, or of any other significant aspect of otter habitat, which is likely to be affected by their proposals. With regard to the otters these are known to be present in the area and as such I would recommend that a full survey be undertaken in appropriate conditions and that SNH be consulted on the findings.

Kingfishers- All wild birds in the UK are protected under the Wildlife and Countryside Act 1981 (as amended). The kingfisher which is present on the Water of Leith in this section is afforded the highest degree of legal protection under the Schedule 1 of the Wildlife and Countryside Act 1981. It is an offence to take, injure or kill a kingfisher or to take, damage or destroy its nest, eggs or young. It is also an offence to intentionally or recklessly disturb the birds close to their nest during the breeding season. There I would recommend that the area be surveyed, and a mitigation plan be produced if required.

Bats- All bats and their roosts are legally protected in Scotland by the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) - "the Habitats Regulations". The Ecological Assessment that was provided states that the survey was undertaken in November 2015 which is out with the bat roosting period. Therefore due to the known

*presence of bats in the area a further survey should be carried out during the summer months of both the buildings and land/ water area to determine roost locations.*

*At present I feel that further ecological surveying is required to be carried out at the appropriate times to ensure species protection. I also feel that this development is contrary to policy Des 9 of the Edinburgh City Local Plan in that it does not enhance the Water of Leith for nature conservation or landscape interest.*

