

Development Management Sub Committee

Wednesday 22 June 2016

**Application for Planning Permission 16/00700/FUL
At Site 56 Metres West Of 2 Dewar Place, Torphichen Street,
Edinburgh
Erection of Hotel development (Class 7), associated facilities
and ancillary works (as amended).**

| | |
|----------------------|-------------------|
| Item number | 4.5 |
| Report number | |
| Wards | A11 - City Centre |

Summary

The proposal complies with the development plan and, broadly, the principles of the Exchange 2 Masterplan. It will not have an adverse impact on residential amenity or traffic and road safety. The proposals are acceptable in terms of sustainability and preserve and enhance the character and appearance of the conservation area. The proposals are acceptable in all other respects subject to the conclusion of a suitable legal agreement and conditions to address issues described in the report. There are no other material considerations which outweigh this conclusion.

Links

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| <u>Policies and guidance for this application</u> | LPC, CITD1, CITD3, CITD5, CITD6, CITD10, CITE3, CITE6, CITE9, CITE12, CITE16, CITE17, CITE18, CITEM5, CITT1, CITT2, CITT3, CITT4, CITT5, CITT6, CITI6, CITCA1, LDPP, PLDP01, PLDP02, PLDP03, PLDP06, PLDP07, PLDP08, PLDP09, PLDP10, PLDP11, PLDP12, PLDP13, PLDP16, PLDP19, PLDP21, PLDP24, PLDP27, PLDP30, PLDP24, |
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PLDP39, PLDP40, PLDP71, PLDP72, PLDP73,
PLDP87, NSG, NSGD02, NSDCAH, NSLBCA,
NSGSTR, NSART, NSP, OTH, CRPNEW, CRPWHS,

Report

Application for Planning Permission 16/00700/FUL At Site 56 Metres West Of 2 Dewar Place, Torphichen Street, Edinburgh Erection of Hotel development (Class 7), associated facilities and ancillary works (as amended).

Recommendations

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

Background

2.1 Site description

The development site is an area of brownfield land extending to 0.11 hectares. It sits on the corner of Torphichen Street and Dewar Place. Since the demolition of tenements in 1995, the site has been vacant. Railway tunnels run under the north part of the site.

To the north of the site, on the opposite side of Torphichen Street, is the category B listed Torphichen Street Education Centre (date of listing: 5 February 1997, listing reference: LB43888). To the east of the site is the façade of the former Scottish Power Offices, listed category B (date of listing: 23 March 2001, listing reference: LB47721). A mews building, 34 Dewar Place Lane, to the southwest of the site, was demolished in the past year. To the south of Dewar Place Lane are four-storey tenements, their rear gardens and two-storey mews sitting in Dewar Place Lane. A seven-storey office block is to the west. There is a mix of uses in the area, including residential, retail, hotel and commercial uses.

The site is adjacent to the Edinburgh World Heritage Site.

This application site is located within the West End Conservation Area.

2.2 Site History

15 May 2003 - planning permission granted for erection of new-build six storey office building with ancillary car parking (Class 4) (application reference: 02/04566/FUL).

25 February 2010 - the Planning Committee approved the general principles in the Exchange 2 Masterplan. The Masterplan sets out a series of development principles to inform redevelopment of the area which includes the substation at Dewar Place, Conference House and the airspace over the West Approach Road.

6 November 2015 - proposal of application notice approved for erection of hotel (Class 7), associated facilities and ancillary works (planning reference: 15/05132/PAN).

Adjacent site to east, 2 Dewar Place

30 August 2007 - planning permission granted for erection of an electricity substation facility behind retained façade, and construction of a podium deck and pavilion space at roof level (application reference: 07/02421/FUL).

1 October 2007 - demolition of substation building, restoration of Dewar Place façade and construction of a replacement substation facility, podium deck and pavilion space approved (application reference: 07/02421/LBC).

26 October 2010 - amendments to planning permission reference 07/02421/FUL (application reference: 10/02998/PSC).

19 May 2011 - amendments to planning permission reference 07/02421/FUL for construction of an electricity substation development (application reference: 11/01064/FUL).

19 May 2011 - amendments to listed building consent reference 07/2421/LBC for construction of an electricity sub station development (application reference: 11/01064/LBC).

12 April 2016 - proposal of application notice was received for a mixed-use development at 2 Dewar Place (planning reference: 16/01929/PAN).

Main report

3.1 Description Of The Proposal

Scheme 2

The application is for the erection of a nine-storey, 150 bed hotel with associated facilities and ancillary works. The hotel will include a reception area, office and staff areas, bicycle parking and restaurant at ground floor level. Bedrooms are on the upper floors.

The hotel will be accessed by a main pedestrian entrance on Torphichen Street. No car parking will be provided on site. Fifteen cycle parking spaces will be provided at the rear. A delivery and service area which includes recycling and waste storage will be located to the rear, on Dewar Place Lane.

The roof parapet line of the building will be 89.590 metres AOD and the top of the plant screen level will be 90.590 metres AOD. The neighbouring office at 40 Torphichen Street is approximately 86.240 metres AOD.

The building layout will follow the line of Torphichen Street at ground floor level and the upper floors will be angled back. The building will follow the line of Dewar Place on the east. At the rear, the building line follows the existing line of Dewar Place Lane. The proposed hotel is close to, but will not touch, the adjacent building on its west.

The design of the hotel is contemporary. The main external materials proposed are ashlar sandstone on the front (north) and east side elevations, with an ashlar granite

base, and render on the rear and west elevations. Zinc cladding is proposed for the top two storeys, with other metal elements including window frames and fins.

The revised scheme (Scheme 2) was submitted in May 2016. The main changes to Scheme 1 relate to:

- design;
- public realm; and,
- additional cycle parking.

Supporting information

The application has been supported by the following documents:

- Archaeological Assessment;
- Air Quality Assessment;
- Daylight and Sunlight Report, Addendum and Plan;
- Delivery Noise Impact Assessment;
- Design and Access Statement;
- Flood, Drainage and Surface Water Management Plan;
- Flooding Self Certification;
- Flue and Clean Air Information;
- Ecology Assessment;
- Hotel Market Assessment;
- Planning Statement;
- Pre-application Consultation Report;
- Resident Parking Bay Information;
- Sustainability Form;
- Site Investigation Report;
- Swept Path Analyses;
- Transport Statement;
- Tree survey; and,
- Visualisations - 3D.

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

The application was screened for an Environmental Impact Assessment and an Environmental Statement was not required.

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of hotel use is acceptable in this location;
- b) the impact on historic context is acceptable;
- c) the proposal is of an appropriate layout, scale, design and materials;
- d) the proposal is acceptable in terms of neighbouring amenity;
- e) the proposal is acceptable in terms of traffic and road safety;
- f) the proposal meets sustainability criteria;
- g) any impacts on equalities or human rights are acceptable;
- h) there are any other material issues; and,
- i) representations and Community Council comments raise issues to be addressed.

a) Principle

ECLP Policy Ca1 supports development in the central area which maintains and enhances the character, attractiveness, vitality and accessibility of the city centre and contributes to its role as the regional service centre and Edinburgh's role as a capital city. The site is on a principal approach route into the city centre. The proposal would contribute to a variety of existing uses within the immediate locality and help maintain the vitality, attractiveness and diversity within this part of the City Centre. This accords with ECLP Policy Emp 5. The proposed use also complies with Policy Emp 10 of the Proposed Plan as the site is within the urban area and has good public transport access to the city centre.

Economic Development has estimated that the development could directly support approximately 217 jobs and gross value added of £18.5 million per annum (2013 prices). By comparison, it calculates that an office development of the scale of that previously approved for the site could be expected to support 517 jobs and £39.7 million of gross value added per annum if fully let. From an Economic Development perspective, the development of an office building would be preferable on the site, particularly given the growing shortage of grade A office space in Edinburgh. Economic Development recognises, however, that the site has lain vacant for an exceptionally long time; that the rail tunnels running beneath the site add considerable complexity to any development of the site, and that there is a need for additional four star hotel bedrooms in close proximity to the Edinburgh International Conference Centre.

The Hotel Market Assessment submitted by the applicant in support of the application states that there is a diversified and growing demand, combined with a historic and forecast undersupply within the city, of hotel accommodation. The report advises that the proposal site appears to be particularly well located given its centrality, closeness to

the transport interchange (linking to the airport) and next to a major new commercial development.

The Exchange 2 Masterplan principles include taking a mixed-use approach to the masterplan area. While the layout of the development site does not accord with that illustrated in the Exchange 2 Masterplan, it is acceptable in that it makes use of the historic street line and that it will not preclude development in the wider Exchange Area.

In summary, hotel use is acceptable on the site.

b) Historic context

The site is in the West End Conservation Area, which is of mixed character, with a range of building scales and typologies. The West End Conservation Area Character Appraisal describes it as:

'a diverse area with a rich mix of historical period and stages of development. The area is characterised by mixed, residential commercial buildings with the Georgian and Victorian tenements being mainly 4-6 storeys, constructed of stone with slate pitched roofs.

Large scale development has and is taking place, on the margins of the conservation area. Torphichen Street and Canning Street have modern office blocks dating from 1960 - 70s. Some of these buildings are unsympathetic in terms of scale and massing with the rest of the area.'

The New Town Conservation Area lies further to the north and the proposed development would be visible from it. The applicant has provided view information which indicates that, while the development will rise above certain views from The New Town and West End Conservation Areas, the impact will not adversely affect its character.

While the proposal is bigger than the older surrounding buildings, it is similar in scale to the adjacent office buildings, set back from the street and is at the end of the line of buildings in the street, where a slight rise in height is justified.

The use of sandstone on the north and east facades of the proposed building references the sandstone of adjacent tenements. The proposed use of render to the rear ties in with the rear elevations of the adjacent modern buildings. The use of zinc on the top floors of the proposed building will sit well with the traditional grey slated roofs of traditional buildings in the conservation area. The materials are appropriate in quality and character.

The proposal will not have an adverse impact on the character or appearance of either conservation area.

Listed Buildings

There are several listed buildings adjacent to the site. The proposal is bigger in scale than these. Within views from the New Town Conservation Area, the proposal will affect

the viewed roofscape of listed buildings. These views are: Design and Access Statement Viewpoint 1 (Rutland Crescent Lane, Viewpoint 6 (Western Approach Road), Viewpoints 7A, 7B, 7C, 9 (all Atholl Crescent Lane and Viewpoint 10 (Conference Square). The Skyline Study Key Views analysis shows that the proposal is visible from wider viewpoints: Carrick Knowe Railway footbridge and Carrick Knowe Golf Course. However, the proposal will not have an adverse impact on the setting of any listed building as it will not affect unduly the ability of these listed buildings to be understood, appreciated and experience, such as the power station building and school opposite the site.

Edinburgh World Heritage

The Outstanding Universal Value of the World Heritage Site is expressed in the Statement of Significance adopted by the World Heritage Committee of Unesco. Within the context of the site the distinct character of the New Town requires to be considered in the redevelopment of this site. Given the proximity to the Edinburgh World Heritage Site, the Edinburgh World Heritage Trust was consulted but has not responded. The view information submitted by the applicant demonstrates that the proposal will not have an adverse impact on the skyline.

The proposed development will not have any impact on the Outstanding Universal Value of the World Heritage Site.

c) Layout, scale, design, materials

The northern portion of the site lies directly above the twin railway tunnels serving the Edinburgh-Glasgow route. This constraint has a strong influence on how the site may be redeveloped.

The affected key views, as set out in the Edinburgh Design Guidance, have been tested by the applicant in its Design and Access Statement. Local views and conservation area views were also tested. While the building would be visible from some view points from the west, the impact would be minor and acceptable. The scale of the building and its impact on the historic skyline are acceptable in context and in terms of ECLP policy Des 10 (Tall Buildings) and policy Des 11 of the Proposed Plan.

Although the proposed building is higher than adjacent development, this view analysis provided in support of the application demonstrates that the impacts of the height will be acceptable.

The ground floor of the main (Torphichen Street) elevation follows the line of the street. The upper floors are set back at an angle in response to the tunnel constraints and the angled setback echos the line of the adjacent office buildings. The layout follows the line of the existing tenement to the south on Dewar Place and the line of Dewar Place Lane Mews. The proposal's proximity to the neighbouring office building is acceptable. In summary, the layout is a reasonable response to the site constraints and surrounding urban context.

The elevational treatment is acceptable and enhances the public realm at ground floor level. It will be reasonably active and the proposed public art at the main entrance to

the building at ground floor level will improve the sense of place and pedestrian experience. Landscaping is limited, given the site density and constraints.

The canopy between the ground and first floor levels of the north east of the site extends over part of the adopted footpath. However, the canopy should not interfere with the safe passage of pedestrians and is acceptable in terms of design and materials.

The applicant proposes using sandstone, as suggested by the Edinburgh Urban Design Panel, rather than the limestone considered at pre-application stage. The applicant wishes to make good the existing concrete paving within the site boundary, rather than replacing it with natural stone. This is not in the spirit of the Edinburgh Design Guidance and Street Design Guidance which indicate that natural stone would be more appropriate. However, it is not a sufficient reason for refusal. As discussed in section 3.3.b) above, the materials are appropriate in character and quality, generally acceptable and will be controlled by condition to ensure the appropriate quality, given the city centre and historic context.

d) Amenity

Daylighting

The applicant has provided a detailed study of daylighting and sunlighting impacts of the proposal. It shows that, when affected windows are assessed against the Vertical Sky Component (VSC) test, as advised in the Edinburgh Design Guidance (EDG), all but four of the windows tested would have a reduction in the amount of daylight reaching them. Ten windows failed the VSC test.

The dense urban context justified the applicant in assessing those ten windows further, using the ADF (Average Daylight Factor), as provided for in the EDG. The applicant's assessment states that two windows failed the ADF test; the ground floor kitchen at 174 Morrison Street and a living/kitchen/ dining room at ground floor level at 29-31 Dewar Place Lane. In both cases, the overall loss of daylight to those two windows would be marginally over the level at which occupants notice a reduction in daylight. The percentage reductions are 20.12 per cent and 20.73 per cent respectively. In the historical and dense urban context the impact on daylighting will be acceptable

Sunlight

There is a garden area to the rear of 174 Morrison Street. The applicant has submitted information stating that there will be no impact in terms of overshadowing. In relation to the 45 degree method set out in the Edinburgh Design Guidance, there is a slight infringement with the development rising approximately nine metres above the 45 degree line. Given that it is to the north of neighbouring residential properties, the loss of sunlight will be limited. The infringement is largely limited to the garden next to the gable of the tenement in Dewar Place. The impact is acceptable.

Privacy

The buildings are sufficiently far away as to cause no adverse impact on privacy of neighbouring housing.

Noise

The applicant has submitted a noise impact assessment. It focuses on the delivery operations and their potential impacts on the nearby residential properties. The assessment concludes that noise from delivery activities is not expected to result in any adverse impact on the nearest residential properties. This conclusion is accepted.

The proposal will not have a materially adverse impact on amenity.

e) Traffic, road safety

Parking

As the proposed development will be well served by public transport and within walking distance of Haymarket Station, bus routes and tram stops, amenities and the financial district, no site car parking is proposed. That is acceptable in this location. The full number of ground level cycle parking spaces specified in the Council's Parking Standards (15) will be provided on site. All of the cycle parking spaces are located to the rear of the hotel. While wider site distribution of cycle spaces is sometimes sought, given the limited public realm and hotel entrance configuration, rear cycle parking is acceptable.

Servicing

Car and taxi drop off is intended to be adjacent to the main entrance on Torphichen Street. The existing parking restrictions on Torphichen Street permit loading. Therefore, any coaches associated with the proposed hotel would be able to use these areas to load and unload passengers. The bus stand is not to be used for coach parking for the hotel. Goods servicing and refuse collection will be from Dewar Place Lane. The application proposes a loading bay, suitable for an articulated lorry, on Dewar Place Lane. The applicant has confirmed that a servicing management plan will be prepared for the development. This will ensure that any large HGV deliveries make use of the on-street loading areas on Dewar Place. All other deliveries will be directed to use the servicing/ loading area being created on Dewar Place Lane.

Relocation of existing resident and motorcycle parking bays currently marked to the rear of the site will be needed to allow service access at the rear of the hotel. No undue traffic congestion is anticipated to be generated by the development. Environmental Assessment did not raise air quality as an issue of concern.

Road Safety

The proposal does not raise any road safety issues.

Developer Contributions

ECLP Policy Tra 3 (Tram Contributions) states that, where the tram network will help to address the transport impacts of a development, a financial contribution will be sought towards its construction and associated public realm works. The site is within Zone 1 of the tram corridor and a tram contribution of £461,000 is payable. This can be secured by a legal agreement and an informative to this effect is recommended.

The cost of promoting and implementing any necessary amendments to Traffic Regulation Orders is also sought. This can be secured by a legal agreement and an informative to this effect is recommended.

Subject to suitable developer contributions, impacts on transport are acceptable.

f) Sustainability

The applicants have submitted a sustainability statement in support of the application.

| | Essential Criteria Available | Achieved |
|----------------------------------|------------------------------|----------|
| Section 1: Energy Needs | 20 | 20 |
| Section 2: Water Conservation | 10 | 10 |
| Section 3: Surface Water run-off | 10 | 10 |
| Section 4: Recycling | 10 | 10 |
| Section 5: Materials | 30 | 30 |
| Total Points | 80 | 80 |

Desirable Elements

In addition, the applicant has given a commitment to the inclusion of additional sustainability measures, described as 'desirable elements'. The additional measures are: no tropical hardwood will be used and timber will be sourced locally.

The proposal complies with the requirements of the Edinburgh Design Guidance.

g) Equalities and human rights

The hotel includes internal lifts. Potential negative impacts from construction works will be temporary and limited in nature. The proposal is likely to have a neutral impact on equalities and human rights. An Equality and Human Rights Assessment is available to view on the Planning and Building Standards Online Service.

h) Other issues

Flooding and Drainage

SEPA and Scottish Water were consulted and do not raise objection to the proposal. The applicant has provided third party certification of the flooding and drainage proposals for the site. The Council's Flooding Team has no further comment.

Airport

Edinburgh Airport has been consulted and has raised no objections to the proposal, subject to the imposition of conditions regarding Bird Hazard Management and details being submitted of the Sustainable Urban Drainage Schemes (SUDS) measures to protect the safe movement of aircraft and the operation of Edinburgh Airport.

Natural Heritage

The applicant has submitted an Ecology Report which indicates that there are no reasons in relation to ECLP Policy 16 (Species protection) that this application should not be granted.

The tree cover is self-seeded growth of pioneer trees and shrub species. They do not make any significant contribution to the streetscape or urban landscape. They are not worthy of retention and should be removed to permit development work.

i) Representations and Community Council comment

The application was subject to a pre-application consultation exercise. A pre-application consultation report is available to view on Planning and Building Standards Online Service. The application was advertised on 26 February 2016 and the revised scheme re-advertised on 6 May 2016. Six letters of representation were received, five objecting and one supporting. The letters raise the following material issues:

Support

- Good to see long-time vacant, derelict site used - addressed in section 3.3. a) and found use justified;
- Use compatible with development plan for area - addressed in section 3.3. a) and found use acceptable;
- Use would support conference centre - addressed in section 3.3. a) and found use acceptable; and,
- Near Haymarket transport hub, therefore little car/coach traffic likely - addressed in section 3.3. e) and found transport implications acceptable.

Objection

- Use - addressed in section 3.3. a) and found acceptable;
- Most important view is travelling east along Torphichen Street- 3D context views provide, including along Torphichen Street. Views addressed in section 3.3. b) and found acceptable;
- Adverse impact on 'sightlines, including across city, conservation area, listed building streets - addressed in section 3.3.b) and found acceptable;
- Too high for context - addressed in sections 3.3.b) and c) and found acceptable in context;
- Layout design and external space treatment contrary to local plan policies. High walls, busy corner, no enhancement of outside spaces, unfriendly, dark, windy - addressed in section 3.3. c) and found broadly acceptable;

- Traffic, parking and related safety issues - addressed in section 3.3. e) and found acceptable;
- Amenity issues - addressed in section 3.3. d) and found acceptable.

Non-material

- Safety risk to/from tunnels - Network Rail was consulted and did not raise an objection to the proposal. Structural stability is an engineering issue, rather than a planning matter; and,
- Anti-social behaviour - is a matter for Police Scotland.

Community Council

The West End Community Council, a statutory consultee, commented on the application scheme. It supported some aspects of the proposal and objected to others. It said that opinion on the suitability and scale of this proposal varies in the community. The comments are summarised as follows:

Support

- Design of Torphichen Street frontage - addressed in section 3.3. c) and found suitable; Use of sandstone, granite etc. to reflect the prevailing Georgian/Victorian heritage - addressed in section 3.3.b and c) and found positive;
- Application is thorough; and,
- Proposal would bring into use a site that has lain derelict for around 30 years - addressed in section 3.3.a) and is a positive aspect.

Objections

- Height - addressed in section 3.3 b) and c) and found height acceptable;
- Transport impacts - addressed in section 3.3. e) and found acceptable; and,
- Notes that there is a fear that the residential character of the area is being eroded with a continuous bank of hotels on the west side of Torphichen Street - addressed in section 3.3. a and use found acceptable on balance.

Non-material

- Residents have concerns about structural stability of tunnels - Network Rail was consulted and did not raise an objection to the proposal. Structural stability is an engineering issue, rather than a planning matter.

Conclusion

The proposal complies with the development plan and, broadly, the principles of the Exchange 2 Masterplan. It will not have a materially adverse impact on residential amenity or traffic and road safety. The proposals are acceptable in terms of sustainability and preserve and enhance the character and appearance of the conservation area. The proposals are acceptable in all other respects subject to the conclusion of a suitable legal agreement and conditions to address issues described in the report. There are no other material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

1. No development shall take place until the applicant has secured the implementation of a programme of archaeological work (excavation, historic building recording reporting and analysis, publication), in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
2. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
3. Prior to the construction of the building on site, details of the proposed materials to be used in the external construction of the building shall be produced as on-site sample panels, no less than 1.5m x 1.5m, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship, and these shall be subject to the written approval of the Head of Planning and Transport. Thereafter those materials shall be used in the construction of the building unless otherwise first agree in writing by the Head of Planning and Transport.
4. 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' attached
 - 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
5. 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.

6. Prior to the first occupation of the development, the cycle parking, as identified on plan 05A shall be provided in full.
7. Prior to the first occupation of the development, details of the proposed public art, as identified on plan 11A shall be subject to the written approval of the Head of Planning and Transport. Thereafter, that public art shall be incorporated into the external fabric of the building prior to the first occupation of the building unless otherwise first agreed in writing by the Head of Planning and Transport.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

3. In order to enable the planning authority to consider these matters in detail and to ensure that an appropriate form and quality of materials and development is achieved for this site.
4. 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.
5. 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/>).
6. In order to ensure that the level of off-street parking is adequate.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. The applicant will be required to enter into a suitable legal agreement in respect of the following:
 - Tram contribution - (£461,000) and
 - The cost of promoting and implementing any necessary amendments to Traffic Regulation Orders.

Legal agreements should normally be concluded within six months of the Committee date. If no significant process has been made to conclude the agreement within four months of the Committee date, the application will be returned to Committee.

3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
5. The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

6. For the duration of development, between the commencement of development on the site until its completion, a notice shall be: displayed in a prominent place at or in the vicinity of the site of the development; readily visible to the public; and printed on durable material.
7. For the avoidance of doubt, notwithstanding the reference to signage on the application drawings, express advertisement consent would be required for the signage.
8. The incorporation of swift nesting sites/swift bricks into the scheme is recommended. Further details on swift bricks can be found at www.edinburgh.gov.uk/biodiversity

Financial impact

4.1 The financial impact has been assessed as follows:

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

The Council sold the site in January 2016 and retains a financial interest in the site development.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was neighbour notified 19 February 2016. It was advertised on 26 February 2016. Six letters of representation have been received, five objecting and one supporting.

The West End Community Council, a statutory consultee, commented on the application scheme. It supported some aspects of the proposal and objected to others. A full assessment can be found in section 3.3.i) of the main report.

Background reading / external references

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

**Statutory Development
Plan Provision**

The development plan for the site comprises the South East Scotland Strategic Development Plan (SESplan) (June 2013) and the Edinburgh City Local Plan (ECLP) (January 2010).

The SESplan sets out a spatial strategy which recognises existing development commitments and promotes a sustainable pattern of growth. The strategy promotes economic growth and anticipates that significant contributions to business land requirements being met in Central Edinburgh.

The Edinburgh City Local Plan identifies the site as within the Central Area and a Conservation Area.

The Second Proposed Local Development Plan identifies the site as within the City Centre and a Designated Conservation Area.

Exchange 2 Masterplan - Masterplan principles approved by Committee in February 2010.

The site is within the City Centre Southern Arc Area Development Framework, which was approved by Planning Committee in March 2012.

Date registered 16 February 2016

Drawing numbers/Scheme 01A -13A, 14-17,

John Bury

Head of Planning & Transport
PLACE
City of Edinburgh Council

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Links - Policies

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

Policy Des 10 (Tall Buildings) sets out criteria for assessing proposals for tall buildings.

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

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

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

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

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

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

Policy Emp 5 (Hotel Development) sets criteria for assessing sites for hotel development.

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

Policy Tra 2 (Planning Conditions and Agreements) requires, where appropriate, transport related conditions and/or planning agreements for major development likely to give rise to additional journeys.

Policy Tra 3m (Tram Contributions) requires contributions from developers towards the cost of tram works where the proposed tram network will help address the transport impacts of a development.

Policy Tra 4 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in supplementary planning guidance, and sets criteria for assessing lower provision.

Policy Tra 5 (Private Cycle Parking) requires cycle parking provision in accordance with levels set out in supplementary guidance.

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

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

Policy Ca 1 (Central Area) sets criteria for assessing development in the Central Area.

Relevant policies of the Proposed Local Development Plan.

Second Proposed LDP Policy Del 1 (Developer Contributions) identifies the circumstances in which developer contributions will be required.

Second Proposed LDP Policy Del 2 (Retrospective Developer Contributions) identifies developer contributions will be sought for the tram network and other infrastructure identified in the Action Programme.

Second Proposed LDP Policy Del 3 (City Centre) sets criteria for assessing development in the city centre.

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

Second Proposed LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

Second Proposed LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

Second Proposed LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

Second Proposed LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

Second Proposed LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

Second Proposed LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

Second Proposed LDP Policy Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

Second Proposed LDP Policy Des 11 (Tall Buildings - Skyline and Key Views) sets out criteria for assessing proposals for tall buildings.

Second Proposed LDP Policy Env 1 (Old and New Towns World Heritage Site) protects the quality of the World Heritage Site and its setting.

Second Proposed LDP 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.

Second Proposed LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

Second Proposed LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

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

Second Proposed LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

Second Proposed LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

Second Proposed LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

Second Proposed LDP Policy Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

Second Proposed LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

Second Proposed LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

Second Proposed LDP Policy RS 6 (Water and Drainage) sets a presumption against development where the water supply and sewerage is inadequate.

Relevant Non-Statutory Guidelines

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

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

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

Non-statutory guidelines - EDINBURGH STREET DESIGN GUIDANCE - Edinburgh Street Design Guidance supports proposals that create better places through the delivery of vibrant, safe, attractive, effective and enjoyable streets in Edinburgh. It sets out the Council's expectations for the design of streets and public realm.

Non-statutory guidelines 'ART IN PUBLIC PLACES' set out good practice to ensure that contemporary art works match the quality of the past, and enhance and contribute to the environment.

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

Other Relevant policy guidance

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

World Heritage Site

The historic centre of Edinburgh, including the medieval Old Town and the Georgian New Town, was inscribed on the United Nations Education, Scientific and Cultural Organisation's (UNESCO's) List of World Heritage Sites in December, 1995. This represents international recognition that the Site is of outstanding universal value.

The organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town together with the outstanding historic buildings are fundamental characteristics of the World Heritage Site. All proposals affecting the plan form or historic buildings, including their setting, will be considered for their impact on their design integrity.

Appendix 1

Application for Planning Permission 16/00700/FUL At Site 56 Metres West Of 2 Dewar Place, Torphichen Street, Edinburgh Erection of Hotel development (Class 7), associated facilities and ancillary works (as amended).

Consultations

Archaeology - response dated 24/02/2016

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the erection of hotel development (class 7), associated facilities and ancillary works

The site lies at the eastern end of Dewar Place and Torphichen Street, directly over the early Victorian mainline Railway Tunnels feeding Waverly Station. As detailed in AOC's accompanying Desk-Based Assessment (DBA) the site was developed throughout the 19th century by tenements and commercial/light industrial units, the basement remains of still survive on site today. The site may also occur within the area associated with the medieval settlement of Castle Barnes recorded as being situated along/close to present day Morrison Street.

Accordingly this site has been identified as occurring within an area of archaeological potential. This application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh City Local Plan (2010) policy ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Historic Buildings

This scheme will require the demolition of the surviving remains of 19th century tenements and industrial / commercial buildings currently occupying the site. These structures are in my opinion regarded as being of local archaeological significance. Accordingly their loss through demolition must be considered as having a significant, adverse archaeological impact but one which is considered to be acceptable provided that appropriate mitigation is undertaken in order to provide a permanent record. Accordingly it is recommended that an archaeological historic building survey (level 2: phased plans and elevations, photographic and written survey) of these surviving walls is undertaken prior to and during demolition..

Buried Archaeology

The proposed scheme will also require extensive ground breaking works relating to proposed demolitions and construction. Such works may disturb significant archaeological remains relating to the 19th century development and use of the site

and potential earlier medieval remains associated with Castle Barns settlement. It is therefore essential that a programme of archaeological excavation is undertaken during demolition & development in order to fully excavate, record and analysis any significant remains affected by demolition & construction.

If consent is granted, it is recommended that a programme of works be secured using the following condition as follows;

'No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, historic building recording reporting and analysis, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

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

Economic Development - response dated 22/02/2016

The following are comments from the City of Edinburgh Council's City Strategy and Economy service which relate to planning application 16/00700/FUL for the creation of a 150 bedroom hotel (class 7) on Torphichen Street, Edinburgh.

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.

Commentary on existing uses

The site in question is a 0.1 hectare plot bounded by Torphichen Street to the north, Dewar Place to the east, Dewar Place Lane to the south, and 40 Torphichen Street to the west. The site is currently vacant and therefore does not support any employment. The surrounding area is primarily a mix of office and residential units. The site lies within the Exchange District, in close proximity to numerous financial and professional services companies, the Edinburgh International Conference Centre and Haymarket rail station. To the east of the site across Dewar Place is the ScottishPower substation site, one of the Edinburgh 12: 12 strategically important regeneration sites in central Edinburgh. Previous proposals for the development of this site incorporated the plot of land in question. However, it is understood that the current proposals for the site do not encompass the plot in question.

The site has lain vacant since the mid-1990s. Any development of the site is constrained by the two railway tunnels running beneath the northern half of the site which place restrictions on the load that can be placed on this part of the site.

There is a growing shortage of office space in Edinburgh due to a combination of rising demand, a sluggish development pipeline and the loss of older stock from conversions

to other uses, along with a growing shortage of viable development sites in the city centre. The site in question would be well located for an office development given its location within the Exchange District. Planning consent has previously been granted for a 3,876m² office building on the site (02/04566/FUL). An office development of this scale could, if fully let, directly support approximately 323 full-time equivalent jobs. Taking multiplier effects into account would give a total impact of 517 full-time equivalent jobs. Based on average gross value added per worker for workers in office-based sectors (information and communication; financial and insurance; property; professional, scientific and technical services; and business administration and support services) £81,894 the 323 direct jobs could be expected to directly support GVA of approximately £26.5 million per annum (2014 prices). Taking multiplier effects into account would give a total impact of £39.7 million of GVA per annum (2013 prices).

Commentary on proposed uses

Class 7 Hotels and hostels

The development as proposed would deliver a 150 bedroom hotel (class 7).

While an operator has not been named, the applicant has indicated that the hotel would be "four star". Based on average employment densities, a hotel of this scale and calibre could be expected to support approximately 120 full-time equivalent jobs. Taking multiplier effects into account would give a total impact of 152 full-time equivalent jobs. Based on average gross value added per worker for workers in the accommodation sector (£29,948), the 120 jobs could be expected to directly support GVA of approximately £11.3 million per annum (2013 prices). Taking multiplier effects into account would give a total impact of £17.0 million of GVA per annum (2013 prices).

Additionally, the hotel could be expected to support further employment and economic output via expenditure in Edinburgh by visitors staying in the hotel. Assuming an average occupancy rate of 80%, the hotel could be expected to host approximately 43,800 visitor bed-nights per annum. Visitors to Edinburgh spend an average of £92.48 per day (as of 2014). Data from the Edinburgh Visitor Survey suggests that approximately 57% of this expenditure would be made outwith the hotel, representing annual expenditure by guests of the hotel of £1.0 million on eating and drinking; £0.7 million on shopping; £0.4 million on entertainment; and £0.2 million on travel and transport. It is estimated that this expenditure could be expected to directly support 50 jobs and £1.0 million of GVA per annum (2013 prices). Taking multiplier effects into account would give a total impact of 65 jobs and £1.5 million of GVA per annum (2013 prices).

This would give a total projected economic output for the hotel of 217 jobs and £18.5 million of gross value added per annum (2013 prices).

It is noted that there is a requirement for additional four star hotel bedrooms within easy walking distance of the Edinburgh International Conference Centre. The location of the hotel is exceptionally well located to provide accommodation for delegates attending events at the EICC.

It is not clear from the application whether the 82-cover restaurant area will be open to members of the public. A public-facing use such as this would help to animate Dewar Place and complement development of the nearby ScottishPower substation site. If the restaurant is to be open to members of the public, it is suggested that there would be merit in creating an additional entrance to the hotel on Dewar Place, enabling customers to directly enter the restaurant from Dewar Place rather than having to enter on Torphichen Street and move through the hotel to the restaurant.

SUMMARY RESPONSE TO CONSULTATION

It is estimated that the development as proposed could directly support approximately 217 jobs and gross value added of £18.5 million per annum (2013 prices). By comparison, it is calculated that an office development of the scale of that previously approved for the site could be expected to support 517 jobs and £39.7 million of gross value added per annum if fully-let. From an economic development perspective, the development of an office building would be preferable on this site, particularly given the growing shortage of office space in Edinburgh.

It is recognised, Planning Consultation however, that the site has lain empty for an exceptionally long time; that the rail tunnels running beneath the site add considerably complexity to any development of the site; and that there is a need for additional four star hotel bedrooms in close proximity to the Edinburgh International Conference Centre. It is noted that opening the restaurant area to members of the public could help animate Dewar Place and that creating an additional entrance on Dewar Place could make the restaurant more accessible.

This response is made on behalf of City Strategy and Economy.

Edinburgh Airport - response dated 02/03/2016

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' attached*
- 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.

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Edinburgh Airport Airside Operations staff. In some instances it may be necessary to contact Edinburgh Airport Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Scottish Natural Heritage before the removal of nests and eggs.

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.

Environmental Assessment - response dated 05/05/2016

The proposal is to develop a 150 bedroom hotel with associated front of house services (restaurant/bar/lounge/library). The proposed delivery and service area will be located to the rear of the building and accessed via Dewar Place Lane.

The application site is located on the corner of Torphichen Street and Dewar Place and is currently vacant. To the north of the site, on the opposite side of Torphichen Street, is an Education Centre. The site is bound to the south by Dewar Place Lane which contains a number of mews style properties in residential and office use. To the west and east of the site, across Dewar Place are offices. The main railway tunnels from Haymarket to Waverley lie beneath the northern section of the site.

The applicant has submitted a supporting noise impact assessment which has focused on the delivery and service operations and their potential impacts on the nearby residential properties. This assessment has demonstrated that this operation will not have an adverse impact on the amenity of the existing residents. No mitigation measures are required however Environmental Assessment will recommend an informative is attached to any consent to ensure that the applicant is aware of the appropriate noise criteria for any proposed plant.

The applicant has also submitted details on the proposed kitchen extract system that confirms the kitchen extract terminates at a high level and that an adequate number of air changes can be achieved. Environmental Assessment will recommend a condition is attached to any consent to ensure that amenity is protected. Additionally the applicant has also submitted a Chimney Height Calculation which confirms that an appropriately sized flue serving the energy plant will comply with the Clean Air Act.

The applicant has submitted a Site Investigation Report which is currently being assessed by Environmental Assessment. Until this has been completed Environmental Assessment recommends that a condition is attached to ensure that contaminated land is fully addressed.

Therefore Environmental Assessment offers no objection subject to the following conditions;

1. Prior to the use being taken up, the extract flue and ventilation system, capable of 30 air changes per hour, as show on drawing no. BSRF (57)1001 dated 18 February 2016 should be implemented.

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

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

and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

Informative;

1. The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment.

Edinburgh Urban Design Panel report dated 25 Nov. 2015

Executive Summary

REPORT

of meeting held at the City Chambers on 25 Nov. 2015

The proposal for review is the redevelopment of a prominent vacant corner site situated at the junction of Tophichen Street and Dewar Place, Edinburgh.

The Panel welcomed the opportunity to review the proposal at this early stage of the design process.

The Panel supported the general design strategy and approach, particularly the proposed form of the building and the response to the technical constraints posed by the presence of the railway tunnels

It is noted that the designs are at an early stage of development, and recommendations are made in relation to the further consideration of the scale and height of the building in relation to key views, the architectural detailing of the building, the use of material finishes including the use of Scottish Sandstone, the design expression of the entrance lobby, the details of the public realm and soft landscape elements and servicing issues.

Main Report

1 Introduction

1.1 *The application site is situated at the east end of Torphichen Street and is bounded by Dewar Place to the east and Dewar Place Lane to the south.*

1.2 *The site was originally developed with stone tenements which suffered from subsidence and were demolished in 1995, leaving a vacant site for the last 20 years.*

1.3 *The current proposal is for a 150 bedroom four star hotel without parking. The hotel would comprise ground floor with reception area plus eight levels of bedroom accommodation.*

1.4 *The site is located in the West End Conservation Area. The Edinburgh World Heritage Site is situated immediately to the north with the boundary formed by Torphichen Street.*

1.5 *A number of listed buildings are situated in the immediate vicinity of the site. They include the Category B listed, Scottish Power buildings at No.2 Dewar Place to the east, the Category B listed former Torphichen Street Education Centre to the north and 3-25 (Odd nos.) Torphichen Street tenements situated to the north west. Other buildings include a west corner of the site.*

1.6 *The northern portion of the site lies directly above the twin tunnels of the Edinburgh Glasgow railway line. This has a significant effect on how the site may be redeveloped.*

1.7 *The site is located in the Central Area in both the Edinburgh City Local Plan (ECLP) and Second Proposed Edinburgh Local Development Plan (LDP).*

1.8 *This is the first time that the proposals have been reviewed.*

1.10 *No declarations of interest were made by panel members.*

1.11 *This report should be read in conjunction with the pre meeting papers which include an overview of the proposals, contextual and site analysis and preliminary design proposals.*

1.12 *This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations who are represented at the Panel forming a differing view about the proposals at a later stage.*

2 Proposed Uses

2.1 *The Panel queried the principle of the proposed hotel use with recent conflicting evidence in terms of hotel space required within Edinburgh. However this use type would be compatible with current planning policy. The client operates another recently completed hotel in the locality has confidence on the commercial viability of the site for this type of use*

3 Design Concept and Strategy

3.1 *The Panel noted that the site is heavily constrained due to the presence of railway tunnels beneath the site. This results in a 3 metre clearance around the tunnels and will limit the multi storey elements of the building including the height and overall*

level of development to the north western part of the site. In response to this, the Panel enquired whether legal avenues could be further explored to establish whether other approaches could be taken. However, the design team advised that Network Rail are reluctant to allow this and it would appear that any right to support buildings over the tunnels has now lapsed. The Panel felt that given these constraints, the proposal could represent a good technical solution for the site, this also responding to adjacent building lines and providing interest to the articulation of the building.

3.2 The design team see the site as being transitional in terms of scale responding to Dewar Place to the east, Exchange Tower to the north east, office blocks to the south west. The current proposal would include a ground floor with 8 levels of accommodation above (with 2.85 metre floor to ceiling height). The two upper storeys would be setback from the principle frontage, with a stepped arrangement being pursued to the rear to optimise daylighting to residential properties behind. Some members of the Panel expressed concern regarding the overall height of the building, although considered the general form of the proposal to be acceptable. They also recognised the particular economic issues and constraints of developing the site.

3.3 The Panel suggested that the impact on daylighting to surrounding buildings should be further assessed and modelled. This may influence the form of the building.

3.4 The Panel noted the key viewpoints being assessed to establish the overall impact of the proposals and felt these would be acceptable. The relationship of the proposal with the Exchange 2 development needs to be further considered.

an area where an 'event' could take place, this also countering the geometric form of the main building. The Panel made a number of suggestions in relation to this including use of the area as a roof terrace, location for public art or a green roof feature.

3.6 The Panel welcomed the positioning of the hotel lobby at ground floor level, particularly the contribution this could make to activity levels within the adjacent streets. However, the Panel enquired whether it would be feasible to allow greater inter-visibility through the building with the street opposite.

3.7 The Panel commented on the presence of the derelict building on Dewar Place Lane and whether this could be incorporated into the proposed scheme. However, the design team stated that has been examined but of little consequence if this is excluded from the scheme.

3.8 The Panel queried whether the project could be taken forward with stronger environmental credentials and suggested these aspects should be developed further.

4 Architectural Design, Detailing and Materials

4.1 The Panel expressed a mixed view on the proposed architectural form and detailing.

Some members of the Panel felt the approach could offer a calm urban form which could integrate into the urban structure, with quality achieved through a high standard of detailing. However, others felt that the current approach was uninspiring and too safe. Given the prominence of the site, the Panel enquired whether the site could present a bolder design response and scope for innovation, including the use of materials such as copper or concrete.

4.2 The Panel also commented that the West End Conservation Area is of mixed character with a range of building scales and typologies. There are also a number of listed buildings of distinctive character in the vicinity of the site including the Ebenezer McRae designed flat roofed tenement to the south and red sandstone building fronting Dewar Place to the east. The presence of these buildings could suggest further opportunities in terms of architectural response and innovation.

4.3 The design team outlined that Limestone was being considered for the stone cladding to the elevations with patinated zinc to the roof elements. The Panel expressed concern to the use of Limestone in this context and felt that if a stone cladding was to be pursued on this site this should be Scottish sandstone. The carbon footprint of the building should be considered in terms of importing Limestone versus more locally sourced stone. The Panel considered that the use of sandstone would have little impact on economics of city centre hotel rooms.

4.4 The Panel commented that the detail of the proposed stonework, e.g. corncicing and copes, requires careful consideration as part of the design development, with numerous Edinburgh examples of failures with stonework.

4.5 The Panel welcomed the use of double height glazed elements to the elevations, this countering the squat proportions which could result to the elevations were individual floor heights to be expressed. However, the Panel commented on the lack of depth and articulation within the façade and this would benefit from further design development.

4.6 The Panel also expressed concern to the lack of articulation to the prominent corners of the building at Torphichen Street and Dewar Place Lane. The Panel enquired whether the stair tower to the south west corner of the building could be glazed, possibly incorporating the use of architectural lighting.

5 Transport and Public Realm

5.1 The Panel enquired whether a greater area could be devoted to public realm around the perimeter of the building, thus providing 'breathing space', greater potential for activity and a stronger public face to the building. The relationship between internal environment of the building and external public realm will be further considered as part of the design development.

5.2 The Panel commented on the absence of greenery and planting in the proposals and whether this could be further considered as an intrinsic part of the design.

5.3 The Panel noted that no parking provision is included within the proposal due to the site being very well served by public transport. The design team stated that although no transportation studies have been undertaken to date, it is considered the

cost of creating parking on this site would be uneconomic and the proposed hotel use could function without dedicated parking space.

5.4 The Panel noted that the site would be serviced via the lane to the rear with a vehicle pick-up/drop off being situated on Torphichen Street. The Panel stated that further details need to be provided in relation to servicing with consideration to how this will impact upon the quality of the adjacent street environment.

6 Recommendations

6.1 In developing the design, the Panel supports the following aspects and therefore advocates that these should remain in the proposals:

- o The proposed form of the building and the response to the technical constraints posed by the presence of the railway tunnels.*

6.2 In developing the proposals the Panel suggests the following matters should be addressed:

- o The proposed height and scale of the building and impact in relation to key views, particularly the proposed Exchange 2 development to the east.*

- o The impact of the proposed height, scale and form of the building in relation to surrounding buildings.*

- o That Scottish Sandstone should be used in place of Limestone for the external stone cladding to the building*

- o That other high quality material finishes, appropriate to the context of the site, should be further considered for the project*

- o The architectural detailing of the building including the articulation to façades, the corners of the building and prominent end gable to Dewar Place Lane*

- o The design expression and function of the single storey entrance lobby including the roof area*

- o The design of public realm and the relationship with the interior of the building*

- o The use of green landscape elements as an intrinsic part of the design*

- o The environmental credentials of the project*

- o The impact of servicing to the site including deliveries and pick-up/drop off arrangements*

Flood Prevention - response dated 21/04/2016

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

- o "Flooding, Drainage and Surface Water Management Plan" February 2016*
- o Letter to the applicant dated 24/02/2016 regarding the flooding self-certification scheme*

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. The calculated on-site storage is based on site area rather than impermeable area - please revise accordingly.*
- 3. CEC Flood Prevention request a discharge rate equal to the 2 year Greenfield runoff rate or 4.5 l/s/ha is used, whichever is smaller. The applicant proposes an outflow control device of 33mm diameter. As per Sewers for Scotland Third Edition the outflow control must not be smaller than 75mm in diameter.*
- 4. 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.*
- 5. Please specify the relevant region used for Microdrainage calculations, should be FSR Rainfall model - Scotland and Ireland.*
- 6. Please provide a network design table within the Microdrainage calculations, including .*
- 7. Climate change allowance should be 30% as per Sewers for Scotland v3.*
- 8. Please identify existing and proposed surface water flow paths on drawings. This can be achieved by taking the existing site survey and over-marking arrows to denote falls and then completing the same with the post-development arrangement. This should include runoff from outwith the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system. The purpose of these drawings is twofold. Firstly to understand if there is any significant re-direction of surface flows to surrounding land and secondly to identify if surface water will flow towards property entrances.*
- 9. Please provide a drainage plan indicating the layout of the proposed drainage network.*
- 10. Please stipulate who will adopt and maintain the surface water network, including any SUDS.*

Flood Prevention - response dated 07/06/2016

Flood Prevention has no further comments on this application.

Police Scotland - response dated 15/03/2016

We would welcome the opportunity for one of our Police Architectural Liaison Officers to meet with the architect to discuss Secured by Design principles and crime prevention through environmental design in relation to this development.

Roads Authority - response dated 21/4/2016

No objections to the application subject to the following being included as conditions or informatives as appropriate:

- 1. Consent should not be issued until the applicant has entered into a suitable legal agreement to:
 - a. contribute the sum of £461,000 to the Edinburgh Tram (based on 150 bedrooms in Zone 1);*
 - b. contribute the sum of £2,000 to progress a suitable order to amend and allocate residents' parking spaces, motorcycle spaces and waiting and loading as necessary to accommodate servicing. The works to amend the parking referred to is to be at no cost to the Council;*
 - c. provide a draft travel plan prior to first occupation and a final travel plan within 12 months of that date;**
- 2. Cycle parking to be provided in line with current Council standards (1 per 10 bedrooms plus space at main entrance). The number, design, specification and location to be to the satisfaction of the Head of Planning and Transport. The location, layout, type and number of the proposed 6No. spaces is not acceptable;*
- 3. Any gate or doors must open inwards onto the property;*
- 4. Any works to the footway etc. must be carried out under permit and in accordance with the specifications. The applicant should note that the provision of trees within the footway is not approved at this stage and must be the subject of further discussion with the local area roads manager. 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*

Note:

- Current Council parking standards permit zero parking provision for hotel development in this area;*
- The amendments to the existing parking arrangements on Dewar Place Lane to be agreed with the Council;*
- The applicant is aware of the existence of rail tunnels below the development site.*

SEPA- response date 02/03/2016

We have no objection to this planning application. Please note the advice provided below.

Advice for the planning authority

1. Foul Drainage

1.1 Foul drainage from the site should be discharged to the public sewerage network. The applicant should consult Scottish Water in this regard. We confirm that it is the responsibility of Scottish Water to ensure that the additional flow arising from this development will not cause or contribute to the premature operation of consented storm overflows.

2. Surface Water Drainage

2.1 We note the applicant indicates in their drainage strategy that the surface water from the site will discharge to the combined sewer network. Whilst we do not object to this disposal option it is important that the benefits of removing surface water from the combined sewer, where possible, are highlighted - this increases capacity in infrastructure for future developments and reduces the risk of pollution events. For these reasons, we expect Scottish Water and the applicant to ensure that all reasonable efforts are made to remove surface water from the combined sewer. We note the presence of a surface water sewer to the south east of the site and would encourage the applicant to consider this as a disposal option.

2.2 It is the responsibility of Scottish Water to approve the proposals for surface water treatment prior to connection to their combined sewer assuming they allow the connection.

Regulatory advice for the applicant

3. Regulatory requirements

3.1 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.

Waste Services - response dated 01/03/2016

Comment: Waste and Fleet Services takes no stance either for or against the proposed development but as a consultee would make the following comments: The premises appear to be solely a Hotel Development according to the Development Management Sub Committee Report

(i.e. 150 bedrooms and without car parking) and it doesn't appear that there is any residential property within this development. Therefore this development appears to be completely commercial; as such Waste and Fleet Services will not be the service provider for the collection of waste as the users of the site will be responsible for arranging their collections and will choose who they wish to collect their waste.

However 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. Consideration will also need to be given for waste stored on public land as new trade waste policy for the city means that waste is

now only permitted to be put out for collection for a maximum of one hour time period at prearranged times.

The waste must also be clearly marked with the business name and an agreed collection time. In addition a development of this size may also require to arrange separate collection of materials such as fluorescent bulbs, etc which may arise from the routine operation of the building and which may require specialist collection. It should be noted that the legislation also requires that adequate provision is made for the effective segregation of materials within the building not just at the point of collection. Furthermore 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.

It is noted that although reference has been made in the planning application (i.e. S1 Sustainability Statement Form) regarding a commitment to recycling the waste on site and the intent to use waste management practices to deal with construction waste, there is an inadequate reference to how this will be done.

West End Community Council - response dated 09/03/2016

As a statutory consultee, the West End Community Council lodges the following submission with regard to the above application.

Objections:

1 Height

World Heritage Site and Conservation Area

The height of this proposed hotel would have a detrimental effect on the Listed Buildings facing the site. We support local residents, who feel that a 9 storey building overpowers the Listed Victorian former school on the opposite corner and does not complement the Listed façade of the Scottish Power building on Dewar Place. Indeed when plant is added to the roof, the height is increased (although set back and screened), particularly when viewed from the Morrison Street junction. Street level views of the two heritage buildings would be affected. (It is recognised that such views are not protected by Guidance or Policy.) Ref: ECLP Env 3; Des 10; Des 3 a) c) i)

Exchange 2 Masterplan

The applicant's vision of the hotel as a stepping stone between 4 storey Georgian tenements, is not justified by speculation as to heights anticipated in future proposals for the remainder of the site. We note that the Masterplan envisaged a 6 storey building. Ref: Developer's Supporting Planning Statement Items 6.10, 6.29, 6.33 The 1980s tower on Canning Street should not be used as justification. In this respect it is worth noting the opinion of the Reporter at the Sky Parks Appeal 1997, p. 41:11.4 and 11.5 which states ...all new development will be required to conform to the general height

prevailing in the surrounding area. This will commonly be set by tenemental forms. Existing high and intrusive buildings will not be accepted as precedents for the future

2 Transport

Residents in the area have concerns over the existing high pollution levels in this very busy transport corridor, where general traffic can be backed up and very slow moving. The use of the existing bus stand for coach loading may not be adequate or desirable when both lanes are clogged at the peak hours. Pedestrian safety is a worry. Ref: Tra 4

Support:

1 Design

WECC supports the design solution for the frontage on Torphichen Street. The single storey creates interest and allows for an environmentally friendly green roofing treatment or placement of sculpture with a local theme (as part of the Art Trail being mooted currently in the West End).

We assume that Network Rail have given approval for the engineering solution and that local residents' fears about the collapse of the tunnels are unfounded. Ref: ECLP Des 6

2 Materials

WECC supports the use of sandstone, granite etc. to reflect the prevailing Georgian/Victorian heritage. Ref: ECLP Des 1; Env 6

c) Conditions:

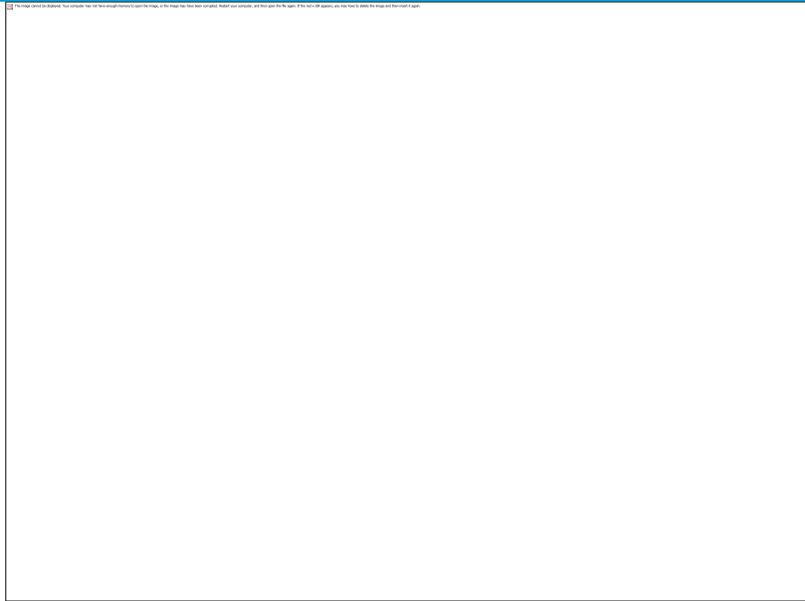
If approval is granted, WECC suggests

1 A scheme for servicing be required, including timing arrangements to the satisfaction of Dewar Place Lane residents.

2 Light pollution control for the bedroom windows be built into the design (to safeguard the amenity of residents).

We trust that the above objections and comments will be considered material. Opinion on the suitability and scale of this proposal varies in the community. There is a fear that the residential character of the area is being further eroded with a continuous bank of hotels on the west side of Torphichen Street. On the other hand, the application is noted to be thorough and the proposal would bring into use a site that has lain derelict for around 30 years.

Location Plan



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