

# Development Management Sub Committee

Wednesday 1 July 2016

**Application for Planning Permission 15/05715/FUL  
At 6, 8, 13, 15, 18-20, 21, 28 King's Stables Road, 2 Lady  
Wynd, Edinburgh  
Mixed use development comprising flats, student  
accommodation, hotel, arts facility and class 1, 2 and 3 uses,  
involving the erection of new buildings, alteration of existing  
buildings, partial demolition and change of use of ground  
floor of existing tenement building (as amended)**

<b>Item number</b>	4.1(b)
<b>Report number</b>	
<b>Wards</b>	A11 - City Centre

## Summary

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The proposal delivers a mix of uses that is appropriate in the city centre and provides regenerative benefits by introducing activity into a neglected part of the city centre. This activity and mix of uses would enhance the character and appearance of the conservation area and the outstanding universal value of the World Heritage Site. The development would improve the connectivity of the site and make it feel safer and more pleasant for pedestrians.

The proposed uses deliver a mix of uses that reflect and support the Old Town's important residential, tourist and educational functions and are appropriate to the site's location in the city centre.

The proposed design and layout has positive and negative components. The retention of the courtyard form, the incorporation of the historic walls into the proposed buildings, the reuse of the existing setts in the courtyard and the public realm in general are particularly positive. However the height and mass of the buildings to the west of the site is a concern. The building heights rise up from east to west, against the east-west

fall across the site. However, the introduction of indents into the King's Stables Road elevation, railings to the parapet roof and a mix of terraces and pitched roofs and stepping back the upper floors helps reduce the development's apparent mass.

The proposed building on the corner of King's Stables Lane and Lady Wynd raises significant residential amenity concerns due to its height and proximity to neighbouring properties. These concerns cannot be set aside because there is no clear townscape justification for a building of this height in this location. Accordingly it is recommended that a condition is attached which states that notwithstanding what is shown on the application drawings, the arts / housing building is not granted planning permission. The use of this condition would allow the remainder of the development to be granted planning permission and allow an application for alternative proposals for this part of the site to come forward at a later date. This approach acknowledges that this part of the site can be redeveloped for an arts facility and flats but that the form of the building would have to take greater account of the constraints that exist in this context.

This condition would change the mix of uses, measured by gross floor area, across the development as a whole from: student accommodation: 5,218 sq m (37%); residential: 3,790 sq m (27%); hotel: 3,286 sq m (24%); and commercial/creative: 1,649 sq m (12%) to: student accommodation: 5,218 sq m (42%); residential: 3,156 sq m (25%); hotel: 3,286 sq m (26%) and commercial: 867 sq m (7%). This mix would still be appropriate in the city centre.

The proposed housing mix and the potential for affordable housing to be delivered on site are also a concern. The housing proposed is a mix of smaller units which is acceptable given that ECLP policy Hou 2: Housing Mix, identifies that high density on brownfield sites helps to meet the needs of single and two-person households. The type of units and the high build costs as a result of the need to use high quality materials in this location may work against the policy requirement to deliver affordable housing on site. However, this needs to be balanced against the need to provide affordable housing across the city. The proposal would provide 25% affordable housing and this would be on site if financially viable.

However, taking into account the above it is recommended that the benefits of the proposal outweigh the concerns and that planning permission should be granted subject to conditions that include removing the proposed arts facility / housing building.

## Links

### [Policies and guidance for this application](#)

LPC, CITCA1, CITD2, CITD3, CITD4, CITD5, CITD7, CITD10, CITE1, CITE2, CITE5, CITE6, CITE9, CITE16, CITE18, CITH1, CITH2, CITH3, CITH4, CITH7, CITH10, CITEM4, CITR5, CITR12, CITT4, CITT5, LDPP, PLDP03, OTH, CRPOLD, NP01, NSG, NSGD02, NSP, NSLBCA, NSGSTU, NSGSTR,

# Report

## **Application for Planning Permission 15/05715/FUL At 6, 8, 13, 15, 18-20, 21, 28 King's Stables Road, 2 Lady Wynd, Edinburgh Mixed use development comprising flats, student accommodation, hotel, arts facility and class 1, 2 and 3 uses, involving the erection of new buildings, alteration of existing buildings, partial demolition and change of use of ground floor of existing tenement building (as amended)**

### **Recommendations**

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1.1 It is recommended that this application be Minded to Grant - Legal Agreement

### **Background**

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#### **2.1 Site description**

The site comprises of a variety of building types and heights. These are grouped around a central courtyard that was the site of Jousting. It includes a former slaughterhouse, now in use as a warehouse, historically known as the Shambles; a five storey, 1960s office and storage building; a four storey tenement on King's Stables Road and mews building on King's Stables Lane to the south. A standalone building, a former warehouse, now in use as a nightclub, is located at the west end of the site.

The site is located on the south side of King's Stables Road and covers an area of 0.73 hectares. Lady Wynd bounds the site to the east and is a pedestrian link to West Port. The buildings are predominately stone built under pitched, slate roofs.

A number of listed buildings are located outwith the site; including King's Bridge, a category A listed building (ref: 27943, dated 14 December 1970) which frames the approach to the site from the west. Portsburgh Square is a four storey building in a quadrangle form located to the south of the site and is a category C listed building (ref: 47896, dated 29 March 2001). To the east is a category C listed three-four storey tenement known as 1 Grassmarket / 2 King's Stables Road (ref: 28932, dated 4 October 1986). The Castle Rock, located to the north of the site, is a Special Landscape Area.

The site lies to the south of Johnston Terrace and the Castle. The site, seen as part of the Old Town's roofscape, is highly visible from these positions.

The wider area is mixed use with residential properties positioned to the south and east of the site. Argyll House, a dominant 1960s office building, bounds the site to the south and west. The Grassmarket is located to the east of the site.

The site is within the Edinburgh World Heritage Site.

The West End Conservation Area is located to the west.

This application site is located within the Old Town Conservation Area.

## **2.2 Site History**

13 May 2010 - West Port / King's Stables Road Development Brief approved by Planning Committee.

21 February 2012 - 18-20 King's Stables Lane added to the Buildings at Risk Register. The Buildings at Risk Register identifies properties of architectural or historic merit that are considered to be at risk or under threat. They are usually listed buildings or unlisted buildings in a conservation area that meet one or more of the following criteria: vacant with no identified new use; neglected; structural problems; fire damage; unsecured; threatened with demolition.

22 April 2015 - proposal of application notice received for a mixed use development including flats, student accommodation, hotel and arts facility, involving new build, alteration and partial demolition of existing buildings (application number: 15/01936/PAN).

14 December 2015 - application for conservation area consent received for partial demolition required to re-develop site for mixed use development (application number: 15/05716/CON). This is a concurrent application to the application for planning permission that is reported separately.

## **Main report**

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### **3.1 Description of the Proposal**

The application proposes the demolition and partial demolition of the existing buildings and the redevelopment of the site for a mixed use development comprising of student housing, a hotel, residential flats, commercial units and an arts facility.

#### **Student accommodation**

A total of 167 studios, with internal floor areas between 18 - 30 square metres, are proposed over a six storey block. Ancillary facilities serving the building will be provided on the ground floor along with 17 studios. The proposed building takes a 'U' shaped form. The King's Stables Road elevation uses curtain wall aluminium framed screens and stugged stone (stone with small indentations) at ground floor level with cut sandstone above. The Tanner's Close (east) elevation uses retained and stugged stone at ground floor level with cut sandstone, render and brick on the upper floors. The King's Stables Lane elevation uses retained stone at ground floor level with brick above, separated by slate grey cladding. The Baird's Close (west) elevation uses retained stone and brick at ground floor level with brick on the upper levels, slate grey cladding is used to separate retained stone from the brick. The proposed roof incorporates a number of monopitched roofs covered in slate and flat roofs.

## **Hotel**

The hotel is positioned to the west of the existing tenement with a separate commercial unit at ground floor facing King's Stables Road. The hotel entrance is accessed through a new pend that leads to the courtyard. The hotel will provide 92 bedrooms with ancillary services (reception, office, storage, servicing and deliveries) and a café/lounge facing the internal courtyard. The upper floors accommodate the proposed bedrooms. The proposed hotel building is five storeys with rooms in the roof space with flat roofed wall-head dormers. The five storey form extends the width of the proposed courtyard before stepping down to the two and a half storey mews on King's Stables Lane. The building would be finished with stugged sandstone on the ground floor with cut sandstone above, both using varied tones, on King's Stables Road elevation. The other elevations would be finished with brick. The roof would be covered with slate reclaimed from the site.

## **Residential**

Residential accommodation is provided over three blocks.

### **King's Stables Lane**

A two-and-a-half storey building is proposed accommodating eight studio flats at ground floor level and eight two-bedroom maisonettes in the upper floors. The proposed building would retain the existing stone wall on King's Stables Lane and introduce new window openings facing onto the lane. The front and side elevations would be constructed with brick and slate grey cladding. The proposed pitched roof would be covered in slate retained from the existing buildings with dormers proposed on the south elevation clad with slate grey panels. The internal floor area of the studios would be 38 square metres and the two-bedroom maisonettes would be 75 square metres. The proposed dwellings would be accessed from the courtyard.

### **Lady Wynd**

Three floors of residential accommodation are proposed above the two-storey 'arts facility' on the corner of Lady Wynd and King's Stables Lane accommodating four studios and six one-bedroom flats. It would be set back from the Lady Wynd and King's Stables Lane boundaries, finished in brick on the north, east and south elevations and slate grey cladding on the internal courtyard, west, elevation. The proposed building would have a pitched roof with the gables facing the courtyard and Lady Wynd. It would be covered with slate retained from the existing site and would have dormers facing north that would be clad in slate grey panels. The internal floor area of the studios range from 36-40 square metres and one-bedroom flats range from 53-58 square metres. The proposed flats would be accessed from the courtyard.

### **Baird's Close**

A seven storey building would be located at the west end of the site, replacing the existing nightclub building. The ground floor would accommodate the entrance, communal stair and lift, access to the bike and bin stores and a commercial unit with a floor area of 184 square metres. The upper floors would provide 33 units: 27 studios with an internal floor area ranging from 36-46 square metres; three two-bed flats with an internal floor area of 74 square metres and three one-bed flats with an internal floor area ranging from 52-59 square metres. The building would step back from King's Stables Road on the fourth, fifth and sixth floors. The King's Stables Road elevation would be finished with stugged sandstone at ground floor, sandstone on the upper floors and grey cladding where the building steps back. The east elevation would be

finished in brick at ground floor level and rendered above. The south and west elevations would be finished in a mix of stone, brick, render and grey cladding.

### **Commercial/business**

A total of four commercial units intended to operate as a class 1, 2 or 3 use are proposed. Two beneath the existing tenement on King's Stables Road with a floor area of 70 and 240 square metres, one beneath the proposed hotel with a floor area of 373 and one beneath the residential block on the corner of King's Stables Road and Baird's Close with a floor area of 184 square metres.

### **Arts facility**

An arts facility is proposed on the corner of Lady Wynd and King's Stables Lane over the ground and first floor with a floor area of 782 square metres. This would constitute a sui generis use that includes class 4: business, class 10: non-residential institution and class 11: assembly and leisure components.

### **Courtyard and public realm**

The existing courtyard would be retained and enclosed by the existing tenement with commercial unit at ground floor level, the proposed hotel, the residential mews and the arts facility. Routes through the courtyard would be created using the existing pend beneath the tenement, a gap between the mews and the arts facility and a new pend at the west end from Tanner's Close. The courtyard would be re-graded and the surface re-laid using the existing whinstone setts, cathness stone flags and planks and clay bricks. Caithness planks would be used to identify the north-south routes through the courtyard. The clay bricks would be used at the mews area to distinguish this space from the rest of the courtyard and would be set down and separated by a raised planted bed. Smaller courtyards would also be formed at the east side of Tanners Close and the east side of Baird's Close.

The external space in front of the Baird's Close residential and commercial block would be formed and could be used to install a public art feature and/or outdoor seating area.

King's Stables Lane would be re-laid with setts reclaimed from the courtyard and upgraded street lighting. The footpaths immediately around the site on King's Stables Road would be re-laid with Caithness flag stones.

The design and access statement identifies an external lighting strategy that specifies wall/building mounted lighting on the south side of King's Stables Road and King's Stables Lane, accent lighting to the new trees and steps and ramps and feature up-lighting to the existing arched pend beneath the tenement.

The courtyard would be privately managed and a company would be responsible for maintenance, cleaning, security and health and safety. The applicant anticipates the following controls to manage the courtyard:

- restrict public use of the Courtyard beyond 9pm;
- External use of the courtyard by restaurants restricted beyond 9pm; and
- Restrict noise or music above a certain level from inside the commercial (or indeed residential) units.

### Scheme One

The previous scheme proposed a total of 245 studios for students over two blocks. The western most block was eight storeys high and housed 65 studios. The other block housed 178 studios over seven storeys.

The proposed hotel was six storeys high with 128 en-suite bedrooms and ancillary services (meeting room, linen storage, housekeeping rooms, delivery room and bin storage).

The residential units were provided over two blocks. A two-and-a-half storey building was proposed on King's Stables Lane provided eight studio flats at ground floor level and eight two bedroom flats (maisonettes) in the upper floors. The other block was positioned on the corner of King's Stables Lane and Lady Wynd, above the 'arts facility', providing six studios and six one bedroom flats over three storeys.

An 'arts facility' was proposed on the corner of Lady Wynd and King's Stables Lane over two floors with a gross floor area of 782 square metres.

Five commercial units for visiting members of the public were proposed facing King's Stables Road: two under the existing tenement with a floor area of 70 and 240 square metres; two flanking the hotel entrance with a floor area of 116 and 160 square metres and one in the western most student block with a floor area of 64 square metres.

### Supporting Documents

The following documents were submitted in support of the application:

- Archaeology Statement;
- Background Heritage Report;
- Heritage Statement;
- Daylighting Study;
- Sunlight Study;
- Design and Access Statement, plus revision;
- Planning Statement, plus addendum;
- Noise Assessment;
- Transport Statement;
- Transport Quality Audit (Stage 1);
- Flood Risk Assessment;
- Sustainability Statement; and
- Pre-application Consultation Report.

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

### **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 proposal is acceptable in principle and accords with the development brief;
- b) the proposal, including its design, preserves or enhances the character of the conservation area;
- c) the proposal, including its design, preserves or enhances the setting of the listed buildings;
- d) the proposal, including its design, has any impact on the Outstanding Universal Value of the World Heritage Site;
- e) the proposal preserves adequate amenity for neighbouring residents;
- f) the proposals provides adequate amenity for future occupiers;
- g) the proposal raises any road safety or transport issues;
- h) any other material considerations have been addressed;
- i) any impacts on equalities or human rights are acceptable; and
- j) any comments raised have been addressed.

#### **a) Principle**

##### **Loss of existing use - employment land**

The site provides 5,300 sq m of vacant office and storage space. The proposed 782 sq m arts facility: a sui generis use that includes class 4 components, does not provide a significant element of new floorspace for a range of business users and is contrary to policy Emp 4: Employment Sites and Premises of the Edinburgh City Local Plan (ECLP). An infringement is justified because the emerging policy in the Second Proposed Local Development Plan (LDP) relaxes this requirement on sites less than one hectare. The loss of the employment site accords with the emerging policy Emp 9: Employment Sites and Premises and is acceptable in principle.

##### **Proposed uses**

The site is located in the central area where a use, or mix of uses, appropriate to its location, accessibility and character are acceptable provided they maintain and enhance 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 Second Proposed Local Development Plan encourages housing as part of mixed use developments in the city centre to help meet housing need and create strong sustainable communities.

The Edinburgh City Local Plan recognises that the city centre is a place where people want to live and that housing is an important part of its character. This is reinforced in the Old Town Conservation Area Character Appraisal which identifies the strong and continuing presence of a residential community as part of its essential character and the importance of increasing residential development to ensure it remains a living town centre. The Outstanding Universal Value of the Edinburgh World Heritage Site adds further weight to the important residential function. The management plan describes an aspect of the world heritage site's OUV is a living capital city.

Edinburgh has been a university city since the 1580s. Civic and national institutions, tourism and residential uses are all important to the city centre.

The proposed uses: student housing, hotel, residential and commercial are acceptable if they achieve the appropriate mix. The site is in a mixed use area with an essential residential character. Accordingly the material consideration is whether the balance of the proposed mix is appropriate to the site's location to accord with ECLP policy Ca 1: the Central Area and LDP policy Del 3: City Centre.

#### Student housing

Planning policy for student housing requires proposals to a) be in an appropriate location and b) not result in an excessive concentration in any one locality.

The site is located less than 100 metres of the Edinburgh College of Art, under one kilometre from the George Square campus, and is an appropriate location for student housing in terms of access to the university and accords with part (a) of policy Hou 10: Student Housing.

The student housing guidance has changed since the application was submitted.

An Issues Paper on Student Housing was approved for consultation at the 4 December 2014 Planning Committee. A draft revised guideline was reported to committee on the 6 August 2015 and consulted on from 9 October 2015 to 20 November 2015. New guidance was approved at the 25 February 2016 Planning Committee.

This application was submitted before 25 February and to ensure a fair and balanced assessment, the proposal should be assessed against the previous Student Housing Guidance and the new guidance.

#### *Previous guidance*

The proposal would increase the concentration of students in the immediate area from 32.89% to 36.78% (41.03% to 42.79% if the whole Grassmarket is included). However, two appeal decisions (Lutton Place and St Leonard's Street) deemed 'adjacent' to a main campus to be a short walk of 10 to 12 minutes. Using this interpretation the site is adjacent to a campus and does not need satisfy the 30% concentration threshold. On this basis, the concentration is acceptable in this locality.

### *New guidance*

The new guidance replaces 'adjacent' for sites 'sharing a boundary with' to improve clarity of interpretation. It also seeks to balance the need for student accommodation and housing by introducing a requirement for larger sites to deliver 50% of the total student housing development as general housing: sites greater than 0.25ha are required to provide a 50/50 split between student accommodation and general housing, measured by gross floor area, to ensure larger developments contribute to the essential delivery of housing and maintain balanced communities. The guidance also introduces a requirement for a mix of student accommodation, i.e. cluster flats, to be provided to meet the varying needs of students. The guidance also explains that it should not be considered in isolation and proposals should accord with other planning policies, like design, which are considered below in sections 3.3b, 3.3c, 3.3d.

The application proposes 167 studios for student accommodation over 5,218 square metres of gross floor area and 59 general housing flats over 3,790 square metres of gross floor area delivering a split of 58/42. There is therefore an infringement of this new guidance.

The Student Housing Development Bulletin (2015) states there are c.58,000 students attending the four universities in Edinburgh. At the end of 2015 there were 15,048 purpose-built student bedspaces with a further 1,728 under construction, 3,467 with consent and 1,101 awaiting determination (including this application).

The proposal is contrary to the revised guidance because it does not deliver a 50/50 split of student housing to residential and there is no mix of accommodation proposed, with only studios and no cluster flats. However, given that this application was submitted under the old guidance, and that the proposals are close to meeting the terms of the new guidance it is acceptable in this instance.

### Hotel

Planning policy for hotel developments identifies the city centre is the preferred location for most visitors and supports hotel developments as part of mixed use schemes, where appropriate, to prevent inactive frontages. The proposed hotel entrance is accessed from Tanners Close and the courtyard and ensures an active frontage is provided by the proposed commercial premises on King's Stables Road.

Policy Emp 5: Hotel Development identifies a theoretical requirement for 4,000 new hotel rooms by 2015. There is no upper limit to the number of new hotel rooms. The Hotel Development Schedule (2015) reported that by the end of 2015 3,372 had been completed with a further 818 under construction and 2,640 with permission to be developed. The proposed hotel is acceptable in principle because it would address the continued demand for hotel developments in an appropriate location and contribute to the important tourist function in the city centre.

### Housing

Housing is supported in the urban area provided it is compatible with other policies in the plan. Housing is located to the south and west of the site and is an important function of the city centre which contributes to the area's character. Housing is therefore an appropriate use in this location. Housing development on the site would contribute to the windfall assumptions in the Council's Housing Land Study (June 2014).

The proposed mix of studios (66%), one-bed (15%) and two-bed (19%) flats does not provide a mix of types and sizes that policy Hou 2: Housing mix, requires to create mixed communities. It also fails to meet the minimum requirement to provide 20% larger units of three or more bedrooms when the number of units exceeds 12. The policy accepts that a mix of house types and sizes may not always be practical. The agent has advised the proposed mix is targeted to meet needs and demands of single people and couples and any change to the mix would further jeopardise the viability of the proposed development. The policy notes that in brownfield sites, like the application site, high density schemes helps meet the needs of single and two person households. In this context the housing mix is acceptable.

### Commercial and Creative Uses

The site is within comfortable and easy walking distance of the Grassmarket, a speciality shopping street located to the east of the site but, in terms of retail policy, is in an out-of-centre site. One of the class 1-3 units exceeds 250 sq m and, in the absence of a retail impact assessment, it is necessary to restrict any retail use to 250 sq m by condition to comply with policy Ret 5: Out of Centre Retail Development. The commercial units proposed for classes 1, 2 or 3 use face onto Kings Stables Road that introduce active frontages to the street and are appropriate given the location of the site. Subject to condition, the proposal accords with policies Ret 5: Out of Centre Retail Development and Ret 12: Food and Drink Establishments.

### Conclusion – proposed uses

The proposal results in the following mix as measured by gross internal floorspace across the site: student accommodation: 5,218 sq m (37%); Residential: 3,790 sq m (27%); Hotel: 3,286 sq m (24%); and Commercial/Creative: 1,649 sq m (12%).

The proposed mix delivers a mix of uses that reflect and support the Old Town's important functions - tourist, educational and residential - and achieves a mix that is appropriate to the site's location to accord with ECLP policy Ca 1: the Central Area and LDP policy Del 3: City Centre.

### Development Brief

The West Port/King's Stables Road Development Brief (the Brief) includes the application site and Argyle House. It supports a range of uses including: residential, student housing, institutional, retail and business. The proposed uses accord with the Brief.

The Brief requires development to be informed by a heritage study, consider the reuse of buildings before demolition and building materials retained and re-used on site. This is considered in detail below in section 3.3b.

The Brief and planning policy (ECLP and LDP policy Des 2: Co-ordinated development) require development of part of the site not to compromise the redevelopment of the wider site or adjacent land. Argyle House is located on the remaining part of the development brief site and object to the proposal on the ground that the proposal compromises their redevelopment. At this time most of the building is occupied and it is not known if, or when, any redevelopment of the Argyle House will come forward.

The proposal's Design and Access Statement (page 18) shows how the proposal could incorporate the redevelopment of Argyle House. The proposed Baird's Close blocks (residential and student blocks) face the Argyle House Site. The residential block's south facing windows are over 10 metres from the Argyle House site boundary and exceed the nine metre privacy distance to a shared boundary. The proposed layout would not unduly compromise the redevelopment of the Argyle House site.

The Brief recognises King's Stables Road currently has an unattractive and unwelcoming environment for pedestrians and requires the introduction active frontages to address this. Active frontages are proposed in the existing tenement building, in front of the proposed hotel and in the residential block at the west end delivering 67% of the proposed frontages as 'active'. The proposed student block would not introduce an active frontage. However, the rooms that face the street are communal spaces that would allow passive surveillance of the street. The proposal would create an attractive environment for pedestrians.

The proposed layout and uses accord with the Brief. The other requirements of the Brief, with respect to the skyline, the historic context are considered below.

#### b) Conservation Area

The Old Town Conservation Area Character Appraisal identifies the essential spatial character is a product of the topography and built form that creates a dramatic setting and is a microcosm of urban development with multiple layers of built heritage that respects changes in level and responds to the drama of the site's topography and setting. The essential architectural character is identified as the consistent and harmonious height and mass of buildings and the limited palette of building materials, stone and pitched slate roofs, provides unity. The character appraisal recognises a mix of uses, including important residential and tourism functions, is present and the importance of maintaining a productive balance between the interests of residents, business and visitors is maintained. With regard to new development the character appraisal directs new development to be sympathetic to the spatial pattern, scale and massing of the traditional four/five storey form, proportions, building lines and design of traditional buildings in the area. One of the characteristics of the Old Town is its continuous development with examples of every era of architecture throughout it since medieval time.

#### **Demolition**

The proposal will result in the demolition of all the existing buildings, with the exception of the existing tenement on King's Stables Road and parts of the boundary walls on King's Stables Lane, Lady Wynd and Baird's Close which would be retained.

The 1960s office building has a negative impact on the conservation area because the dominant horizontal line of the flat roof disrupts the streetscape, it fails to follow the tenement's building line and its design is undistinguished. This building does not make a positive contribution to the conservation area and its loss is acceptable in principle.

Historic Environment Scotland (HES) find the Shambles building and the former warehouse (28 King's Stables Road) make, on balance, a positive contribution to the conservation area and the courtyard mews buildings have a similar character. It is concerned about the considerable level of demolition on the site but does not object to the proposal.

The Shambles building has rubble stone facades that HES advises was completed by 1821 and later reduced. The outer walls of the courtyard buildings and the building on the corner of Lady Wynd and King's Stables Lane incorporate parts of an early walled enclosure that was likely the site of a jousting ground. The nightclub building is a standalone, mainly stone built building.

The buildings have been altered over time to suit their function and HES acknowledge they may not have architectural merit in their own right. As a group of buildings they are of historic significance, including as an archaeological record, but make a limited contribution to the character and appearance of the conservation area because their inactivity creates an unwelcome environment that detracts from the character and appearance of the conservation area.

As a group of buildings that make a positive contribution to the character of the area it is necessary to assess the merits of the demolition against the criteria within policy Env 2: Listed Buildings - Demolition. The policy only supports demolition of a building after considering the repair and maintenance in relation to its importance, the efforts to retain or adapt it and whether the public benefits from demolition outweigh the loss. This is echoed in paragraph 3.58 of Scottish Historic Environment Policy 2011.

Inactivity has led to the buildings deteriorating into a poor condition and the value of their continued use as industrial/storage is low, whereas the public benefits of delivering housing on the site are high and justify their demolition. The proposal complies with policies Env 2 and Env 6: Conservation Areas - Demolition of Buildings.

## **Redevelopment proposals**

### Layout, topography and roofscape

The Background Heritage Report (BHR) recognises the site's connection to the Castle played a strong part in shaping the development of the site, particularly the courtyard form that may reflect its former use as a medieval jousting ground. The retention of the courtyard layout is important as a historical reference to the site's past and is a positive feature of the scheme.

The topography of the site falls from east to west. The building heights step up rising from the existing four-storey tenement to the proposed seven-storey residential block at the west end, against the topography of the street. The conservation area character appraisal and the development brief expect the redevelopment of site to respect the topography by stepping down with the natural fall of the street as opposed to working against it like the proposal does. At the west end the proposed residential block exceeds the height of the lower section of Argyle House at Castle Terrace.

The redevelopment proposal breaks the site up into a number of distinct buildings. This reflects the character of the Old Town. The heights of the buildings are varied and sit lower than Argyle House and the housing on West Port. This creates the effect of layers of development; the site, Argyle House and housing on West Port, Evolution House and then the College of Art, when seen in views from the north. The proposed height is appropriate in this context and accords with policy Des 10: Tall buildings.

The proposed roofscape is highly visible from Johnston Terrace and the Castle Esplanade. The incorporation of pitched roofs is another positive feature of the scheme that breaks up the mass of the large floor plates they cover.

### Individual buildings

The proposed hotel replaces the existing 1960s office building. The proposed building, at King's Stables Road, takes the form of a modern tenement with wall head dormers and other design features that articulate the traditional feu pattern. Its dual pitched roof form, with gable facing into the courtyard, is in keeping with the Old Town's roofscape and is an appropriate response. The hotel block steps down to a mews scale in the lane and respects the hierarchy of the street. The proposed hotel is acceptable and represents an improvement to the existing building.

The proposed student block replaces the Shambles building. The function of the building, along with the incorporation of an internal corridor to access the single aspect studios on either side, has driven its form creating a wide, deep and tall building that has a dominant mass when seen in views from King's Stables Road and above. The height and depth of the building is a concern because of this goes against the topography of the street, as explained above. The introduction of indents into the King's Stables Road elevation, railings to the parapet roof and a mix of terraces and pitched roofs reduces its mass to an extent. The re-use of the Shambles building's walls at ground floor level on King's Stables Lane and part of the side elevations retains a reference to the historic building and is welcomed. The footprint of the proposed student blocks fits within the existing buildings' footprint and, in this respect, acknowledges the current layout.

The proposed residential block fits within the nightclub building's footprint and retains the building's slim footprint. The height steps up to Castle Terrace. The revised design has reduced its height and its mass by stepping back at the upper levels and using contrasting materials.

The proposed residential mews building on King's Stables Lane is similar in form and footprint to the existing building. The boundary wall on King's Stables Lane is an important historic feature and its retention is welcomed, as is the use of brick on the internal courtyard elevations that reflect the existing tenement's internal courtyard elevation and is an appropriate response to the historic context.

The BHR considers the boundary walls on Lady Wynd at the east of the site to have the highest level of archaeological importance across the site. The retention of this wall and the important historic fabric makes a positive contribution to the scheme. The residential element at this end of the site rises up from the historic stone wall and is an unusual townscape response. The proposed gable roof form facing into the courtyard acts as a bookend with the hotel's gable and helps visually terminate the space, creating an attractive effect within the courtyard. However, this element would appear

incongruous in the lane, dominate the wall and make the lane feel more enclosed. Therefore within the lane, because of its scale, its effect on the townscape is negative.

The proposed materials; retained stone, sandstone, brick, render, slate roofs, are representative of the buildings around the site, and the use of contrasting materials, like slate grey cladding, introduce a contrast that is representative of its time and are acceptable in this part of the conservation area.

### Courtyard and public realm

The provision of publically accessible civic spaces in the form of courtyards is in keeping with the character of the Old Town where there are examples of such spaces opening out from closes. The materials proposed are high quality and the retention of the existing setts welcomed. The proposed investment in the public realm by the use of high quality materials and discreet street lighting would transform this space from one that is uninviting to one that feels safe and pleasant.

### Conclusion

This scheme challenges the concept of conservation-led design because of the extent of demolition proposed. Parts of the proposal are particularly positive; introducing activity to the area, the courtyard form, the reuse of historic stone and rubble walls and setts and the pitched roof form. While other parts, like the building height rising up against the topography of the street and the use of large floor plates on upper levels of the proposed buildings, have a slightly negative impact but are acceptable because they are low enough to create a layering effect.

### c) Setting of Listed buildings

The setting of a listed building is important because it affects how a historic asset is understood, appreciated and experienced. King's Bridge, a category A listed building designed by Thomas Hamilton, is positioned to the west of the site and provides framed views of the site through it. The nightclub building and the Shambes building were in situ before the bridge was built and their scale and massing provides a historic context in relation to the setting of the bridge.

The existing buildings are small in scale and provide views across the site from the steps and inside the bridge. There is also a degree of unity provided by the use of stone and traditional building methods in their construction.

Historic Environment Scotland do not formally object to the proposal but consider the scale of the new buildings would adversely affect the immediate setting of the Category A listed King's Stables Bridge and suggest the scale of the residential block at Baird's Close is reduced in height.

The proposed replacement buildings would change the setting of the listed bridge by closing in and reducing the openness provided by the existing buildings' low scale. The proposed residential building maintains the building line and the slim width of the existing building and has been set back on the upper floors to reduce its mass. However, it would have a more dominant effect than the existing building and would limit views across the site.

The setting of the bridge is currently poor because it is adversely affected by the service entrance to Argyle House and the inactivity caused by a building that is seldom used which creates an uninviting environment. The proposal would create pleasant public realm and the opportunity to appreciate the bridge in a more attractive environment. This would improve its setting and compensate the slightly negative effects of the proposed building's height.

The proposal would change the setting of the bridge from one where there are more open views across the site to and from the bridge, but within an uninviting environment, to one where a building looks down onto the bridge and introduces activity to a neglected area. On balance the impact is acceptable and is not contrary to policy Env 3: Listed Buildings - Setting.

#### d) World Heritage Site

The outstanding universal value (OUV) of the Edinburgh World Heritage Site is due to the relationship of the organic medieval Old Town and the planned Georgian New Town that illustrates a remarkable contrast of distinctive urban forms. The Old Town has medieval origins and is an early example of urban conservation, while the New Town is an example of planned Georgian formality. This creates an interesting historic environment, including a dramatic skyline, and a vibrant, living capital city.

Edinburgh World Heritage has concerns about the proposal due to the height, scale and mass of the proposed student and residential blocks and the mix of uses, including housing mix. In their view the proposal is likely to have a negative impact on the OUV of the World Heritage Site.

Historic Environment Scotland has concerns about the proposal but do not consider the redevelopment will harm the OUV of the World Heritage Site.

The site is in a sensitive location in the valley of the Castle where the roofscape of the Old Town is visually prominent. The proposal would not impact the contrast between the organic Old Town and the planned New Town. As explained above the proposal introduces a scheme in the historic environment that includes positive and some negative components. The proposal has introduced pitched roofs to break up the mass of the proposed buildings. This is particularly effective on the proposed hotel. However, the proposed student block still retains a blocky form that appears incongruous in the skyline. The introduction of activity, and in particular a mix of uses that result in a net increase in the number of dwellings and other important uses in the area that contribute to the OUV of the World Heritage Site, outweighs the limited harm caused at the west end of the site.

The impact on the World Heritage Site is acceptable.

## e) Amenity for neighbouring residents

### **Daylight, sunlight and privacy**

A daylighting study accompanied the application assessing the effect of the proposal on some of the neighbouring properties around the site. This is available on the Planning and Building Standards Portal. The Edinburgh Design Guidance states that achieving reasonable amenity needs to be balanced against achieving good townscape. The townscape merits of the proposed building on the corner of Lady Wynd and King's Stables Lane housing the arts facility and ten flats has been considered in section 3.3b) and found the proposed form is not an appropriate response in this location.

The daylight reaching the properties and Portsburgh Square, Lady Wynd and 6 King's Stables Road would be reduced by the proposed arts facility / housing building.

The daylighting study shows where the daylight reaching the properties on Portsburgh Square is reduced, it would be within the 80% vertical sky component (VSC) reduction criterion in the Edinburgh Design Guidance, which is an acceptable loss of daylight and does not represent an unreasonable loss.

The daylighting study has assessed the average daylight factor (ADF) in three of the properties on Lady Wynd, two of which are not materially affected by the proposed building. Further analysis shows that some windows within the lane would be more adversely affected than the windows that are assessed in the daylighting report. The reduction of daylighting to these other windows would be adverse, with a noticeable reduction of daylight to the affected rooms.

The daylighting study has not assessed the properties within the block located to the north of the proposed building, known as 6 King's Stables Road/2 Lady Wynd. This building has four sash windows at first floor level facing south onto the development site. Three of the four windows belong to one flat, which has another window that faces Lady Wynd. The proposed building would be set back two metres and its eaves would be 5.6 metres high from the affected windows' centre point. There would be a significant reduction in daylight to these windows.

The immediate outlook from the windows would be harmed by the scale and proximity of the proposed building. The privacy of these windows would be significantly reduced as a result of the closeness of the proposed windows. While it may be possible to improve privacy through a redesign of the proposed elevation, this would not overcome impacts on outlook or daylight.

The Background Heritage Report shows these windows were in position before the garage was erected. The garage building roof sits below the 6 King's Stables Road windows and maintains light to them. The affected windows take their amenity, in terms of daylight, privacy and outlook, from across the application site. While they cannot be afforded the same level of protection normally provided, given the historic development of the site, it is reasonable that a degree of protection is provided.

The impact on daylight, privacy and outlook is significantly adverse. As stated in section 3.3b) there is no strong townscape justification for this building which outweighs the loss of daylight, privacy and outlook. Therefore the proposed arts / housing building does not comply with policy Des 3 h) of the ECLP.

As a result of this, it is recommended that a condition is applied which states that notwithstanding what is shown on the application drawings, the arts / housing building is not granted planning permission. The use of this condition would allow the remainder of the development to be granted planning permission and allow an application for alternative proposals for this part of the site to come forward at a later date.

This condition would change the mix of uses within the development as a whole so that there would be the following mix, measured by gross floor area: student accommodation 5,218 sq m (42%); hotel 3,286 sq m (26%); residential 3,156 sq m (25%) and commercial 867 sq m (7%). The proportion of student housing to general housing would change from a 58/42 split to 62/38.

The proposed mews building's eaves line on King's Stables Lane takes a median height from the existing building's eaves height and therefore it would not have a materially detrimental impact on the daylight reaching the buildings opposite. The daylighting study shows the daylight reaching properties on Webster's Land continue to exceed the minimum 27% VSC.

The proposal would not affect any private amenity space and therefore would not have an unreasonable impact on the amount of sunlight reaching private amenity space.

The proposed windows from the residential buildings and hotel on the mews face King's Stables Lane and Lady Wynd and residential properties opposite. King's Stables Lane is between three and four metres wide and Lady Wynd is less than three metres wide therefore any windows that face onto them will fail the nine metre privacy standard. An exception is justified because this is an acceptable arrangement in the Old Town where density is high and buildings are located close together.

## **Noise and Odour**

The noise assessment assumes a food and drink establishment would occupy the ground floor premises in the existing tenement on King's Stables Road as the worst case scenario. It demonstrates normal operational noise and activity from a restaurant would be within the limits applied to that type of sound.

Representations have also raised concerns about noise from occupants of the hotel and student accommodation. However, the proposed mix is acceptable in this city centre location, and if properly managed should not give rise to undue noise and disturbance. It is not appropriate to exercise land use planning controls to control the behaviour of individuals.

The substation proposed in the existing tenement would be enclosed by concrete blockwork and will not be audible through the floor of the flat above.

Environmental Assessment has no objections to the proposal subject to suitable conditions to ensure the noise and odour mitigation measures are carried out.

f) Future occupiers

All the proposed flats meet the minimum internal floor area in the Edinburgh Design Guidance.

The Lady Wynd and King's Stables Lane corner block and the King's Stables Lane mews blocks are all dual aspect. The Edinburgh Design Guidance seeks an average daylight factor (ADF) for bedrooms of 1%, living rooms of 1.5% and kitchens of 2%.

At Lady Wynd corner block the proposed studios positioned on the north-east corner of the building do not meet the minimum 2%. At King's Stables Lane mews block all units exceed the minimum 2%.

The Baird's Close residential block has 60% single aspect flats, greater than the 50% maximum in the Edinburgh Design Guidance. The guidance seeks to limit the number of single aspect flats because they can provide poor amenity for the occupants as their outlook and ability to receive direct sunlight are limited. The daylighting study has not been updated to report on the average daylight that would reach the proposed residential units. The design team has advised that five (18.5%) of the proposed studios would have an average daylight factor of less than 1.5%. Sixteen of the studios would face east, with the tilted windows facing south-east towards the proposed student block and Argyle House, arguably a poor outlook and limited direct sunlight due to the height and mass of Argyle House. Four would face north and would have a fantastic outlook benefitting from views to the Castle but would have limited direct sunlight because they are north-facing. The height and mass of Argyle House makes achieving the minimum daylighting standards challenging.

Across the site 20 (34%) of the proposed units are single aspect and five (8%) have a poor level of daylight, less than 1.5%. This changes to 40% and 10%, respectively, when the 10 units in the corner block are removed.

No private open space is proposed therefore the proposal is contrary to policy Hou 3: Private Open Space. The Edinburgh Design Guidance recognises that there is very little private outdoor space in the Old Town and that this is compensated by the outstanding quality of the public spaces in the form of closes and courtyards. The proposal would create a new publically accessible courtyard that would provide convenient access to a high quality publically accessible open space for future residents and improvements to the public realm around the site. It is also less than 100 metres from Princes Street Gardens, a significant accessible greenspace of high quality. The proposed layout and consequent lack of private amenity space is acceptable. The sunlight study shows over half of the courtyard area is capable of receiving potential sunlight during the spring equinox for more than 3 hours and accords with the Edinburgh Design Guidance. It is not appropriate to seek a developer contribution to secure a contribution to the open space network because Princes Street Gardens, the nearest publically accessible park, is already good quality.

The proposed flats would have an acceptable level of amenity for future occupants.

#### g) Road safety or transport issues

The site is highly accessible location to public transport. The nearest tram stop is at the West End, 960 metres walking distance, from the site and outwith the 500 and 750 metres tram contribution trigger. The proposal is a car free development and provides 100% cycle parking for the proposed student block and residential block and is acceptable.

Designing Streets, national policy in respect of street design, seeks the consenting process for street design, planning permission and Road Construction Consent (RCC) to run in parallel. Gated accesses cannot be adopted. The Council's adoptable standards require three or more dwellings to be served from an adoptable road. The gates to the courtyard have been removed from the proposed drawings to ensure access to the proposed dwellings is taken from an adoptable road and meets the Council's requirements for a RCC. The development brief also seeks new, unobstructed, pedestrian routes through the site. The removal of the gates ensures compliance with the development brief and policy Des 7: New pedestrian routes in the city centre, that seeks new traffic-free paths and spaces for pedestrians and the opening up, restoration and improvement of closes in the Old Town.

To encourage sustainable travel, a travel plan, management agreement and monitor displaying public transport real time information is recommended. As the site is in an accessible location and the development is a car free scheme it is not necessary to secure this using a legal agreement. An informative is recommended to be attached to draw the applicant's attention to the benefits of these measures.

#### h) Other material considerations

##### **Affordable housing**

The proposed 59 units trigger an affordable housing contribution of 25% (14 units) to be provided on site to accord with policy Hou 7: Affordable Housing.

The applicant has made a commitment to provide on-site affordable housing. The proposed affordable housing is mix of studio apartment and one bedroom homes, representative of the wider development. The build cost of the homes have been indicated to be high. However, this may limit the ability of the Registered Social Landlords to provide on-site affordable housing. A commuted sum has been proposed by the applicant, based on land value, of £45,454 per unit, for 4.75 homes, with the remaining ten homes delivered on-site as Golden Share units.

The purchaser's price (80% of market value) for these homes is likely to be close to or at the limit of £214,796 per property, which is the average property price in the city. Housing and Regeneration does not consider that delivering studio apartments at this price would best meet affordable housing needs, as larger sized homes could be found for less nearby, so they seek a commuted sum at £45,454 per unit instead. Details of the costs of the units are being independently verified at the time of writing. If on-site affordable housing does not prove to be viable, a commuted sum of £670,446.50 (£45,454 x 14.75 units), based on 59 units would be sought. This sum would be reduced proportionately if fewer units are delivered across the site as a whole. In respect of this, the legal agreement would be expected to secure affordable housing for the eastern part of the site should an application be forthcoming. This will be dealt with

through a legal agreement and the amount payable will be commensurate to the number of units delivered across the site at the appropriate trigger points.

The proposal raises concerns about its ability to deliver affordable housing on site. This needs to be balanced against the need to provide affordable housing across the city. The proposal would provide 25% affordable housing and this would be on site if financially viable. On balance, securing a contribution to deliver more affordable housing elsewhere is acceptable and an infringement to policy Hou 7: Affordable Housing, is acceptable.

### **Archaeology**

The City's Archaeologist confirms the site has a rich heritage and the buildings on site, with the exception of the 1960s office building, are of historic significance. Accordingly should planning permission be granted for the redevelopment a detailed programme of historic building recording is required in addition to a programme of archaeological work undertaken prior to and during the development to fully record, excavate and analyse any significant archaeological remains affected. Subject to condition the proposal accords with policy Env 9: Development of Sites of Archaeological Significance.

### **Biodiversity**

A bat statement accompanied the application and found no evidence of bat presence in the vacant buildings. The proposal would not have a detrimental impact on European Protected Species and accords with policy Env 16: Species Protection.

### **Contaminated land**

Given the historic land uses and the proposed residential development a condition requiring a site investigation survey and potential mitigation is required.

### **Economic benefits**

City Strategy and Economy has advised the current business and industry uses could be expected to support approximately 185 jobs and £9.50 million of GVA per annum (2013 prices) if fully occupied.

City Strategy and Economy estimate the proposed development could support approximately 237 to 260 jobs and £8.00 million to £8.72 million of GVA per annum (2013 prices).

The development therefore represents a net increase in employment of 52 to 75 jobs but a net decrease in GVA of £1.50 million to £0.78 million per annum (2013 prices). This reflects the relatively low productivity of uses such as hospitality and retail. Overall, the development would benefit the Edinburgh economy.

### **Education**

A contribution towards Education is not required because the proposal is not expected to generate any pupils.

### **Flood risk**

The applicant submitted a flood risk self-certification certificate stating the proposal would not be at risk of flooding or increase the risk of flooding elsewhere. However, it has not been independently verified by a separate company and therefore it has not

been accepted by Flood Prevention. Accordingly it is necessary to condition the detailed specification of the proposed drainage.

### **Sustainability**

The proposal would have to accord with the updated building standards that would result in a higher level of efficiency throughout the site. The applicant has submitted a sustainability statement in support of the application which is available on the Planning and Building Standards Online Services.

The proposal is a major development and has been assessed against Part B of the standards. The points achieved against the essential criteria are set out in the table below:

<b>Essential Criteria</b>	<b>Available</b>	<b>Achieved</b>
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
<b>Total points</b>	<b>80</b>	<b>80</b>

The proposed development meets the requirements of sustainable design.

### **Waste and Recycling**

Communal bin stores are provided within each student and residential block with the exception of King's Stables Lane which would use the facilities in the Lady Wynd block. Refuse storage facilities are within 30 metres of an area that can be accessed from a refuse removal vehicle. Waste Services has advised they have no objections to the proposal. Outstanding concerns relating to the size of the communal bins can be dealt with post decision in consultation with Waste Services.

#### **i) Equalities or human rights**

The proposed development is acceptable in terms of equalities because, with the exception of the King's Stables Lane residential units, lift cores provide access to all floors and will include Braille controls, audible controls and tactile surfaces.

## j) Public comments

### **Material comments in objection**

#### **Proposed uses** - addressed in sections 3.3(a) and 3.3(f)

- Overprovision of hotels and student accommodation in the area;
- Poor housing mix;
- Insufficient affordable housing provided;
- Proposal fails to address need to provide family housing in the area;
- Proposed uses fail to provide a use or mix that is appropriate to the location, housing is the predominant use around the site;
- Compromises the ability of the development brief site to deliver housing; and
- Disproportionate emphasis on non-residential, transitory population, which does not support or create communities.

#### **Design and layout** - addressed in sections 3.3(b), 3.3(c), 3.3(d) and 3.3(f)

- Height and roofscape: too high, too cluttered;
- Does not respect the topography of the street and changes the character of King's Stables Road;
- Tall buildings on King's Stables Road will compromise future development opportunities of Argyle House and fails to link to potential redevelopment of Argyle House;
- Proposal will look out of place from Castle Terrace, Johnston Terrace, the Castle and through King's Bridge due to intrusive style, materials and scale;
- Design creates a blocky appearance that is out of keeping with the area's appearance and character, should be in keeping with the existing historic buildings;
- Floor to ceiling height too low to be adaptable;
- Student housing creates dead frontage to the street;
- No private open space for flats;
- Does not improve safety of the existing lanes because entrances are accessed via the courtyard;
- Overdevelopment of the site; and
- Position of communal bin on Lady Wynd insensitive.

#### **Heritage concerns:** - addressed in sections 3.3(b), 3.3(c) and 3.3(d)

- Harms outstanding universal value of World Heritage Site and threatens World Heritage Status;
- Harm the character and appearance of the Old Town Conservation Area;
- Not in keeping with the established and distinctive topography of this part of the Old Town Conservation Area and World Heritage Site;
- Fails to reflect the importance of the location in the context of the area and World Heritage Status;
- Fails to conserve the existing old buildings, existing building could be retained.
- The massing of the buildings at the King's Bridge is too great and forms a solid barrier when viewed through the bridge; and
- Scale of the building will harm the setting of the bridge.

## General:

- Need housing on brownfield sites to protect the green belt; and
- Not in keeping with the development brief with regard to the proposed uses.

## General amenity: - addressed in section 3.3(e)

- Overprovision of outdoor cafes will cause disturbance and nuisance;
- Loss of daylight and sunlight to neighbouring residential properties and Argyle House;
- Concerns about management and security of the courtyard;
- Noise and disturbance from proposed hotel and student housing; and
- Location of electrical sub-station in existing tenement.

## Parking and transport: - addressed in section 3.3(g)

- Proposal will create congestion and cause parking problems.

## Additional, specific comments on revised scheme:

- Proposal does not address previous concerns;
- Overprovision of hotel and student accommodation;
- Proposed new residential block not suitable for permanent residents due to substandard amenity and likely to be used as an aparthotel;
- Noise and odour from proposed restaurant;
- Proposed housing will not attract permanent residents, wrong type, need for affordable family housing;
- Noise report does not assess noise of visitors arriving and leaving the hotel;
- Residential block at Baird's close isolated from existing residential properties;
- Inadequate transport statement does not fully assess the impact of transport approaching the Grassmarket from King's Stables Road;
- Potential for the site to deliver a genuine mixed use was shown when the site was used for the Hidden Door festival;
- Proposal pushes housing into the suburbs by failing to provide good quality affordable housing in the city centre; and
- Ownership and management of the courtyard.

## **Community Councils**

### Tollcross

#### Objects to the proposal:

- acknowledge the benefits of a mixed use scheme;
- concerned proposed uses are profit driven;
- fails to address the need for housing and affordable housing in the area;
- overprovision of student residences in the area: a total of 14 residences and one pending application in their area would result in 4156 places and each proposal cited the proximity of the Edinburgh College of Art as the justification;

- highly sensitive location, Argyle House should not be used as a reference, the scale and massing of the proposal are too large for the site when viewed from the Castle;
- proposed flat roofscape is wholly inappropriate in a skyline formed with steep slate roofs with chimneys and stone gables; and
- proposal dominates the setting of the bridge and blocks much of the skyline looking through the bridge.

Tollcross Community Council advised the revised scheme did not address their previous concerns.

### Old Town

Objects to the proposal:

- limited housing and arts facility is tokenistic and fails to deliver a mixed use development;
- area oversubscribed with hotel and student accommodation developments;
- no major construction or redevelopment of residential accommodation has been delivered in the area;
- the overdevelopment / provision of hotels in the Old Town damages its character as a 'living city';
- the proposal does not represent the 'best value' of a publically owned asset and the Council should consider making the site available to a housing association;
- architecturally it is not as bad as other developments but consider it falls well short of the quality of design required in the World Heritage Site; and
- the height is too high, particularly towards the bridge, and the attempts to articulate the buildings fail to disguise the excessive bulk of the building that will be particularly noticeable when viewed from the Castle esplanade, Johnson Terrace and Grannies Green.

### West End

Made the following comments on scheme 1:

- welcomes removal of 1960s office building and retention of historic wall;
- highlights the importance of the roofscape;
- hotel and student block's height appears satisfactory, should not diminish from the A listed bridge;
- creation and retention of existing courtyards should enhance the scheme; and
- developer's justification for student housing makes sense, notes there is local concern about uptake.

Made the following comments on scheme 2:

- referred to previous comments; and
- welcomes some changes but identified outstanding issues that include: proliferation of student accommodation does not sustain the historic residential character; lost opportunity to address housing need; housing mix is inadequate, need for family sized units; location of sub-station insensitive; management of 'arts' facility required.

## **Non-material comments in objection**

- sale of Council owned asset in pursuit of profit;
- council owned site should be used to deliver affordable housing in the city centre;
- duty of the council, morally and legally, in disposing of the site, to consider the most beneficial community gain;
- disruption from construction works;
- harm property values;
- use of dwellings as holiday lets; and
- potential use of commercial premises as a public house or nightclub in the future.

### Pre-application engagement:

- proposal fails to respond to pre-application engagement feedback to shift the balance from tourist and student use towards residential use; and
- proposed plans do not reflect what was shown at pre-application consultation.

### Pre-application advice:

- proposal does not accord with supplementary design principles that required the starting point for redevelopment to retain the existing historic fabric;
- proposal disregards the Ian Springford sketch proposals and results in a substantial increase in the 'maximum quantum of development'; and
- failed to positively respond to advice from the Urban Design Panel.

## **Material representations in support**

- student housing will free up existing housing stock for families;
- rejuvenate a neglected part of the Grassmarket;
- improve of public realm;
- loss of the nightclub is welcomed; and
- increase footfall and have a positive impact on a local business.

## **CONCLUSION**

The proposal delivers a mix of uses that is appropriate in the city centre and provides regenerative benefits by introducing activity into a neglected part of the city centre. This activity and mix of uses would enhance the character and appearance of the conservation area and the outstanding universal value of the World Heritage Site. The development would improve the connectivity of the site and make it feel safer and more pleasant for pedestrians.

The proposed design and layout has positive and negative components, the housing mix is appropriate having regard to the need for smaller units, the ability to deliver affordable housing on site is a concern but the proposal would provide 25% affordable housing which would be delivered on site if financially viable. The regenerative benefits of the proposal outweigh these concerns. Finally while the proposed arts facility / housing building raises significant residential amenity concerns this does not prejudice the development of such a building on that part of the site, albeit at a smaller scale.

It is recommended that this application be Minded to Grant - Legal Agreement

### 3.4 Conditions/reasons/informatives

#### Conditions:-

1. Notwithstanding what is shown in the application drawings, the proposed building located on the corner of King's Stables Lane and Lady Wynd housing the proposed arts facility and 10 flats is not approved.
2. Notwithstanding what is shown in the application drawings, the proposed gates located on King's Stables Road and King's Stables Lane bounding the courtyard are not approved.
3. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, excavation, analysis, reporting and publication, interpretation & public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Note: the work must be carried out by a professional archaeological organisation, either working to a brief prepared by City of Edinburgh Council's Archaeology Services (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.

4. 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.
5. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
6. No development shall take place on the site until details of the flood risk and surface water management has been submitted by the applicant and approved by the Planning Authority.

7. A detailed lighting strategy for the public realm and courtyards shall be submitted for approval by the Planning Authority. This shall include details of any proposed lighting of the buildings. The approved scheme shall be fully implemented prior to the occupation of the development hereby approved.
8. The gross floor area of any class 1: retail premises shall not exceed 250 square metres.
9. The following noise protection measures to the proposed unit, as defined in the Charlie Fleming Associates 'Report on Proposed Retail Unit & Substation Sound', dated 13 May 2016:

#### Ceiling treatments

- A suspended metal frame independent ceiling with at least a 100mm mineral wool quilt. This shall be hung on resilient fixings attached to a layer of 19mm acoustic plasterboard with a further layer of 12.5mm acoustic plasterboard. All plasterboard panels shall be offset with all joints taped;
- The underside of the 12.5mm plasterboard surface shall be finished with a screed coat. The joints around the edges between the plasterboard and the wall shall be sealed with a resilient acoustic sealant;
- Down-lighters installed in the suspended ceiling, they must be installed with proprietary sound insulating backing boxes / hoods;
- Recessed ceiling loudspeakers must not be located within the sound insulating ceiling;
- Doors must be fitted with closers to ensure that they cannot slam; and
- Worktops, shelving, cookers and other fitments such as the dishwasher must be freestanding rather than fixed to or in contact with walls. Glass-washers will need to be mounted on anti-vibration pads.

#### Plant & Flue Treatments

- The fan shall be supported using anti-vibration hangers, with an isolation efficiency of 99%. They must be helical spring type and incorporate a neoprene pad. Flexible connections shall be used to connect the fan to the ductwork. The flexible connections shall be lagged with a breaker mat.
- The fan must not be hung from the first floor. It shall be mounted on brackets fixed to an external masonry wall. The ductwork shall be mounted on brackets fixed to an external masonry wall, and supported on anti-vibration mounts,

All the above mitigation measures shall be carried out in full and completed prior to the development being occupied.

10. Prior to the use of the commercial unit beneath the existing tenement being taken up, the extract flue and ventilation system, capable of 30 air changes per hour and expel with a minimum upwards velocity of 15m per second, as show on drawing no. 15653\_PL\_06 dated 26 May 2016 shall be implemented.
11. Prior to the occupation of the flats or residential accommodation the nightclub operations shall cease.

## **Reasons:-**

1. To protect the daylight and outlook of neighbouring residential properties.
2. To improve permeability through the site and ensure the approved pedestrian routes through the site are unobstructed.
3. In order to safeguard the interests of archaeological heritage.
4. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
5. In order to enable the planning authority to consider this/these matter/s in detail.
6. To ensure the site would not be at risk of flooding or increase the risk of flooding elsewhere.
7. In order to ensure that a high standard of public realm is achieved, appropriate to the location of the site.
8. To protect the vitality and viability of existing town centres.
9. In order to safeguard the amenity of neighbouring residents and other occupiers.
10. In order to safeguard the amenity of neighbouring residents and other occupiers.
11. In order to safeguard the amenity of neighbouring residents and other occupiers.

## **Informatives**

It should be noted that:

1. Planning permission should not be issued until the applicant has entered into a suitable legal agreement to ensure that affordable housing is provided in accordance with Council policy.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
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. Submit a draft Travel Plan and Management Agreement prior to first occupation and a final Travel Plan within 3 months of that date. The Travel Plan to be monitored on a 6 monthly cycle for two years and to include financial contribution to transport promotion measures, including contributions to, or provision of, public transport season tickets and the provision of a public and sustainable transport information pack.
6. A monitor capable of receiving an internet connection to display Public Transport Real Time information should be displayed in the reception area of the hotel and the student accommodation
7. Roads Authority Information:
  - a) All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed (please see comments regarding road construction consent above). The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site;
  - b) Residents will not be eligible for residential parking permits in accordance with Transport and Environment Committee decision of 4 June 2013. See [http://www.edinburgh.gov.uk/download/meetings/id/39382/item\\_7\\_7](http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7) (Category A - New Build). Residents of new student housing are not entitled to residents parking permits, in line with the approach currently taken for student residents of halls of residence;
  - c) Any works affecting an adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits [http://www.edinburgh.gov.uk/downloads/file/1263/apply\\_for\\_permission\\_to\\_create\\_or\\_alter\\_a\\_driveway\\_or\\_other\\_access\\_point](http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point)
  - d) Any gates or doors must open inwards onto the property;
  - e) Any sign mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984;
  - f) Refuse storage facilities should be within 30 metres of an area which can be accessed by a refuse removal vehicle.

8. Emission abatement technology shall be installed into any proposed energy centre above 1MW.
9. When designing the exhaust ducting, Heating, Ventilation and Air Conditioning (HVAC) good duct practice should be implemented to ensure that secondary noise is not generated by turbulence in the duct system. It is recommended that the HVAC Engineer employed to undertake the work, undertakes the installation with due cognisance of the Chartered Institute of Building Services Engineers (CIBSE) and American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Guidance.
10. When available the applicant shall provide details of all the boilers to Environmental Assessment to ensure compliance with the Clean Air Act 1993

## **Financial impact**

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

The Council is landowner of part of the site, the land excluding the nightclub building. The terms of the sale were reported to the Economy Committee on 13 February 2015 and ratified by the Finance and Resources Committee on 19 March 2015.

The application is subject to a legal agreement for developer contributions to secure a contribution towards affordable housing.

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

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

## **Equalities impact**

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

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

## **Sustainability impact**

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

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

## **Consultation and engagement**

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

A Proposal of Application Notice (15/01936/PAN) was submitted to the City of Edinburgh Council on 22 April 2015 outlining the pre-application consultation programme. A copy of the PAN was sent to the following stakeholders: Tollcross Community Council, Old Town Community Council, Edinburgh World Heritage Trust, Cockburn Association, City Centre Neighbourhood Partnership and local ward members.

The applicant's project team undertook the following pre-application consultation exercises:

- presented to the Urban Design Panel on 27 May 2015;
- public exhibitions on 17-18 June 2015 and 29 October 2015; and
- presentations to Tollcross Community Council and Old Town Community Council and local ward members.

Full details of the pre-application public consultation process are outlined in the Pre-application Consultation Report on the Planning and Building Standards Online Services.

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

### Scheme 1

The application was advertised on 8 January 2016 and attracted 110 representations; 107 in objection and three in support. These include objections from: Tollcross Community Council, Old Town Community Council, Architectural Heritage Society Scotland, Cockburn Association, Edinburgh Old Town Development Trust, Grassmarket Residents' Association, Grassmarket Business Improvement District, and Royal Park Terrace and Spring Gardens Residents' Association. In addition an agent acting on behalf of Argyle House has objected and raised concerns about the lack of coordinated development and masterplan.

### Scheme 2

The revised scheme was advertised on 13 May 2016 and attracted 46 representations, 45 in objection and one in support. These include objections from the Cockburn Association, Edinburgh Old Town Development Trust and Grassmarket Residents' Association. Tollcross Community Council and West End Community Council advised their concerns had not been addressed.

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

## **Background reading/external references**

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To view details of the application go to;

- [Planning and Building Standards online services](#)
- [Edinburgh City Local Plan and Rural West Edinburgh Local Plan](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development  
Plan Provision**

Edinburgh City Local Plan - Central Area and West  
Port/King's Stables Road Development Brief

**Date registered**

18 December 2015

**Drawing numbers/Scheme**

01-06; 07A; 08-21; 22B; 23; 24A-25A; 34A-40A; 42A-  
52A; 54A-57A; 58-59; 60A-80A; 82A-87A; 88-89; 90A;  
91-94,

**John Bury**

Head of Planning & Transport  
PLACE  
City of Edinburgh Council

Contact: Elaine Watson, Planning Officer  
E-mail: [elaine.watson@edinburgh.gov.uk](mailto:elaine.watson@edinburgh.gov.uk) Tel: 0131 529 3478

## **Links-Policies**

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### **Relevant Policies:**

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

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

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

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

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

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

Policy Des 7 (New Pedestrian Routes in the City Centre) relates to the creation of new pedestrian routes in the City Centre.

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

Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its settings.

Policy Env 2 (Listed Buildings - Demolition) identifies the circumstances in which the demolition of listed buildings will be permitted.

Policy Env 5 (Conservation Areas – Demolition of Buildings) sets out criteria for assessing proposals involving demolition of buildings in conservation areas.

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

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

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

Policy Hou 2 (Housing Mix) requires the provision of a mix of house types and sizes in new housing developments.

Policy Hou 3 (Private Open Space) sets out the requirements for the provision of private open space in housing development.

Policy Hou 4 (Density) sets out the factors to be taken into account in assessing density levels in new development.

Policy Hou 7 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

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

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

Policy Ret 5 (Out of Centre Retail Development) identifies the circumstances in which out-of-centre retail development will be permitted.

Policy Ret 12 (Food and Drink Establishments) sets criteria for assessing the change of use to a food & drink establishment.

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.

### **Relevant policies of the Proposed Local Development Plan.**

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

### **Other Relevant policy guidance**

**The Old Town Conservation Area Character Appraisal** emphasises the survival of the original medieval street pattern; the wealth of important landmark buildings; the survival of an outstanding collection of archaeological remains, medieval buildings, and 17th-century town houses; the consistent and harmonious height and mass of buildings; the importance of stone as a construction material for both buildings and the public realm; the vitality and variety of different uses; and the continuing presence of a residential community

**National Policy Designing Streets:** This document sets out government aspirations for street design and the role of the planning system in delivering this as part of a wider agenda to improve urban design and placemaking generally.

## **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 'PARKING STANDARDS' set the requirements for parking provision in developments.

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

**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.

# Appendix 1

**Application for Planning Permission 15/05715/FUL  
At 6, 8, 13, 15, 18-20, 21, 28 King's Stables Road, 2 Lady  
Wynd, Edinburgh  
Mixed use development comprising flats, student  
accommodation, hotel, arts facility and class 1, 2 and 3 uses,  
involving the erection of new buildings, alteration of existing  
buildings, partial demolition and change of use of ground  
floor of existing tenement building (as amended)**

## Consultations

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### Affordable housing

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

*- The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*

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

### 2. Affordable Housing Provision

*This application is for a development consisting of 59 homes and as such the AHP will apply. In terms of the AHP there will be a requirement for a minimum of 25% (14.75) homes of approved affordable tenures. As set out in "Developer Contributions and Affordable Housing", the Council rounds down the number of on-site affordable homes to the nearest whole number, which would be 14. The applicant has entered into dialogue with this department and RSLs in order to deliver a well integrated affordable housing on site which is tenure blind. The applicant has made a commitment to provide on-site affordable housing and this is welcomed by the department. The affordable housing provision of 25% has been accepted by the applicant and is to be located in two new build blocks.*

*The proposed affordable housing is mix of studio apartment and one bedroom homes, representative of the wider development. The build cost of the homes had been indicated to be high and this may limit the ability of the Registered Social Landlords to provide on-site affordable housing. The applicant has co-operated with this department by submitting details of the costs, which are being independently verified.*

*The applicant has engaged with two registered social landlords, who are considering proposals to deliver on site affordable homes. A commuted sum has been proposed by the applicant, based on land value, of £45,454 per unit, for 4.75 homes, with the remaining ten homes sought on-site. This sum could assist financing affordable housing units being provided on-site by a registered social landlord.*

*The applicant has also indicated a preference to provide Golden Share properties as part of the Affordable Housing Policy contribution for this development. The purchaser's price (80% of market value) for these homes is likely to be close to or at the limit of £214,796 per property, which is the average property price in the city. This department does not consider that delivering studio apartments at this price would best meet affordable housing needs, as larger sized homes could be found for less nearby, so we would instead seek a commuted sum at £45,454 per unit. If on-site affordable housing does not prove to be viable, a commuted sum of £670,446.50 (£45,454 x 14.75 units) would be sought. The applicant must enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.*

### **3. Summary**

*The applicant has made a commitment to provide 25% affordable housing contribution and this is welcomed by the department. On site affordable housing is being sought through two RSLs, but the per unit cost is high. If on-site affordable housing is not viable, a commuted sum of £45,454 per unit would be sought. The affordable housing will be secured by a Section 75 Legal Agreement.*

### **Archaeology**

*The site lies at the heart of Edinburgh's UNESCO World Heritage site, on the southern side of King's Stables Road first mentioned in David I's 1128 charter to found Holyrood Abbey as 'the way that leads to the Kirk of St Cuthbert'. The layout of the current site is seen in Rothiemay's 1647 plan of Edinburgh where the majority of the site is a large enclosed area with buildings occupying the eastern end of the site.*

*This may reflect its former use as the medieval tilting ground known as The Barrace known to be located to the west of the 14th century King's Stables in this location.*

*These grounds were laid out by Edward III's garrison of Edinburgh Castle who held the castle between 1335 & 1341 though this may be a redevelopment of an earlier medieval version destroyed by Robert the Bruce in 1313. The associated chapel (Lady's Chapel) for the dead and injured from these jousts is recorded as being located adjacent to the NW corner of this site in Lady Wynd.*

*Currently the site comprises a mix of historic buildings surrounding a central yard plus a 1960's infill office development. A more detailed record of these structures is contained in the applications accompanying Archaeology and History Statements by CFA & Andrew PK Wright, however it is possible that elements of the southern stone boundary wall these buildings date back to at the least the early 19th century and perhaps earlier to the late-medieval / post-medieval buildings shown on Rothiemay's map.*

*In order to identify the potential and significance for unrecorded archaeological remains lying across the site a programme of archaeological field evaluation and historic building assessment is required to be undertaken prior to submission. This was undertaken by Headland in 2014 and CFA in 2015. The results indicated that over 3m*

*of archaeological deposits survived dating back from the Industrial use of the Victorian period through to at least the early medieval period. These limited works complement the more detailed excavations carried out by Headland Archaeology for CEC during the 2007-8 redevelopment of the Grassmarket (James McMeeken 'Early Historic Settlement beneath the Grassmarket in Edinburgh', 2010, PSAS Vol. 140, 105-128). This work in summary revealed over 3m of archaeological deposits (lower deposits possibly water logged), including remains dating to the Early Bronze Age (c.2200-1950 BC), 6th-10th century Anglian occupation and medieval and later through to WW I.*

*Accordingly this application must be considered under terms Scottish Government's Scottish Planning Policy (SPP) and Scottish Historic Environment Policy (SHEP) and also CEC's Edinburgh City Local Plan Policies ENV5, ENV6 & 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.*

### **Setting**

*It is clear that the scale of the proposed demolitions and new constructions will significantly alter the setting and character of this section of the World Heritage Site, by removing much of the surviving 19th century buildings. The affects of this impact has been mitigated by the retention of the surviving boundary walls to kings Stables Lane (Block E) and the New Arts facility planned for Block G.*

*However the loss of the c.1817 warehouse No 28 Kings Stables Road (Block H) is perhaps more significant provides an important setting to the adjacent A-listed Bridge and also an important historic backdrop when looking down Kings Stables Road from the North. As such the loss of this building could be considered as having a greater adverse impact than alluded to in Andrew PK Wright's assessment and one which could be therefore contra to CEC policy ENV5.*

### **Historic Buildings**

*The proposed scheme proposes significant demolitions and alterations to a range of buildings (CFA /APK Wright's Blocks A-H). The loss of the 1960's office building (block B) is not considered to have a significant archaeological impact. However the remaining buildings occupying the site are considered to be of historic significance. A full historic breakdown is contained within the accompanying reports by CFA and Andrew PK Wright but in summary these structures principally date back to the 19th century with potential earlier fabric e.g. along Kings Stables Lane and on Lady's Wynd (Blocks E & G). The scale of loss and alterations to these former council buildings and the loss of the separate No.28 Kings Stables Road (Block H) must clearly be regarded as having significant adverse impacts. Of particular concern being the loss of No28 for the reasons stated above*

*That said the proposed impacts are in part mitigated by the retention of the historic walling along Kings Stables Road (Block E) and by the retention of historic fabric within the proposed new arts facility (Block G) on the corner of Lady Wynd and kings Stables Road.*

*If granted it is essential therefore that a detailed (level 2-3) programme of historic building recording (annotated plans and elevations, photographic and written*

*description and analysis) is undertaken of these historic buildings (A & C-H) prior to/ and during demolitions and alterations.*

*If approved, the above archaeological historic building surveys will build upon the historic building assessments already undertaken by Andrew PK Wright, CFA & Headland Archaeology.*

### **Buried Archaeology**

*The two phases of archaeological evaluation on the site undertaken by Headland in 2014 and CFA in 2015 have established that the site has over 3m of archaeological deposits. The proposals will require significant ground breaking works, principally in regards to the demolition of the proposed buildings and proposed new constructions of hotel and arts facility and new buildings. Such works will therefore significantly impact upon these important urban archaeological remains, dating back from the turn of the 20th century to the early medieval period and potentially prehistory, including the 14th century Barrace (tilting ground), 18-19th century industrial remains of and the prehistoric burn which fed the Nor Loch.*

*It is recommended therefore that a programme of archaeological work is undertaken prior to and during development in order to fully record, excavate and analyse any significant archaeological remains affected.*

### **Interpretation & Public Engagement**

*The site has likely been occupied since early period and is known to occupy the site of former 14th century tilting grounds for Edinburgh Castle known as the Barrace and map possible incorporates part of the associated Lady's Chapel. Given this it is considered important that this rich heritage and results of the archaeological excavations are publically interpreted within the final development. This should be undertaken also in collaboration with a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) during development, the scope of which will be agreed with CECAS.*

*In consented it is essential therefore that a condition be applied to any consent if granted to secure this programme of archaeological works based upon the following CEC condition;*

*No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, excavation, analysis, reporting and publication, interpretation & public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'*

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

## **Environmental Assessment**

*The applicant proposes developing a mixed use development comprising of flats, student accommodation, hotel, arts facility and class 1, 2 and 3 uses. This will involve the erection of new buildings, alteration of existing buildings and partial demolition of existing buildings including the nightclub unit, warehouse and offices. There are no car parking spaces proposed.*

*The application site is located on the south side of King's Stables Road between the Grassmarket and King's Bridge. To the east of the development site there is ground floor offices with flats above, to the south are flatted residential properties and mews flats fronting onto Kings Stables Lane with Argyle House located to the west. The units on the site are currently vacant or under temporary use. The previous uses comprised of offices, workshops, storage accommodation and garage uses*

*Environmental Assessment had raised concerns regarding this application with regards to noise and possible odour impacts on existing and proposed occupiers of the site. The main noise issue was possible noise breakout from the night club. Planning has confirmed that a condition can be attached to any consent to ensure that the night club use will stop before the development is occupied. The applicant has also submitted a supporting noise impact assessment which has addressed the noise breakout from the propose retail and class 3 uses. Cooking ventilation details have also been submitted to ensure amenity will be protected. Environmental Assessment will recommend conditions are attached to ensure amenity is protected.*

*The noise impact assessment has highlighted that acoustic mitigation measures are required in order to improve the sound insulation of the separating floor/ceiling/plant. These measures are specified in the recommended conditions. The applicant has also provided details on the proposed ventilation system which demonstrates that the extract will discharge at a high level.*

*The applicant has not provided details on the proposed energy provision for the development. If a large scale energy centralised centre (above 1MW) is proposed the applicant must introduce emission abatement technology if consented. This abatement technology will be a minimal requirement that Environmental Assessment shall request as a condition. The applicant must also provide a detailed chimney height calculation in accord with the Clean Air Act.*

*Due to the historic land use ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning & Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent.*

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

1. The following noise protection measures to the proposed unit, as defined in the Charlie Fleming Associates 'Report on Proposed Retail Unit & Substation Sound' (Ref 2760\_ \$k03\_ \$kR), dated 13 May 2016:

#### *Ceiling treatments*

- A suspended metal frame independent ceiling with at least a 100mm mineral wool quilt. This shall be hung on resilient fixings attached to a layer of 19mm acoustic plasterboard with a further layer of 12.5mm acoustic plasterboard. All plasterboard panels shall be offset with all joints taped.
- The underside of the 12.5mm plasterboard surface shall be finished with a screed coat. The joints around the edges between the plasterboard and the wall shall be sealed with a resilient acoustic sealant.
- Down-lighters installed in the suspended ceiling, they must be installed with proprietary sound insulating backing boxes / hoods.
- Recessed ceiling loudspeakers must not be located within the sound insulating ceiling.
- Doors must be fitted with closers to ensure that they cannot slam.
- Worktops, shelving, cookers and other fitments such as the dishwasher must be freestanding rather than fixed to or in contact with walls. Glass-washers will need to be mounted on anti-vibration pads.

#### *Plant & Flue Treatments*

- The fan shall be supported using anti-vibration hangers, with an isolation efficiency of 99%. They must be helical spring type and incorporate a neoprene pad. Flexible connections shall be used to connect the fan to the ductwork. The flexible connections shall be lagged with a breaker mat.
- The fan must not be hung from the first floor. It shall be mounted on brackets fixed to an external masonry wall. The ductwork shall be mounted on brackets fixed to an external masonry wall, and supported on anti-vibration mounts.

All the above mitigation measures shall be carried out in full and completed prior to the development being occupied.

2. The decommission and complete removal of the nightclub operations shall be carried out in full and completed prior to the development being occupied.

3. Prior to the use being taken up, the extract flue and ventilation system, capable of 30 air changes per hour and expel with a minimum upwards velocity of 15m per second, as show on drawing no. 15653\_PL\_06 dated 26 May 2016 shall be implemented.

4. 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.

*c) 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.*

*5. Emission abatement technology shall be installed into any proposed energy centre above 1MW.*

## **INFORMATIVE**

*It should be noted that when designing the exhaust ducting, Heating, ventilation and Air Conditioning (HVAC) good duct practice should be implemented to ensure that secondary noise is not generated by turbulence in the duct system. It is recommended that the HVAC Engineer employed to undertake the work, undertakes the installation with due cognisance of the Chartered Institute of Building Services Engineers (CIBSE) and American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Guidance.*

*When available the applicant shall provide details of all the boilers to Environmental Assessment to ensure compliance with the Clean Air Act 1993.*

## **Roads Authority Issues**

*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) Submit a draft Travel Plan and Management Agreement prior to first occupation and a final Travel Plan within 3 months of that date. The Travel Plan to be monitored on a 6 monthly cycle for two years and to include financial contribution to transport promotion measures, including contributions to, or provision of, public transport season tickets and the provision of a public and sustainable transport information pack. Reason - To encourage more sustainable travel modes in line with the Local Transport Strategy policy LU 3.*

*b) A monitor capable of receiving an internet connection to display Public Transport Real Time information should be displayed in the reception area of the hotel and the student accommodation (Reason to advise patrons of public transport);*

*2. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed (please see comments regarding road construction consent above). The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site;*

*3. The applicant should be advised that residents will not be eligible for residential parking permits in accordance with Transport and Environment Committee decision of 4 June 2013. See [http://www.edinburgh.gov.uk/download/meetings/id/39382/item\\_7\\_7](http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7) (Category A - New Build). Residents of new student housing are not entitled to residents parking permits, in line with the approach currently taken for student residents of halls of residence;*

4. Any works affecting an adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits [http://www.edinburgh.gov.uk/downloads/file/1263/apply\\_for\\_permission\\_to\\_create\\_or\\_alter\\_a\\_driveway\\_or\\_other\\_access\\_point](http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point)
5. Any gates or doors must open inwards onto the property;
6. Any sign mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984;
7. Refuse storage facilities should be within 30 metres of an area which can be accessed by a refuse removal vehicle.
8. Cycle parking to be to the satisfaction of the Head of Planning and Transport regarding specification, design, security and location.

## **City Strategy and Economy**

### Scheme 1 - dated 22 January 2016

*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.*

### *Edinburgh 12*

*In adherence with Capital Coalition Pledge 17 - "Continue efforts to develop the City's gap sites and encourage regeneration" - the City of Edinburgh Council is committed to supporting development across the City.*

*The Edinburgh 12 initiative was introduced by the Council in 2013 to assist with the progression of developments on strategic gap sites within Edinburgh's city centre. Twelve sites were identified as having the greatest economic impact and which could be delivered within the next five years within the city centre. Kings Stables Road is one of these sites.*

*It is estimated that the Edinburgh 12 could collectively directly support over 19,000 full-time equivalent end use jobs and GVA of approximately £2 billion upon completion.*

### *Commentary on existing uses*

*The site (6, 8, 13, 15, 18-20, 21, 28 King's Stables Road, 2 Lady Wynd, Edinburgh) is currently vacant and therefore does not presently support any employment. It comprises of 5,300m sq m of vacant office and storage properties.*

### *The site comprises of the following buildings:*

- 19th century four storey stone and brick tenement with ground floor vaulted stores, stables and garages.
- 1950's single storey workshop.
- 20th century brick and render with low level stone rubble wall to King's Stables Lane.
- 20th century brick and cut stone stores and garages with slate roofs.
- 19th century wall to King's Stables Lane.
- 20th century steel, brick and render garage structure with brick facade. 19th century two storey element with rubble walls to Lady's Wynd and King's Stables lane following medieval close with 20th century wall lines sitting over.

*Before being used by the City of Edinburgh Council as a street lighting and cleansing depot, the site was also formerly an abattoir. The buildings have been subject to significant alterations over the years and have lain vacant since 2009.*

*The site has a city centre location, linking the Grassmarket and Exchange business district. Argyle House, an office building cast in concrete, is located to the west of the site. Telereal Trillium has sublet 93,000 sq ft of Argyle House (45%). Tenants include CodeBase and the Forest Centre.*

*In late 2015 the development site was extended to include the former nightclub, Silk. During the summer of 2015 the site was used as a venue for arts festival 'Hidden Door' by way of introducing a temporary use.*

#### *Commentary on proposed uses*

*The applicant, Peveril and Campus Development Management, proposes a mixed use development for the site comprising of the following:*

- 14 studio flats, 6 one bed flats and 8 two bed flat - with 25% (7) affordable*
- 243 student bedrooms - these will be individual studios*
- 128 bed hotel (4,000m<sup>2</sup>)*
- 650m<sup>2</sup> arts facility*

*As per the planning report, the student accommodation is to be located to the west of the site with the hotel being located centrally. The flats and arts floorspace will be located within the existing mews along the southern boundary. The class 3 restaurants and retail space will be located on the ground floor of the existing tenement fronting King's Stables Road and on the ground floor of the hotel and student accommodation.*

*The boundary wall running along the southern boundary will remain but the proposed development will involve the demolition of the remainder of the former workshops on the east and west sides of the site and also the remainder of the mews office buildings on the south side.*

#### *a) Jobs*

*The Edinburgh 12 initiative is expected to support approximately 19,021 end use jobs and 6,777 construction jobs by 2020.*

*The Council and its partners are working towards achieving sustainable economic growth through investment in jobs in four ways:*

*Investing in the city's development and regeneration;*

- Supporting inward investment;*
- Supporting businesses; and*
- Helping unemployed people into work or learning.*

*The applicant has indicated that approximately 500-750 FTEs will be created by the development during construction. We are unable to comment on the robustness of this figure due to a lack of information at this time.*

*Post construction, the applicant has indicated that the development will support approximately 130 FTEs. We consider this figure to be robust.*

*b) Household expenditure*

*One of the overall aims of the second proposed Local Development Plan (LDP) is to help meet housing need in the City. The population of Edinburgh at the time of the National Record's 2011 census was 477,000 and said to be growing as a result of increased birth rates, residents living longer and people into the area for work or study.*

*The development proposes to create 28 additional new homes including affordable homes. This will help towards tackling the City's housing shortage.*

*The development can be expected to support jobs in the area via household expenditure. Given the average expenditure of households in Scotland (£449 p/w), the combined expenditure of the households within the development is projected to total approximately £653,744 p/a (assuming full occupancy).*

*c) Student expenditure*

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

*The University of Edinburgh estimates that students in self-catering accommodation spend, on average £1,960 to £4,240 per student on non-residential costs in an academic year (excluding rent and tuition fees). Therefore the proposed development can be expected to bring additional spend of approximately £1.03 million (assuming full occupancy) into the local economy.*

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

*d) Increased footfall*

*The proposed development can be expected to increase footfall in the local area with good pedestrian and public transport access. There is long stay car parking available at the NCP car park at Castle Terrace and a taxi rank at the front of the Apex hotel.*

*e) Visitor spending*

*The 'Edinburgh 2020' Edinburgh Tourism Strategy (2012) was developed by the Edinburgh Tourism Action Group (ETAG) to set out a vision for tourism in Edinburgh. The three core aims of the strategy are to, by 2020, increase tourism visits by one third; increase average visitor expenditure by 10% in real terms; and reduce seasonality by attracting more visitors in the off-season.*

*It is acknowledged that there is a shortage of hotel bedrooms in Edinburgh. The City of Edinburgh Tourist Accommodation Audit 2012 advised that 9,000 additional beds are required by 2021.*

*Data held by City Strategy and Economy indicates that, on average, a visitor to the City who is staying overnight will spend approximately £81 per day. The benefit from this proposal in terms of increased visitor spend will depend on occupancy levels and Average Room Rates (ARR.)*

*Assuming full capacity and one or two visitor per room, the hotel is capable of supporting visitor expenditure of between £3.8m and £7.5 p/a. This figure will also*

*depend on whether the visitors are leisure or business tourists with the former likely to spend more than the latter on leisure activities for example.*

*f) Loss of office space*

*There is a growing shortage of office space in the City resulting from strong demand, a weak development pipeline and the ongoing conversion of ageing office properties to other uses.*

*In November 2014, a research paper was presented to the Economy Committee looking at the shortage of office space in Edinburgh. It noted that the total supply of vacant office space in Edinburgh stood at 204,400 sqm in April 2014 (of a total supply of around 2,137,000 sqm.) Of this vacant space, around 119,000 sqm was in the city centre.*

*The paper also notes that the total office take-up in Edinburgh was 69,956 sqm in 2013 - the highest annual figure since 2007. In the second quarter of 2014, there was 220,160 sqm of take-up: 14,307 in the city centre and 5,853 out of town.*

*It is pertinent to note that whilst a city centre location may be preferred by some businesses when looking for office space, Edinburgh has other concentrated areas of high quality offices outwith the city centre, e.g. Quatermile, Edinburgh Park and so on.*

*The paper addresses the fact that Grade B office space is also important since not every business will require an open plan suite at a high cost. Refurbishing Grade B spaces seems the best way to address the growing shortage of Grade A office space.*

*Given that there is a tendency towards large floor-plates (as occupiers seek to consolidate their operations in Edinburgh on a single floor-plate within a single building) Kings Stables Road could provide consolidated space for more than one business. The site comprises of 5,300m<sup>2</sup> of vacant office and storage properties, if retained for office use, the site could support approximately 442 FTEs if fully let; however it is noted that this may not be likely.*

*Summary response to consultation*

- The Edinburgh 12 initiative is expected to support approximately 19,021 end use jobs and 6,777 construction jobs by 2020.*
- The site is currently vacant and therefore does not presently support any employment.*
- The applicant has indicated that approximately 500-750 FTEs will be created by the development during construction.*
- Post construction, the applicant has indicated that the development will support approximately 130 FTEs.*
- The development proposes to create 28 additional new homes including affordable homes. This will help towards tackling the City's housing shortage.*
- The combined expenditure of the households within the development is projected to total approximately £653,744 p/a (assuming full occupancy).*
- The proposed development can be expected to increase footfall in the local area with good pedestrian and public transport access.*
- There is a growing shortage of office space in the City resulting from strong demand, a weak development pipeline and the ongoing conversion of ageing office properties to other uses.*

- The site comprises of 5,300m<sup>2</sup> of vacant office and storage properties, if retained for office use, the site could support approximately 442 FTEs if fully let; however it is noted that this may not be likely.

#### Scheme 2 - dated 15 June 2016

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 0.73 hectares of land bounded by King's Stables Road to the north; Lady Wynd to the east; King's Stables Lane to the south; and the Argyle House car park to the west. The site is currently occupied by a mix of commercial and residential properties:

- 2 Lady Wynd: a tenement building divided into 2 flats.
- 6 King's Stables Road: a tenement building divided into 4 flats.
- 8 King's Stables Road: a tenement building divided into 6 flats.
- 13 King's Stables Road: a tenement building divided into 9 flats.
- 15 King's Stables Road: a tenement building divided into 3 flats.
- 21 King's Stables Road: a 3,682m<sup>2</sup> depot complex.
- 28 King's Stables Road: a 1,282m<sup>2</sup> nightclub ("Silk").

Based on average levels of household expenditure in Scotland, the households of the 24 flats could be expected to collectively spend approximately £0.59 million per annum. Of this £0.59 million, it is estimated that approximately £0.35 million could reasonably be expected to primarily be made within Edinburgh. This £0.35 million could be expected to directly support approximately 4 jobs and £0.10 million of GVA per annum (2013 prices), primarily in the retail, transport and hospitality sectors. Taking multiplier effects into account would give a total impact of approximately 5 jobs and £0.16 million of GVA per annum (2013 prices).

Based on average employment densities, it is estimated that, if fully let, the two existing commercial buildings could directly support approximately 96 full-time equivalent jobs. Taking multiplier effects into account would give a total impact of approximately 180 full-time equivalent jobs. Based on average gross value added per worker for workers in the manufacturing sector (£61,383) (2013 prices) and the food and beverage service activities sector (£12,542) (2013 prices), the 96 jobs could be expected to directly support GVA of approximately £5.04 million per annum (2013 prices). Taking multiplier effects into account would give a total impact of approximately £9.34 million of GVA per annum (2013 prices).

#### *Commentary on proposed uses*

The development as proposed would deliver 867m<sup>2</sup> of class 1/2/3 space; a 650m<sup>2</sup> arts facility; 167 student bedrooms; a 92 bedroom hotel; and 59 flats.

*Class 1/2/3 - Shops/Financial, professional and other services/Food and drink*  
The development as proposed would deliver 867m<sup>2</sup> of class 1/2/3 space. Based on average employment densities, this space could be expected to, if fully occupied,

directly support between 43 and 58 full-time equivalent jobs. Taking multiplier effects into account would give a total impact of between 57 and 77 full-time equivalent jobs. Based on average gross value added per worker for workers in the retail sector (£27,891) (2013 prices), the 43 to 58 jobs could be expected to directly support GVA of approximately £1.20 million to £1.62 million per annum (2013 prices). Taking multiplier effects into account would give a total impact of approximately £1.81 million to £2.44 million of GVA per annum (2013 prices).

#### *Class 7 - Hotels and hostels*

The development as proposed would deliver a class 7 (hotel) building with 92 bedrooms. Based on average employment densities, and assuming a mid-scale operator, this could be expected to directly support approximately 31 full-time equivalent jobs. Taking multiplier effects into account would give a total impact of 39 full-time equivalent jobs. Based on average gross value added per worker for workers in the accommodation sector (£29,948) (2013 prices), the 31 jobs could be expected to directly support GVA of approximately £0.93 million per annum (2013 prices). Taking multiplier effects into account would give a total impact of approximately £1.40 million of GVA per annum (2013 prices).

The hotel could also be expected to support additional visitor expenditure in Edinburgh. Hotel occupancy in Edinburgh averages 81.5%; this suggests that the hotel could be expected to support 27,368 bed-nights in Edinburgh per annum ( $92 \times 365 \times 0.815$ ). Visitor expenditure in Edinburgh averages £92 per night; this would therefore represent £2.52 million of additional visitor expenditure per annum. Based on average visitor spend profiles, it is anticipated that 38% (£0.96 million) of this expenditure would be on accommodation (and would therefore support the 31 jobs within the hotel) while 62% (£1.56 million) would be in the wider economy on eating and drinking; shopping; entertainment; and travel and transport. It is calculated that this £1.56 million of visitor expenditure could be expected to support a total of 43 jobs and £1.04 million of GVA per annum (2013 prices).

#### *Sui generis - Flats*

The development as proposed would deliver 59 flats (some newly built and some retained from the existing development). Based on average levels of household expenditure in Scotland, the 59 flats could be expected to collectively spend approximately £1.46 million per annum. Of this £1.46 million, it is estimated that approximately £0.86 million could reasonably be expected to primarily be made within Edinburgh. This £0.86 million could be expected to directly support approximately 10 jobs and £0.25 million of GVA per annum (2013 prices), primarily in the retail, transport and hospitality sectors. Taking multiplier effects into account would give a total impact of approximately 13 jobs and £0.39 million of GVA per annum (2013 prices).

#### *Sui generis - Student housing*

The development as proposed would deliver 167 student bedrooms. Based on average employment densities, this could be expected to directly support approximately 33 full-time equivalent jobs. Taking multiplier effects into account would give a total impact of 42 full-time equivalent jobs. Based on average gross value added per worker for workers in the accommodation sector (£29,948) (2013 prices), the 33 jobs could be expected to directly support GVA of approximately £1.00 million per annum (2013 prices). Taking multiplier effects into account would give a total impact of approximately £1.51 million of GVA per annum (2013 prices).

*Statistics from the University of Edinburgh suggests that students spend approximately £255 to £530 per month (not including rent and tuition fees). Over the course of a 32 week academic year, this would represent approximately £2,040 to £4,240. Assuming all 167 bedrooms were occupied, this would represent total expenditure by students (not including rent and tuition fees) of £0.34 million to £0.71 million per annum. It is estimated that approximately £0.23 million to £0.45 million of this expenditure could reasonably be expected to primarily be made within Edinburgh. This £0.23 million to £0.45 million of expenditure could be expected to directly support approximately 2 to 4 jobs and £0.06 million to £0.12 million of GVA per annum (2013 prices). Taking multiplier effects into account would give a total impact of approximately 3 to 6 jobs and £0.09 million to £0.18 million of GVA per annum (2013 prices).*

#### *Class 10 - Non residential institutions*

*The development as proposed would deliver a 650m<sup>2</sup> arts facility. Based on average employment densities, this space could be expected to, if fully occupied, directly support approximately 22 full-time equivalent jobs. Taking multiplier effects into account would give a total impact of 40 full-time equivalent jobs. Based on average gross value added per worker for workers in the arts, entertainment and recreation sector (£44,881) (2013 prices), the 22 jobs could be expected to directly support GVA of approximately £0.99 million (2013 prices). Taking multiplier effects into account would give a total impact of £1.76 million of GVA per annum (2013 prices).*

#### **SUMMARY RESPONSE TO CONSULTATION**

*It is estimated that the development as proposed could, once fully-built and fully-let, support approximately 237 to 260 jobs and £8.00 million to £8.72 million of gross value added per annum (2013 prices). By comparison, the current uses could be expected to support approximately 185 jobs and £9.50 million of GVA per annum (2013 prices) if fully occupied. The development therefore represents a net increase in employment of 52 to 75 jobs but a net decrease in GVA of £1.50 million to £0.78 million per annum (2013 prices). This anomaly reflects the relatively low productivity of uses such as hospitality and retail.*

#### **Communities and Families**

*The 'Developer Contributions and Affordable Housing' guidance states that 'where a proposal results in less than one new ND pupil' a contribution towards education infrastructure is not required. The guidance sets out the expected pupil generation rate for flats and houses.*

*39 studio flats and 9 one-bed flats have been excluded from the assessment as they are not expected to generate any pupils.*

*The remaining 11 flats are not expected to generate enough pupils to require a contribution towards additional school accommodation.*

*No contribution towards education infrastructure is required.*

## **Waste and Cleansing Services**

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

*Waste and Fleet Services would expect to be the service provider for the collection of waste as this appears to be a residential development. The sustainability report has not been submitted and as such it is not possible for us to assess the quality of the waste management strategy for the development, or confirm whether it would comply with the Council's Waste and Recycling Strategy, or with our operational requirements.*

*The waste management drawing does show that bin stores will be used. However I picked up on the following:*

- 1- 1280 & 600 litre glass bins are to be used. We no longer offer 1280 or 600 litre bins for glass due to health and safety issues regarding weights. Please contact the Community Waste Officer to amend this and to ensure enough space is available for the bins.*
- 2- Refuse and Recycling vehicles will need to reverse down the lane to service bins. Has this been agreed with a Community Waste Officer?*

*It is imperative that adequate provision is made for the storage of waste off street, and that cognisance is taken of the need to provide adequate space for the storage of segregated waste streams in line with the Waste (Scotland) Regulations which require the source separation of dry recyclable materials, glass, food, etc.*

*Adequate provision should also be made for the effective segregation of materials within the building not just at the point of collection. Adequate access must also be provided to allow uplift of waste safely from the collection point taking into consideration the traffic flows at this busy location.*

*In view of these factors the developer must contact Waste Services' Community Waste Team on 0131 529 3030 or email [waste@edinburgh.gov.uk](mailto:waste@edinburgh.gov.uk) at the earliest point to ensure adequate provision of segregated household waste bins, off street storage and access for the refuse collectors.*

*As the council will be responsible for the management of the waste from the planned properties, it is mandatory that there is recycling provision for these properties. Within the planning application it shows that there will be a combination of flats and terraced housing. Normally terraced housing of this type in this area are eligible for kerbside collections for DMR (Dry Mixed Recyclables), glass, garden waste, food waste and refuse. The flatted properties would use a communal waste system comprising of DMR (Dry Mixed Recyclables), glass, garden waste, food waste and refuse.*

*However I would strongly advise that the developer should at the soonest opportunity contact our Community Waste Officer Team for advice relating to their options so that all aspects of the waste & recycling service are considered i.e. access for vehicles, health & safety, presentation points for kerbside bins and/or boxes and size of storage areas required in residential gardens for all bins & boxes etc.*

## Historic Environment Scotland

### Scheme 1 - dated 7 January 2016

*You have consulted us because you believe the development may affect:*

*Edinburgh Castle  
King's Stables Bridge (LB27943)  
Edinburgh College of Art (LB27974) and  
Edinburgh World Heritage Site.*

*Historic Environment Scotland have reviewed your consultation, and we consider the proposals do not raise issues of national significance, so we can confirm that we do not object.*

*While we do not object, we do, however, have the following comments which your Council should take into account under the terms of Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.*

*The site concerned appears to have been largely developed in the early nineteenth century within an existing walled enclosure, of perhaps C17th or earlier date, which incorporated earlier development at its eastern end. At the western end of the enclosure site is the much altered rubble stone facades of the Shambles, a slaughterhouse, first built by 1821 and later truncated. It was built to supply the existing tanning industries to the south, the lane here being known as Tanner Street in the latter eighteenth century. The various later buildings facing the internal courtyard incorporate parts of the early walled enclosure on the rear and side facades. At the western part of the site immediately across the lane (Baird's Close) is No.28 King's Stables Road (Silk nightclub). It is a standalone stone building, built by 1817 and later altered and extended.*

*We do not consider the redevelopment of the site will significantly impact on the setting of the aforementioned Category-A listed buildings. Nor do we consider the redevelopment will harm the outstanding universal value of the World Heritage Site.*

*However, the redevelopment and the substantial increase in scale of the new buildings will adversely affect the immediate setting of the Category A listed Kings Stables Bridge, designed by Thomas Hamilton in 1829. When the bridge, a considerable engineering project, was constructed, the adjacent stone buildings proposed for demolition were extant, and their scale and materials provide a historic and appropriately scaled setting.*

*The redevelopment proposals would also result in changes within the World Heritage Site with an increase in scale, height and non-traditional roofscape, which will be particularly visible from above (the Castle and Johnson Terrace). Although Argyle House (1966-9) forms a backdrop to the site, we would recommend that more cues are taken from the dominant character of the conservation area, including the adjacent tenements, rather than seeking to emulate more recent post-war flat-roofed commercial development. The scale, height and massing of new development, together with the design and treatment of roofscape are noted in your Council's West Port / Kings Stables Road Development Brief (2010), and besides questioning the balance of uses on the site, the Edinburgh Urban Design Panel Report urges development that mirrors the scale of the Baronial tenements and that avoids flat roofs.*

*We will comment further on the conservation area consent application(s) for the demolition of the unlisted buildings on the site, certain of which date to the early nineteenth century. The extent of demolition appears to have increased significantly since pre-application discussions and now concerns the entire site, with the exception of retained boundary walling.*

#### *Note*

*Historic Environment Scotland, HES, has a national remit for the Historic Environment, and as such does not provide detailed comments on every application. We consider consultations in national terms, and will decide whether to provide detailed advice depending on the scale, nature or complexity of the proposals.*

*A decision not to provide detailed comments or not to object should not be taken as support for the proposals by HES, and the application should be assessed as normal by your Council against local and national policy and guidance on the Historic Environment.*

*Detailed guidance on the application of National policy is set out in our 'Managing Change in the Historic Environment' series available online at <http://www.historic-scotland.gov.uk/managingchange>.*

#### Scheme 2 - dated 13 June 2016

*You have consulted us because you believe the development may affect:*

*Edinburgh Castle (M90130)  
King's Stables Bridge (LB27943)  
Edinburgh College of Art (LB27974) and  
Edinburgh World Heritage Site.*

*Historic Environment Scotland has reviewed your consultation, and we consider the proposals do not raise issues of national significance, so we can confirm that we do not object.*

*While we do not object, we do, however, have the following comments which your Council should take into account under the terms of Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013*

*We commented on the previous proposals on 7 January 2016. These comments refer to the recent revisions.*

*To recap; the site concerned appears to have been largely developed in the early nineteenth century within an existing walled enclosure, of perhaps C17th or earlier date, which incorporated earlier development at its eastern end. This walled enclosure was the site of a Jousting tournament held by King James IV in 1507 and 1508. At the western end of the enclosure site is the much altered rubble stone facades of the Shambles, a slaughterhouse, first built by 1821 and later truncated. It was built to supply the existing tanning industries to the south, the lane here being known as Tanner Street in the latter eighteenth century. The various later buildings facing the internal courtyard incorporate parts of the early walled enclosure on the rear and side facades. At the western part of the site immediately across the lane (Baird's Close) is No.28 King's Stables Road (Silk nightclub). It is a standalone stone building, built by 1817 and later altered and extended.*

*Dealing with the revised drawings we still do not consider the redevelopment of the site will significantly impact on the setting of the nearby Category-A listed buildings. Nor do we consider the redevelopment will harm the outstanding universal value of the World Heritage Site.*

#### *Setting of Kings Stables Bridge*

*The redevelopment and the substantial increase in scale of the new buildings will adversely affect the immediate setting of the Category A listed Kings Stables Bridge, designed by Thomas Hamilton in 1829. When the bridge, a considerable engineering project, was constructed, the adjacent stone buildings proposed for demolition were extant, and their scale and materials provide a historic and appropriately scaled setting. We would suggest that if the loss of No.28 is acceptable, the scale of the residential block at Baird's Close should be reduced in height.*

#### *New build*

*The redevelopment will affect the World Heritage Site with an increase in scale, height and roofscape, particularly visible from above (the Castle and Johnson Terrace). Previously we commented on the importance of roofscape to the site, acknowledged in the Development Brief, and that cues should be taken from the dominant character of the conservation area, rather than post-war flat-roofed development. We welcome the changes to the hotel block on Kings Stables Road, introducing a more traditional roofscape adjacent to the Baronial tenements. The adjacent block has also an improved treatment, but the tall residential block adjacent to the bridge at Baird's Close will still be particularly visible. Again, a reduction in scale would be welcomed. The similar façade materials on this section of Kings Stables Road will unfortunately serve to tie the separate sites together. It would benefit from a wider and bolder palette of materials than ashlar stone - although the increased use of stugged or broached finishes, used sparingly at present, could be of benefit. We also note improvements to the elevations and roofscape of the new build element at Lady Wynd / Kings Stables Lane.*

*We welcome the open corridor link to the ground floor of the hotel, allowing a visible connection to the other courtyard space. The current courtyard space, an echo of the original jousting arena in scale, is an asset and rarity within the Old Town, only recently publicly appreciated during the Hidden Door festival. It would be preferable if the space was not completely subdivided by the hotel, or if the hotel could increase the level of visibility between the open spaces, perhaps by the use of a glazed linking corridor?*

#### *Demolition*

*We here include comments on the conservation area consent application(s) for the demolition of the unlisted buildings on the site, which has not been revised markedly from the last submission. As before, the extent of demolition on the site appears to have increased significantly since pre-application discussions, and now concerns the entire site, with the exception of the proposed retained boundary walling. We welcome the retention of this historic boundary walling, but would urge the reuse of existing historic and later openings, rather than imposing standardised openings through the walling. The historic C16th-17th arched opening could also be restored, or made a feature, as part of the scheme.*

*We do not agree with the heritage report that the former Shambles building and No.28 King's Stables Road make a negative contribution to the conservation area. Although altered we consider both these early-nineteenth century buildings currently make, on balance, a positive contribution. Several of the courtyard mews buildings have a similar character.*

*We would recommend a more sympathetic and considered approach that could incorporate parts of the characterful stone buildings on Kings Stables Road and certain of the courtyard 'mews' buildings. This would have the potential to retain the site's character and benefit the overall scheme. Elsewhere, there are a good deal of historic setts within the courtyard and lanes - these should be retained and, where necessary, salvaged for reuse.*

### **Conclusion**

*Whilst there has been some improvements to the elevational treatments and inclusion of more traditional roofscape to the new build elements, we would urge changes in design, style and materials between the blocks on King's Stables Road to prevent the buildings being 'read' as one monolithic development, and to help introduce variety, a key feature of the conservation area and World Heritage site. As above, the residential block adjacent to the bridge would benefit from being reduced in scale.*

*We still believe there is considerable demolition on the site and would urge the retention, and innovative incorporation of more of the existing fabric. This would benefit both the scheme and the wider character of the conservation area and World Heritage site.*

### **Note**

*Historic Environment Scotland, HES, has a national remit for the Historic Environment, and as such does not provide detailed comments on every application. We consider consultations in national terms, and will decide whether to provide detailed advice depending on the scale, nature or complexity of the proposals.*

*A decision not to provide detailed comments or not to object should not be taken as support for the proposals by HES, and the application should be assessed as normal by your Council against local and national policy and guidance on the Historic Environment.*

*Detailed guidance on the application of National policy is set out in our 'Managing Change in the Historic Environment' series available online at <https://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/> . Technical advice is available through our Technical Conservation website at <http://conservation.historic-scotland.gov.uk/> .*

## **Edinburgh World Heritage (EWH)**

### **Scheme 1 - dated 17 February 2016**

*Thank you for requesting EWH's views regarding the impact of these proposals on the outstanding universal value of the World Heritage Site.*

*EWH normally seeks early discussions with development teams in relation to major sites within the World Heritage Site. In this case, however, no early meeting was*

*offered, and so there has been no meaningful dialogue with the development team with regard to how development on the site might positively or negatively affect outstanding universal value. This is regrettable.*

*EWH recognises the importance of this site in terms of the sustainable development of the Old Town. There are four elements of outstanding universal value within the World Heritage Site Management Plan that are relevant to the development site and proposals.*

- Topography: The northern edge of the site sits at the base of the Castle Rock, forming the bottom of the valley, with the land rising up to the south and to the east.*
- Skyline/Views: The site is as often viewed from above as it is from beneath, with Castle Terrace rising to the North.*
- Townscape: The King's Bridge, part of a wider improvement scheme, is located to the West of the site, and the past repairs to the urban fabric of the area have worked around the South to North fall of the land. The scale and form of Argyll House have a negative impact on outstanding universal value.*
- Community and Residential Viability: The permanent residential population of the Old Town is critical to giving the city life.*

*Topography: The proposals work against the East-West slope of the valley bottom, with the taller elements towards the East. Up to eight storeys are proposed for the building by the King's Bridge, in contrast to Argyll House, which at this point is deliberately low.*

*Skyline: The question here is on two levels - firstly when viewed from below and secondly when viewed from above. In both cases, the historic skyline language of this part of the Old Town (pitch roofs, gables, etc) is not carried through into the new proposals. This is even more evident from above, where the proposals do no work with the weft and weave of the historic fabric (Notably, the fabric of more recent interventions do seek to take these patterns into account).*

*Townscape: While the plan for of the proposals works with the general layout of the area. IN three dimensions they start to work against it- putting the most dominant building against the finest piece of architecture in the vicinity (the King's Bridge), or presenting inactive facades to closes.*

*Community and Residential Viability: It is arguable that creating further 30\* Hotel Use and Student Accommodation in this location does nothing to support the increasingly embattled permanent residential population of the Old Town. Instead, these proposals are more likely to increase pressure on their day to day lives. We are deeply concerned that increased pressure on this residential population will lead to its flight from the Grassmarket area and the loss of authenticity in this part of the World Heritage Site.*

*We regret that there has been almost no opportunity to discuss with the development team how outstanding universal value might have been considered in the proposals, and it is hard to see how it has been accounted for in a meaningful way. The result is - somewhat predictably - a set of proposals that are likely to have a negative impact on outstanding universal value. As with other recent development proposals of this scale, it also asks the question of what makes this design "of Edinburgh" rather than any other city.*

## Scheme 2 - dated 9 June 2016

*Thank you for requesting EWH's view on the impact of the proposed development on the outstanding universal value of the World Heritage Site. The scheme's architect has talked us through the revisions and we are grateful for the time spent explaining how they have tried to meet the demands of their brief in the context of our comments.*

*In our comments on the earlier version of the proposals, we raised four areas of concern - namely the topography, skyline / views, townscape and community impact. These revised comments follow this format.*

*Topography: Our previous concerns related to the fall of the land from east to west, with the buildings rising from east to west, rather than following the topography. The buildings still rise in height from east to west, against the topography.*

*Skyline: The eastern part of the scheme has been adapted to take into account concerns around skyline and has largely met these (although the five storey block feels out of place). However, the western part of the scheme (the student accommodation and residential block) remain blocky in character: no matter how playful its roof, it cannot disguise that the form of this part of the scheme is essentially large blocks.*

*Townscape: The failure to really grapple with our concerns on topography plays out on townscape. The Kings Bridge, a Vitruvian delight, will be dominated by the tall residential block. The proposals continue to fail to address the streets around them: the opportunity to make King's Stables Lane as fine as the best of the New Town's lanes is being lost by putting all the front doors on the courtyard side (which will also create issues for existing residents - see below).*

*Community and residential viability: While the increase in residential units should be welcomed, a scratch of the surface reveals that these will mostly be studio or one bedroom apartments, rather than the mix of accommodation the Old Town so desperately needs to support this part of the World Heritage Site as a sustainable community. As noted above, in placing all the front doors to the lane buildings into the courtyard, this becomes a space that cannot easily be controlled, creating conflict with existing residents and missing an opportunity to revive the lane. Simple measures, such as moving an electricity substation into an existing residential block, do nothing to support the existing community in this part of the World Heritage Site.*

*Consequently, our view is that in spite of improvements to the eastern part of the scheme, these proposals are likely to have a negative impact on the outstanding universal value of the World Heritage Site.*

## **Grassmarket Area Business Improvement District**

*The BID would comment on this proposed development;*

*We are very keen to see this derelict site brought back into use, and especially to see Kings Stables Road to thereby become a safer and more salubrious part of the area. However we are not sure that this proposal is either a) the right mix to make best use of the development opportunity, and b) that the proposed building style is really sympathetic to the surroundings, or attractive enough to put in the historic Old Town.*

*Although the development is described as 'mixed' to us it looks to be nearly all hotel and student rooms. There may be commercial pressure for more of those uses, but it is our view that there now exists too many hotels and certainly too much student accommodation within the Old town. An excess of these uses is not conducive to the lively mix that makes Edinburgh a great City to live in and to visit. In general they do not help local business thrive, and they certainly damage the diversity of businesses needed to maintain a healthy community.*

*From an architectural point of view this proposal is disappointing. It is just another big bulky modern box. In our opinion it is not attractive to locals and it certainly not the sort of thing that visitors to the city come to see.*

*Here is a great opportunity to revitalize this area, we don't think that this proposal makes best use of that potential, and would prefer the Council to consider other options that would offer better economic development value.*

## Community Councils

### **Tollcross Community Council**

#### Scheme 1 - dated 1 February 2016

*Members of Tollcross Community Council would like to make the following comments on the proposal. We accept that this site is ripe for development but there are three major issues we would like to comment on; the mix of uses, the deviation from the development brief and the sensitivity of the site to overdevelopment and design criteria.*

#### **1. MIX OF USES**

*The LDP has the central area zoned for mixed use which we support. This designation was presumably based upon its current and envisaged future mix of uses. A good central city area requires a wide variety of uses, including settled housing, for a healthy community. Unfortunately, developers only bring forward proposals which are the most profitable at the time. For some time now this profitability has been in developments for transient populations, such as student residences, hotels and apart-hotels. When only certain developments take place then the character and cohesion of the area will change.*

*We were involved in the preparation of the development brief some years ago and a clear message at that time was that the development should have a large component of housing as there is an obvious need for housing and affordable housing in particular. This proposed development is for a large student residence and a large hotel with a derisory number of housing units (28). Of these, half are single rooms which would probably end up as holiday lets. We also bought into the idea that central Edinburgh and the World Heritage Site were enhanced by communities living and working within it rather than it being a theme park. Many recent developments and applications in our area have been for hotels, aparthotels and student residences. These uses make no contribution to a settled community for the area.*

*We feel that there is now an over concentration of student residences in this area. In fact there are fourteen residences and one pending application in our area with a total of 4156 places. All the applications stress the nearness of Edinburgh University (Art College) but most of Edinburgh's students study at some considerable distance away*

*and residences should be nearer where student's classes are. In fact, there are far more students living in this city centre locality than there are students studying in it. Most of the major campuses are a considerable distance away. It is disingenuous of developers to keep citing the same few university premises as a justification for more residences.*

*The proposal stresses community use and the provision of artisan studios and exhibition space. This gives an improved mix to the proposal, from the developers view. However the same has been proposed in many major developments in our area and none has ever been delivered. There appears to be no mechanism to enforce the delivery of this type of facility and it must be clear by now to the development subcommittee, that these facilities are never delivered. a mechanism should be put in place to enforce their delivery.*

*The mix of uses on this site should be revised with the removal of student residences, as reduction in hotel space and the inclusion of much more housing.*

## **2. THE WEST PORT/KING'S STABLES PLANNING BRIEF**

*This is another example of where a planning brief would be abrogated by piecemeal developments. The brief was for a larger area than this development and suggested a boutique hotel and some student residences along with a good measure of housing. The owners of Argyll House appear to be interested in new offices. This proposal for a large hotel and student residence is moving the housing into the future. A series of developers in the city have employed this tactic so that housing, or affordable housing, in a development brief or master plan, is not delivered at all. It is essential that this development makes the proper contribution to housing need as envisaged in the Brief.*

## **3. SENSITIVITY OF THE SITE**

*Not only is the site part of the World Heritage Site but it is adjacent to and very visible from what is probably Scotland's most important National Monument. Hindsight tells us that the ugly Argyle House should never have been built in this situation, so any reference to its scale and massing should not be considered. There is only one important neighbouring building and that is the Castle. The scale and massing of the proposal are both too large for the site where views from the Castle should look down on lesser buildings. And of course, the materials to be used must be sensitively chosen for this site. One attraction of the views that millions look down on from the Castle is the Old Town skyline which is relatively low rise. This current skyline is formed with steep slate roofs with chimneys and stone gables. This form should be replicated and the proposal for very angular buildings with flat roofs is wholly inappropriate. The development should address the tenements and not overwhelm them. Blocky buildings of up to eight storeys will dominate the view. The relatively new housing on West Port was built to fit in with the Old Town skyline in both texture and shape. This development should do the same.*

*It maybe that some of the buildings on the site are in poor condition. However, there are some historically important buildings and walls which fit in with the Old Town's heritage. These should be examined with the possibility of incorporating them into the development, rather than simply demolishing them.*

*The King's Bridge which is A listed is also an important local landmark. Views of and through it should not be dominated by the largest building on the proposed*

*development which dominates the setting of the bridge and blocks much of the skyline when looking through the bridge. Much more thought should be given to the setting and views of this bridge.*

*We ask that this proposal be rejected and hope that you will take our concerns seriously in considering this proposal.*

#### Scheme 2 - dated 9 June 2016

*I want to confirm that our objection to 15/05715/FUL is to be considered for the revised scheme.*

#### **Old Town Community Council - dated 08 February 2016**

*The Community Council strongly object to this proposal and make these comments: mixed development - not.*

*Firstly we would point out that the inclusion of a token eight two bedroom flat does not make this a 'mixed development' One bedroom 'apartments' and 'studio flats' are not homes, they only amount to more holiday accommodation. As of course do the 245 student bedrooms which will of course also act as holiday accommodation over the summer.*

*As to the arts facility if it follows the same procedure as similar token inclusions in all the other recent developments, for sure after a short period of under use it will be deemed unwanted and become part of the hotel's bar/restaurant, Overdevelopment: We would point out here that of the latest ten major developments completed or planned in the Old Town, all involve huge hotels, and or student accommodation for which the Old Town now exceeds legal limits. In the same period there has been no major construction or redevelopment to provide residential accommodation, whilst all the time hundreds of homes have been lost to HMOs and holiday lets. This overdevelopment, which this would exacerbate, has resulted in serious problems for the area and for the City in general: The attrition of the local population and the types of businesses that serve those people.*

*The attraction of Edinburgh as a place to live, work and to visit, is that it is a 'living City'. These over-developments destroy that, and in the long term will destroy the viability of the City, both socially and economically. In terms of development, there is a balance of needs to be maintained, the balance has tipped too far one way and needs redressed. This proposal therefore needs to be rejected and the Council to seriously consider alternative proposals for which they have not done so far This site is a publicly owned asset for which the council is obliged to obtain 'best value' which we don't think is represented in this proposal.*

*We would suggest that the Council consider making the site available to a Housing Association for the purpose of creating genuine homes for people to live in. Architectural. Although this proposal is less bad architecturally than other recent offerings, and is a lot better than the gross Argyll House behind it, which should no way be used as reference. But it still falls well short of the quality of design that is required in the World Heritage Site. The whole thing is of course too high, especially the end towards the bridge. Ugly boxes stuck on the front to supposedly reference the gables of the adjacent tenements fail to disguise the excessive bulk of proposed building. This*

*will be especially noticeable when viewed from the Castle esplanade, Johnson Terrace or even Grannies Green.*

## **West End Community Council**

### Scheme 1 - dated 10 January 2016

*The West End Community Council submits the following as a consultee.*

*It is unfortunate that the Development Brief for the wider area (the result of the work of the*

*Focus Groups of 2008 - 2010 and subsequent public consultation) cannot be taken forward to completion. Since the Argyle House site is no longer part of the development, the opportunity has been lost to provide a much greater residential element. The Old Town has need of affordable housing and family accommodation, which would help to create stability in the community.*

*This developer has, however, undertaken a very comprehensive study of the background to the more restricted site. The mixed use possibilities that have been identified seem appropriate. Following the public comments made in the PAN process, we acknowledge that account has been taken of local preferences for increased residential provision. Ref: CEC Development Brief 2010; Background Heritage Report; Design and Access Statements*

#### *World Heritage Site and Old Town Conservation Area:*

*WECC commends the removal of inappropriate 20th century buildings and the retention of buildings and wall fragments e.g. from the historic Barras, that make a positive contribution to the character of the area. Ref: ECLP Env 1; Env 5*

#### *Design of the new-build:*

*This proposal has importance as it is overlooked from the Castle (Scotland's foremost tourist attraction) and is highly visible from the Esplanade and Johnston Terrace. The "fifth elevation" is, therefore, significant. WECC trusts that all plant for the new-build will be hidden within the main structures. Ref: ECLP Des 1; Des 3; Env 1; Env 3; Env 6 a) b) c)*

#### *Height and scale:*

*The hotel and student accommodation appears to relate satisfactorily in terms of height and scale to the tenements erected in 1877 for workers in local industry. The west most building heights must not be allowed to diminish the importance of the Thomas Hamilton designed King's Bridge and the obelisks. Ref: ECLP Des 3; Env 3*

#### *Layout, space and connectivity:*

*The creation of small courtyards, retention of the existing main cobbled courtyard and proposals for heritage artworks should enhance the general character of the scheme. WECC recommends opening up a clearer view of the King's Bridge, e.g. by clearing vegetation and creating public space. Ref: ECLP Des 4; Env 3; Env 6; Hou 3*

#### *Traffic:*

*Servicing and delivery scheduling should be controlled to suit residents as well as commercial units.*

*City Car Club parking provision should be re-examined to consider possible increase in demand.*

*There is concern that the level of Resident Parking provision will be insufficient, as the allocation is barely adequate at present. Shared Use might be appropriate.*

*Student accommodation:*

*The developer's justification for student accommodation seems to make sense when one considers the proximity of the Art College. There are local concerns, however, that uptake in recently built blocks in the Old Town is slow. There is possible gain to residential housing from the move of students from HMOs, but there are doubts about whether this has been a proven effect. Ref: ECLP Hou10*

*We trust that the above comments, concerns and suggestions will be considered material.*

Scheme 2 - dated 2 June 2016

*The West End Community Council submits the following as a consultee.*

*Comments and concerns:*

*We wish the comments and concerns we submitted on 10.01.2016 in regard to the original*

*scheme to be taken into consideration where still appropriate:*

*1 World Heritage Site and Old Town Conservation Area comments Ref: ECLP Env 1; Env 5*

*2 Height and scale effect on the Thomas Hamilton designed King's Bridge and obelisks Ref: ECLP Des 3; Env 3*

*3 Layout, space and connectivity through creation and retention of courtyards, wynds etc. How these are to be monitored, managed (gated?). Ref: ECLP Des 4; Env 3; Env 6; Hou 3*

*4 Transport Resident parking provision difficulties. Servicing and delivery time management for commercial units. City Car Club provision. Ref: ECLP Tra 14*

*Objections:*

*WECC welcomes some of the changes in this revised proposal, e.g. the reduction in building heights, the increased housing provision, the smaller hotel and student residence. There remain issues, however, that make the application less than satisfactory.*

*This is a site which could provide the City Council with an opportunity to reinforce the living community that is the Old Town. The proliferation of student accommodation (which out of term-time becomes holiday lets) is not helping to sustain the historic residential feel and character which is part of the reason for its World Heritage Site designation. Ref: ECLP Hou 2; Hou10 b); Hou 7*

*The City Council is losing an opportunity to address its need to provide housing (without encroaching on green belt land). The housing mix is inadequate. There should be more provision of family sized dwellings. Ref: ECLP Hou 2; Hou 7*

*The location of an electricity sub-station is seen as detrimental to health and well-being.*

*Detail on the "Arts Facility" is lacking, e.g. management and retention of use into the future.*

*We trust that the above comments, concerns and objections will be considered material.*

## **Urban Design Panel Report - dated 27 May 2015**

### *Executive Summary*

*The Panel welcomes the principle of bringing forward a mixed use development on the site and the opportunity to enliven an underused part of the Old Town and create a busier and more attractive route through to the Grassmarket. However, a sensitive approach needs to be developed at this pre application stage to the balance of uses, to the historic context and to matters of detailed design.*

*Significant concerns are raised about the dominance of student housing in the proposed balance of uses and the very limited number of residential units. Concerns are also raised regarding the lack of site analysis, the extensive demolitions proposed, and the lack of reference to the requirements of the development brief. It is noted that the designs are at a very early stage of development, and recommendations are made as to key considerations for developing detailed proposals for the built form and public realm.*

### *Main Report*

#### *1 Introduction*

*1.1 The proposed site is located in the centre of the city, on the south side of King's Stables Road. It is a long, narrow site containing a variety of building types and heights around a central courtyard. It contains a range of rubble stone 18th and 19th century buildings, including a former slaughterhouse, former warehouses, and a mews building; a 1960s concrete office and storage building; and ground floor commercial units within a baronial style four storey tenement. None of the buildings on the site are listed, however all are within the Old Town Conservation Area and World Heritage Site.*

*1.2 A number of listed buildings are located outwith the site, including the Category A listed King's Bridge which frames the approach from the west. In addition Castle Rock to the north of the site is a Special Landscape Area. Argyll House, a dominant 1960s office building, bounds the site to the south and west.*

*1.3 The site lies to the south of Johnston Terrace and the Castle, from which the site is highly visible: due to the dramatic changes in topography it is seen from above as part of the Old Town's roofscape, sitting quietly within the iconic world heritage site skyline. The site and surrounding streets afford a range of open and glimpsed views to the dramatic form of Castle Rock.*

*1.4 The wider area is mixed use with a concentration of residential properties around the south and east.*

*1.5 The proposals are for the demolition of all buildings on the site except the tenement and mews and a newbuild mixed use development comprising a 240 unit student*

*accommodation; a hotel; 11 residential units; and artisan studios with café/exhibition space. The development would be formed around two new courtyards, with two new pedestrian routes providing links through the site from West Port.*

*1.6 This is the first time that the proposals have been reviewed and no declarations of interest were made by any Panel members in relation to this scheme.*

*1.7 This report should be read in conjunction with the pre meeting papers which provide concept drawings showing indicative plans, massing and perspective views. The proposals are at an early stage in the design development and represent the first of a planned two-stage consultation process.*

*1.8 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.*

*The Panel's view*

## *2 Principle of developing the site*

*2.1 The principle of a mixed use development on this underused site in the heart of the city is supported.*

## *3 Balance of uses*

*3.1 The Panel has strong concerns regarding the proposed balance of uses. The city and the site locality have a significant housing need, including a need for affordable housing, and the Panel is strongly of the view that the proposed dominance of student accommodation over general housing is wrong.*

*3.2 The balance of uses in the proposals - 240 student units, a large hotel, and just 11 residential units - is considered to be a missed opportunity. The student accommodation and hotel use would overwhelm the residential element of the development; would fail to respond to the housing needs of the area; and would create a feeling of transience. This balance needs to be revised to increase the housing and reduce or remove student accommodation and hotel use.*

*3.3 There is no objection to the proposed charitable artist studio/exhibition space/café situated within the ground floor of the existing tenement. However, this element of the scheme is still very vague and more detail is required. It will be imperative that adequate legal measures are put in place to ensure that this aspect of the scheme retains its charitable ambitions of ensuring the units are affordable to independent artists.*

## *4 Responding to development brief and site context*

*4.1 The starting point for any proposals on this site must be the development brief and the site context, including the historic buildings on the site and the character of the conservation area and World Heritage Site. The current proposals provide no evidence that the proposals relate to the requirements of the brief.*

*4.2 There are also significant concerns about the lack of conservation area and built heritage analysis, and the Panel questions the developer's view that the site is predominantly 20th century. The historic buildings on the site appear to have been dismissed as unworthy of retention with no analysis of their historical character or value. The rubble stone walls are characteristic of the Old Town and the slaughter house deserves greater consideration in terms of its contribution to the conservation area. The site has an interesting history that should be more thoroughly explored.*

*4.3 There is concern about the significant amount of demolition proposed. Concern is also expressed about the lack of detail regarding which elements of the site that are proposed to be retained and the extent of the proposed alterations. Opportunities for retaining the existing buildings and stone boundary walls should be explored.*

*4.4 Other elements of the site and its environs that contribute to its character, and which should be included in the assessment, are the glimpsed views and narrow lanes, the well-used Granny's Green, the elegant King's Bridge (an A Listed Structure) and the dramatic topography.*

## *5 Height and massing*

*5.1 At this early stage in the proposals the massing and materiality is too broad for the Panel to provide detailed comments.*

*5.2 There are some concerns about the proposed height and scale at the western end of the site, specifically where it steps up towards Argyll House. The Panel appreciates the difficulty created by the unknown future of the building, nonetheless the Development Brief for the King's Stables Road site states clearly that new building should not reach up to Argyll House but should follow the tenemental scale of the existing buildings and historic nightclub building.*

*5.3 The topography of the site and surroundings should be at the heart of any design responses to this space. The massing as currently proposed appears slightly too high for the site, and runs a risk of being very blocky, particularly where it steps up. The Panel emphasises that flat roofs and blocky forms would be extremely unattractive and inappropriate for the site.*

*5.4 Due to the views down to the site from the Castle, the design of the roofscape will be fundamental to the success of any scheme. The design development must ensure that the roofscape responds to and sits comfortably within the established character of the Old Town roofscape of steeply pitched slate roofs and gables.*

*5.5 The development site wraps around the existing tenement building, and the way in which the newbuild elements relate to and frame the tenement will be key to the success of the development. Cheap modular construction facades should not be considered for this elevation.*

*5.6 The proposal to push the proposed student housing block up to a hard corner at the edge of the site is inappropriate: this corner is a key node between the pedestrian routes from Kings Bridge and the pedestrian steps towards the Grassmarket. This should be an inviting corner and hub of activity with attractive open space. The current*

*proposals would exacerbate the existing inactive and unwelcoming aspect of this section of the street.*

## *6 Materials*

*6.1 This sensitive site requires careful consideration of materials. This may not necessarily require stone. The current proposals contain no detailed information on materials, and no further comments can be provided at this stage.*

## *7 Permeability and open spaces*

*7.1 The aspiration to improve permeability and legibility through the site is welcomed.*

*7.2 It will be important to ensure that the new public realm does not result in bland streets and empty squares. The new pedestrian routes should reflect the characteristics of the Old Town urban grain - narrow pedestrian streets and pends with glimpsed views through, and the cobbled street surfaces.*

*7.3 The site's topography - set at the bottom of a valley with tall buildings and raised streets all around - is equally important in relation to the proposed public squares: there is some concern that the two proposed squares may be too small and too enclosed to gain sufficient daylight. Dark courtyards will not achieve the desired effect of vibrant public spaces. The Panel recognises the contribution to the character of the conservation area of the existing large open cobbled courtyard which exists at present.*

## *8 Ground floor activity*

*8.1 There is concern that the current proposed mix of uses will provide insufficient active frontage and will not succeed in enlivening the public squares. In order to create a thriving, vibrant place there needs to be ground level activity, particularly to the squares and to King's Stables Road. The entrance to a hotel and to student housing will not be sufficient to achieve this.*

*8.2 The proposed artists studios, exhibition and café is supported as part of an appropriate mix of ground floor uses.*

## *9 Public realm outside the red line*

*9.1 Development on this site will increase demand for the pedestrian corridor along King's Stables Road. There is also a potential desire line up to Johnstone Terrace. These routes are outwith the boundary of the site, but will nonetheless be key in knitting the new development into the wider cityscape. Public realm improvements to these areas would be desirable.*

*9.2 Caution is urged regarding proposals for making alterations to Granny's Green. This area is much valued and used by the local community, who put a lot of effort into the recent restoration and improvement of the green. The adjoining bank provides visual amenity to the tenements on King's Stables Road.*

## *10 Parking*

10.1 The Panel notes that student accommodation developments often have a detrimental impact on parking within the locality, regardless of management restrictions on car ownership.

## 11 Night club

11.1 The Panel notes that despite being within the site boundary, the current scheme does not include any proposals for the existing nightclub. It is therefore not possible to comment on this aspect of the scheme should it come forward.

## 12 Recommendations

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

- The principle of a mixed use development to enliven King's Stables Road and improve the route into the Grassmarket.
- The principle of residential development on the site.
- The principle of charitable artists studio and exhibition space.
- The principle of creating pedestrian links and permeability through the site.
- The principle of introducing ground floor activity and active frontages, particularly on King's Stables Road and any public spaces within the site.

12.2 However, there are aspects of the scheme which require revision. In developing the proposals the Panel suggests the following matters should be addressed:

### *Balance of uses*

- The balance of uses as currently proposed is far too heavily weighted towards student accommodation and hotel use, with far too little residential. This must be addressed.
- The scale of student accommodation is not considered suitable for the site. If proposals for student accommodation are to be taken forward they should be significantly reduced and should be accompanied by a detailed justification to demonstrate that this would not have a detrimental impact on the area.
- The suitability of a hotel use on the site needs more justification within the mixture of uses.

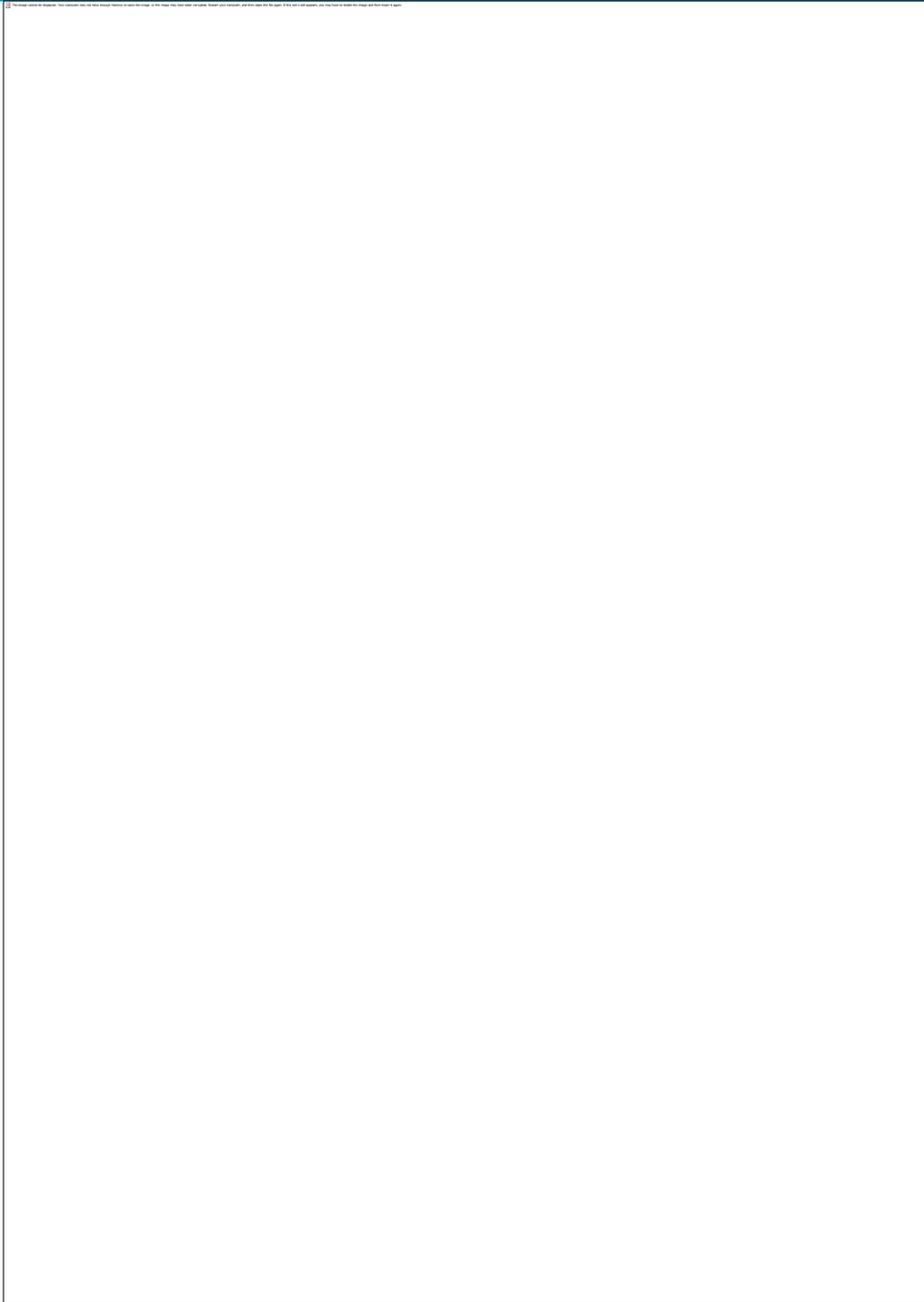
### *Massing, built form and public realm*

- The massing, height and built form should be revised to reflect the requirements set out in the development brief.
- A detailed historical analysis should be undertaken of the character of the site and conservation area. This analysis should form the basis of any decisions regarding proposals for demolition of existing buildings. The scheme should seek to retain more of the rubble stone character of the site than currently proposed.
- The proposals to step the height up towards Argyll House should be revised to ensure that the new development mirrors the scale of the tenements and not Argyll House, and that it will be a positive contribution to the cityscape regardless of the future of Argyll House.
- The massing and roofscape should be developed to reflect the surrounding urban grain and form, and to sit comfortably in views from the Castle. Flat roofs should be avoided.
- The detailed designs should ensure that the newbuild elements relate well to the existing tenement within the site.

- *The design of the north west corner of the site adjacent to King's Bridge should be revisited to avoid a blank 'dead' zone, and to create a more active frontage and provide a welcoming link en route to the Grassmarket.*
- *Materials should be carefully considered, with particular attention paid to the King's Stables Road elevation.*
- *The design of routes through the site should be carefully developed to reflect the characteristic narrow lanes and glimpsed views of the Old Town.*
- *The design of the public squares should be given careful consideration to ensure that they receive sufficient daylight and generate sufficient activity. An appropriate mix of ground floor uses in the surrounding buildings will be key to achieving this.*
- *Proposals for public realm improvements outside the site boundary should be carefully considered in partnership with the community. The aspiration should be to knit the site into the surrounding urban grain.*

## Location Plan

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**END**