

# Development Management Sub Committee

Wednesday 18 January 2017

**Application for Planning Permission 16/03138/FUL  
At Site 54 Metres Southeast Of 20, West Bowling Green  
Street, Edinburgh  
To construct 98 No. residential units with commercial space  
at Anderson Place/West Bowling Green Street. Ground floor  
frontage, associated parking, landscaping and accesses.**

<b>Item number</b>	4.7
<b>Report number</b>	
<b>Wards</b>	A12 - Leith Walk

## Summary

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The proposals comply with the Local Development Plan, the Bonnington Development Brief and the relevant non-statutory guidelines. The proposals are of an appropriate design quality delivering a high amenity environment and positively addressing the Water of Leith. The regeneration will enhance the setting of the nearby listed buildings and the wider area. The delivery of housing and commercial space will regenerate this area and provide a positive edge to the proposed extension to the Water of Leith Walkway.

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## Links

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

LDPP, LDEL01, LDES01, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES10, LDES11, LEN03, LEN09, LEN15, LEN16, LEN20, LEN21, LEN22, LEMP09, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LRET06, LTRA02, LTRA03, LTRA04, LTRA08, LTRA09, NSG, NSGD02, NSGSTR, NSP,

# Report

## **Application for Planning Permission 16/03138/FUL At Site 54 Metres Southeast Of 20, West Bowling Green Street, Edinburgh**

**To construct 98 No. residential units with commercial space  
at Anderson Place/West Bowling Green Street. Ground floor  
frontage, associated parking, landscaping and accesses.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The site consists of two areas covering 0.89 hectares split by West Bowling Green Street. It is bounded by the Water of Leith which curves round the northern, eastern and southern borders of the site.

The northern section of the site is vacant. It previously contained a four storey brick-built warehouse, now demolished. To the west of this is a road hammerhead, an electricity substation and an area of open space which is crossed by a path. The path is a right of way. Further west are several small business/trade units. To the east on the opposite side of the river is the residential area known as the Quilts, which comprises mainly two storey houses.

The southern part of the site is bounded by Anderson Place to the west and consisted of business units, now demolished. The opposite side of the river contains the Leith Mills retail outlet and the Bonnington Bond mixed use development which is B listed (reference number: 27016 listed 29 April 1988).

Demolition of the buildings on the site was undertaken in 2012.

Access to the site is currently from Anderson Place and West Bowling Green Street. West Bowling Green Street and part of Anderson Place are setted. West Bowling Green Street is closed to motor vehicles at its eastern end where it meets the bridge. The bridge is B listed (reference number: 27456 listed 3 March 1994).

## 2.2 Site History

1 November 2005 - An outline application for a residential development on the northern section of the site (2-8 West Bowling Green Street) and on adjacent land was refused due to incompatibility with the primary industrial/business use designation. It was considered that housing would prejudice the likelihood of preserving business and industrial uses within the adjacent areas (application number 05/03067/OUT). The subsequent appeal was dismissed (reference P/PPA/230/825).

7 August 2008 - The Bonnington Development Brief was approved by Planning Committee. This sets out planning and design principles to guide the redevelopment of a predominantly business and industrial area in Leith.

14 May 2013 - Detailed planning application was granted for the erection of 114 no. residential units with commercial space, ground floor frontage, associated parking, landscaping and access (application number 12/01840/FUL). The pre-commencement conditions have been discharged, the financial contribution to education infrastructure has been received and works have commenced on site.

27 October 2015 - Application for Proposal of Application Notice. Residential development with associated parking, landscaping and accesses (application number 15/04781/PAN).

## Main report

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### 3.1 Description Of The Proposal

The proposal is for a mixed use development of 98 residential and five commercial units totalling 406 sqm. There are 92 flats, comprising one, two and three bedroom flats and also six colonies. Twenty-five percent of the residential units are to be affordable. The built form is split into four elements.

Block 1 fronts the proposed new section of the Water of Leith Walkway and forms two linked blocks at three storeys in height. These blocks contain 12 units with the ground floor units having private gardens to the walkway. To the east of these blocks, adjoining the new walkway, is an area of communal green space.

Block 2 is an 'L' shaped building arranged along West Bowling Green Street and Anderson Place. This is a five storey buildings with ground floor commercial space to Anderson Place and turning the corner part way along West Bowling Green Street and onto the Water of Leith. The remainder of the ground floor to West Bowling Green Street is residential and the upper floors are all residential. Block 3 sits to the east of Block 2 on West Bowling Green Street and is a five storey flatted block. The rear area contains car parking which is accessed from between the blocks on West Bowling Green Street. Block 2 is set back from Anderson Place to provide a generous pedestrian space.

Block 4 is a flatted block to the north of West Bowling Green Street. This is five storeys high with a small area of open space adjacent to the existing bridge. To the front of the block are 12 on street end on car parking spaces, one of which is for disabled users.

Block 5 comprises six colony properties fronting West Bowling Green Street. This block is three storeys in height and has private gardens to front, rear and the east side. To the rear of this block is a second area of communal green space, adjoining the walkway.

The main materials proposed through the development are red brick on the external elevations. The buildings have pitched roofs with the exception of block 4. To the courtyard the buildings have balconies, ranging from three to ten square metres, constructed in galvanised steel.

The proposals include the creation of a new section of the Water of Leith Walkway for pedestrian and cyclists. The first part stretches from Anderson Place following the river up to West Bowling Green Street. There are public routes proposed from the new walkway through the new open spaces, one of which will facilitate cycle movement. A new walkway is proposed to extend round the proposed northern block, with a cycle route proposed to the east.

The two areas of green space are enclosed by a fence and hedging. Blocks 1 and 5, which include private garden grounds, are enclosed by a low wall railing and hedging. The proposal is supported by a detailed landscape plan.

There are 52 car parking spaces proposed within the site and 26 additional spaces are being formed in parallel and end on parking on West Bowling Green Street. West Bowling Green Street incorporates a single vehicular access to a parking courtyard. It also incorporates a new turning head which is required to facilitate the development of the site opposite.

## **Supporting Information**

The supporting documents are:

- Pre Application Consultation Report;
- Sustainability Statement;
- Transport Statement;
- Road safety audit;
- Air quality impact assessment;
- Site investigation;
- Flood risk assessment and self certification;
- Ecology report;
- Noise impact assessment;
- Archaeology evaluation; and
- Design and Access Statement.

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

### **3.2 Determining Issues**

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

Do the proposals comply with the development plan?

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

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

### **3.3 Assessment**

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

- a) The principle of the development is acceptable;
- b) The proposals preserve or enhance the setting of listed buildings and archaeological features;
- c) The proposals provide a development of appropriate layout, scale and design;
- d) The proposals provide an acceptable level of amenity for future residents and the existing residents;
- e) The mix of units and level of affordable housing are acceptable;
- f) The access and parking arrangements are acceptable;
- g) The proposals adequately address issues of sustainability;
- h) The proposals have an acceptable impact on infrastructure;
- i) The proposals address flooding, air quality and ecology issues;
- j) The proposals have any equalities or human rights impacts, and
- k) The representations have been addressed.

#### **a) The Principle of the Development**

The adopted Edinburgh Local Development Plan (LDP) identifies this site as within the Urban Area where general housing and employment policies apply. The river and relevant vegetated land which forms part of the Water of Leith corridor is identified as a Local Nature Conservation Site (LNCS).

The area is also covered by the Bonnington Development Brief. This shows proposed uses on the site as being residential and small business space. The brief was approved by Planning Committee in 2008 following the removal of the business and industry designation from the former local plan. The brief provides a framework for development proposals incorporating uses other than business, industry or storage in the Bonnington area.

The Bonnington Development Brief states that 'All sites for new development will be required to include a significant element of new small business space to help meet the need in north east Edinburgh.' This element of the brief has been superseded by LDP policy Emp 9 Employment Sites and Premises. The proposal accords with parts a) and b) of the policy as it will not inhibit existing employment uses and will contribute to the improvement of the wider area. Policy Emp 9 part c) requires business space where the site is greater than one hectare. Although this site is below this threshold it does form part of a larger business area where retaining employment opportunities would be beneficial. The Edinburgh Design Guidance item 2.7 also supports a mix of uses to deliver more sustainable development and good placemaking. The balance of residential uses and ground floor commercial space on the main frontage and adjoining the Water of Leith will create a positive contribution to the regeneration of this area.

The development accords with the LDP and the development brief and is acceptable in principle.

### **b) Setting of listed buildings and archaeological features**

The adjacent bridge at the eastern end of West Bowling Green Street is category B listed and the Bonnington Bond building on the southern side of the river is also category B listed. Development affecting the setting of a listed building will be permitted only if not detrimental to the appearance or character of the building, or to its setting.

The regeneration of this derelict land will enhance the setting of the adjoining listed structure. The proposed layout, design and massing is well considered and will complement the surroundings. The creation of a new section of the Water of Leith Walkway, with spaces adjacent, will allow the further appreciation of the listed structures.

#### Archaeology

A programme of archaeological investigation was carried out across the site in response to planning application 12/01840/FUL. Given the earlier archaeological investigations on this site, no further works are required.

### **c) Layout, Scale and Design**

#### Layout

The proposed layout is an appropriate response to the site. A well defined, active street frontage is provided to Anderson Place and part of West Bowling Green Street. The layout creates a high quality edge to the Water of Leith through the orientation of new buildings, creation of green spaces and new pedestrian/cycle routes.

Where the site tapers toward the bridge, the design introduces different scales of buildings to positive effect. To the south, the introduction of colonies and private gardens creates a soft edge which leads into the new green spaces. To the north, block 4 introduces a larger scale to create a positive termination of the streetscene. This block creates a positive and strong visual impact from the north, while creating the space for a small area of green space adjoining the bridge.

The vehicular access is incorporated in a way which does not detract from the streetscene or the pedestrian cycle movement through the site.

### Scale, Height and Density

The building heights are five and three storeys. These heights are appropriate to this context and comply with the guidance set out in the Bonnington Development Brief. The buildings proposed are within Key View C1b, which looks northeast from the Castle ramparts. They do not rise into the sky space around the landmark feature of Inchkeith Island and so do not have an adverse impact on this view in relation to impacts on sky space.

The layout and heights have been considered in the context of local views. The view down Breadalbane Street to North Leith Parish Church retains the view to the church spire and aligns the new blocks to create a long view through the site and new green space. The gables to the new buildings have been articulated to create positive edges to the walkway along the Water of Leith.

The development equates to a density of 102 dwellings per hectare which is appropriate for this context.

### Design

The area contains a mixture of buildings, including the industrial/commercial buildings of various styles and ages, two storey residential buildings and the large red brick Bonnington Bond. The five storey buildings reflect the tenement buildings in the wider area. The rhythm and proportion of the fenestration are well ordered. The stair wells are either glazed or set back to add interest and this is further enhanced by a varied eaves line.

The street frontages to West Bowling Green Street and Anderson Place are uniform and simple with a combination of brick elevations and fenestration creating robust buildings which sit comfortably in this changing semi-industrial setting.

The elevations which front the new green spaces and the Water of Leith are more modelled and articulated through the extensive use of balconies. All elevations are designed as principal elevations in a positive response to their visibility from public spaces.

The colonies proposed on the eastern side of the site are simply designed with pitched roofs. These tie in with the rest of the development through the roof form and use of brick.

The commercial units are located at the most appropriate part of the site fronting onto Anderson Place and West Bowling Green Street. The southern most unit wraps round onto the Water of Leith to provide an active frontage with potential for spill out space on the walkway.

The proposals provide a development of an appropriate scale, design and layout and are consistent with the Bonnington Development Brief. The design will significantly enhance this area for current and future users.

#### **d) Open Space and Amenity**

##### Open space and landscaping

The development will provide an extension to the Water of Leith Walkway, forming new public movement space. The new walkway will have the Water of Leith on one side and the two new green spaces on the other, creating an attractive new route.

There are three main areas of shared green open space, two next to the Water of Leith and one east of block 4. Blocks 1, 3, 4 and 5 incorporate areas of private garden space. The communal areas comprise 8% of the site area and the private gardens comprise 12% of the site area. The total area of amenity space meets the requirement for 10 square metres for each unit and 20% of the site area. A total of 83 of the 92 flats have access to balconies or private space. In addition, the new pedestrian cycle route along the walkway and through the site provides additional public space. This area constitutes 14% of the site. The development provides a good overall provision of amenity space in accordance with policy Hou 3.

Landscaping details have been submitted providing information in relation to the planting and boundary treatments. The landscape plan sets out how the new green space will incorporate railings, hedges, benches and trees to create high quality amenity space.

In terms of the Water of Leith walkway, cross sections have been provided to show the level of the proposed path and how it relates to the development. A number of boundary treatments such as railings, for the different sections of the walkway have also been proposed. These are acceptable. The general landscaping layout and boundary details are acceptable. However, further information in relation to detailed planting specification is required. This can be secured through an appropriate condition.

##### Privacy and daylighting

Criterion (a) of policy Des 5 of the LDP requires that the amenity of occupiers will not be materially harmed by the effects on privacy, daylight, sunlight or immediate outlook.

There are residential properties to the northeast of the site at the Quilts and to the south at the Bond building. The Bond building is some 22 metres away, whilst the nearest house at The Quilts is 29 metres away. These distances are appropriate for security and provide adequate privacy in this context.

The proposed development is to the north of the larger Bonnington Bond and will not impact on overshadowing. Using the 25 degree method to assess daylighting, the proposal will not impact on the residential area at the Quilts and will provide adequate daylight for future residents.

All residential units within blocks 2, 3 and 4 accord with the 25 degree method to assessing daylighting. The ground floor units in block 1 and the ground and first floor units in block 5 do not accord with the 25 degree method to assess daylighting on their north elevation. The colony units within block 5 are dual aspect, benefitting from a near uninterrupted southern aspect. The units within block 1 are also dual aspect and have been designed with extensive south facing glazing and additional glazing on return elevations. All units will benefit from adequate levels of daylighting.

## Noise

The applicant has submitted a noise impact assessment. This identifies that the main potential sources of noise are from road traffic along Anderson Place, existing industrial noise sources within the area and the proposed commercial units in the ground floor of the development.

In order to mitigate any noise impacts on the residential units, a mixture glazing types/standards, ventilation systems and insulation are required. Environmental Protection agrees with the findings of the report.

The proposals and mitigation measures are adequate subject to conditions in relation to the development being carried out in compliance with the requirements specified in the noise impact assessment.

## Contamination

The developer has submitted a Site Investigation Report. The site was previously in industrial use and a condition is required to ensure that the site remediation works are carried out appropriately.

## **e) Housing Mix and Affordable Housing**

LDP Policy Hou 2 requires a mix of housing types and sizes on suitable sites. To comply with this policy at least 20% of the units should consist of larger units of three or more bedrooms. The proposals meet this threshold by including 27 three bedroom units. This equates to 28% of the total number of units.

The Edinburgh Design Guidance stipulates that there should be at least 36 square metres of internal space for studios, 52 square metres per one bedroom unit, 66 square metres per two bedroom unit and 81 square metres per three bedroom unit. All one bedroom and three bedroom units accord with the guidelines. Of the two bedroom flats, eight are below the 66 square metre guidance. Four of these units measure 65.4 square metres and therefore are only 0.4 square metres below guidance. The other four units are 2 square metres below the guidelines. These units are dual aspect and benefit from additional space in the form of balconies.

Seven of the one bedroom units are one square metre below the guidance level and five of the two bedroom units are two metres below. All 12 of these units benefit from a private balcony space.

A minor infringement to the Edinburgh Design Guidance is justified in this instance as the units are all dual aspect, benefit from balconies and access to high quality open space.

In accordance with LDP policy Hou 6, 25 of the 98 residential units require to be affordable units. The applicant has stated that it is willing to meet this requirement and has entered into discussions with a Registered Social Landlord which supports the proposal. This would need to be secured by a suitable legal agreement.

The housing mix and level of affordable housing to be provided are acceptable.

## **f) Transport**

A Transport Assessment has been undertaken setting out the applicant's approach to transport and parking matters. It demonstrates that the site is in an accessible location with good access to public transport, cycle paths and services are within the nationally recommended 1600 metres walking catchment. Analysis also indicates that the proposal will have limited impact on the road network.

There is a total of 52 car parking spaces proposed within the site and 26 spaces formed in parallel and end on parking on street. There are an additional six kerbside spaces on Anderson Place, outside the commercial units, and four spaces at the east end of West Bowling Green Street bringing the total available to 88 spaces. The level of parking is in accordance with the approved guidance. There will be sufficient capacity for visitors on street.

A financial contribution is required to help mitigate the cumulative transport impacts of development in North Edinburgh. The details are set out in section 3.3 h).

### **Water of Leith Walkway**

The development also provides an extension to the Water of Leith Walkway. This will allow public access from Anderson Place through to West Bowling Green Street and further north to the existing walkway. The extension to the walkway accords with the Bonnington Development Brief.

The development has been amended to include a raised table crossing onto Anderson Place to facilitate a better pedestrian/cycle crossing and part of the Water of Leith walkway. A condition is recommended to ensure this element is delivered.

The development accords with the Bonnington Development Brief, guidance on parking and will enhance sustainable travel options in the area.

## g) Sustainability

The applicant has submitted a sustainability statement in support of the application. The proposal has been classed as 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 proposal meets the essential criteria.

In addition, the development incorporates the extensive use of photovoltaics on the south aspect of all five blocks.

## h) Infrastructure

LDP policy Del 1 indicates that proposals will be required to contribute to infrastructure provision where relevant and necessary to mitigate any negative additional impact and where commensurate to the scale of the proposed development. The contributions required for this proposal are calculated on the basis of the Draft Supplementary Guidance on Developer Contributions and Infrastructure Delivery and relate to relevant actions identified in the LDP Action Programme December 2016.

The site lies within the Leith/Trinity Education Contribution Zone where developer contributions are required towards primary and secondary education infrastructure. The required contribution for this development is £265,455 towards education infrastructure (indexed from Quarter 1 2015 to the date of payment) and £17,935 towards land purchase costs. In April 2016, the same applicant paid an education contribution of £44,619 as part of the legal agreement for the previous permission on this site (application reference 12/01840/FUL). The contribution already paid will either be refunded to the applicant or deducted from the education contribution required for the current application - the arrangements for this will be covered in the preparation of the new legal agreement.

The site also lies within the North Edinburgh Transport Contribution Zone where a financial contribution is required towards cumulative transport actions necessary to mitigate the impact of development. The required contribution set out in the draft supplementary guidance is £1345.90 per residential unit and £80.80 per sqm of commercial floorspace. For the proposed development of 98 residential units and 406 sqm. of commercial floorspace, the contribution equates to £164,703 (indexed from Quarter 3 October 2016 to date of payment).

The applicant has not raised any issues regarding financial viability. It is appropriate and reasonable that these contributions are secured through a suitable legal agreement to mitigate the impact on infrastructure.

### **i) Flooding, Air Quality and Ecology**

#### Flooding

The site is adjacent to the Water of Leith and a Flood Risk Assessment and Self Certification have been submitted. A drainage layout plan has also been submitted. Flood Prevention has raised no objections and the proposals are acceptable.

#### Air Quality

The site is within 200 metres of the Air Quality Management Area at Great Junction Street. An Air Quality Impact Assessment (AQIA) has been submitted which considers the potential impact the development will have on air quality. The assessment identifies that any potential air quality impacts will come from the predicted increase in local vehicle emissions likely to arise from the development. It concludes that any impact is likely to be insignificant and that no further mitigation is necessary.

Environmental Protection has considered the AQIA and agree with the assessment's findings noting that the reduced density will have a lesser adverse impact upon local air quality than the previous application. Environmental Protection strongly recommends that the applicant installs electric vehicle charging facilities throughout the development due to the proximity the site is to the declared AQMA. An informative is attached to this effect.

#### Ecology

The Water of Leith is a Local Nature Conservation Site (LNCS). The river bank surrounding the development is heavily modified with a retaining wall which separates the majority of the site from the river. The retaining wall is to be kept and there is unlikely to be any loss of habitat.

An Ecology Report is submitted in support of the application. The report did not identify any habitats or protected species which would preclude development on this site. The proposals will not negatively impact on the local nature conservation site or its wildlife interest.

### **j) Equalities**

An Equalities and Rights Impact Assessment has been carried out. There are no issues of equalities and rights due to the fact that the buildings, green space and walkway extension have been designed to accommodate a wide range of users. A copy of the full assessment can be viewed on the Planning and Building Standards Online Service.

## **k) Representations**

The proposal was advertised on 8 July 2016 and attracted seven representations. This included six objections from local residents and supporting comments from the Water of Leith Conservation Trust. The Leith Central Community Council has commented on the application and their comments are contained in Appendix 1. The objections have raised the following material points:

Issues of principle, taken account of in assessment 3.3. a)

- Support the development of the site.

Design issues, taken account of in assessment 3.3. c)

- development is too high.
- buildings too close to the Water of Leith.
- welcome the extension of the Water of Leith Walkway.
- development will improve this part of the river.

Residential amenity issues, taken account of in assessment 3.3 d)

- loss of privacy to the south.
- loss of natural light to neighbouring properties.
- too many units which will cause a noise nuisance.

Transport issues, taken account of in assessment 3.3. f) and

- too many units will cause congestion.

## **Conclusion and recommendation**

In conclusion, the proposals comply with the LDP, the Bonnington Development Brief and the relevant non-statutory guidelines. The proposals are of an appropriate design quality delivering a high amenity environment and positively addressing the Water of Leith. The regeneration will enhance the setting of the nearby listed buildings and the wider area. The delivery of housing and commercial space will regenerate this area and provide a positive edge to the proposed extension to the Water of Leith Walkway. The development will enhance the setting of the nearby listed buildings and will not prejudice residential amenity or road safety.

There are no material considerations which outweigh this conclusion. It is recommended that the Committee approves this application, subject to conditions in relation to materials, contamination, noise and landscaping and a legal agreement to secure affordable housing and financial contributions towards education and transport infrastructure in line with the draft statutory guidance.

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

### 3.4 Conditions/reasons/informatives

#### Conditions:-

1. Prior to the commencement of above ground works on site, building material sample panels shall be erected on site, to be no less than 1.5m x 1.5m, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship, and submitted for written approval by the Planning Authority.
2. The ground floor commercial premises shall be restricted to (Class 1 (Retail), Class 2 (Financial, Professional and other services), and Class 4 (Business) of the Town and Country Planning Act Use Classes Order (Scotland) only and for no other purpose without the written consent of the Planning Authority.
3. Residential - The following noise protection measures to the proposed development, as defined in the Robin Mackenzie Partnership 'Environmental Noise Assessment' report (Ref R-6007-CS-TWF dated 18 October 2012) shall be carried out in full and completed prior to the residential development being occupied:
  - a) Glazing units with a minimum insulation value of 10/12/6mm double glazing shall be installed for the external doors and windows of the facades overlooking Anderson Place with an attenuated ventilation system with a minimum Dn,e,w of 36dB.
  - b) Glazing units with a minimum insulation value of 10/12/6mm double glazing should be installed for the external doors and windows of the West Bowling Green Street Facades with an attenuated ventilation system with a minimum Dn,e,w of 36dB.
4. Removal of vegetation which may support breeding birds should take place outwith the bird breeding season - March to August (inclusive). Where this is not the case, a qualified ecologist must assess the site for nesting bird activity prior to clearance and a scheme to protect the nesting bird interest on site be first submitted to and approved in writing by the Planning Authority.
5. Prior to commencement of above ground works on site, a full planting species specification, landscape management and maintenance scheme shall be submitted to and approved in writing by the Planning Authority.
6. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
7. No occupation of the residential units in blocks 1,2,3 or 4 shall take place until the approved extension of the Water of Leith walkway from Anderson Place to West Bowling Green Street and the pedestrian/cycle route hatched on plan 26, is completed.
8. No occupation of the residential units in block 5 shall take place until the approved extension of the Water of Leith walkway from West Bowling Green Street to the open space to the north is completed.

9. Before any part of the development is occupied, the raised table crossing as shown on drawing 27, or a suitable alternative design agreed by the Planning Authority, shall be implemented.
10. Within 3 months of the commencement of above ground works the applicant shall make an application for, and pursue, a Traffic Regulation Order for the works indicated on drawing 26 or that which is agreed by the Planning Authority.

**Reasons:-**

1. In order to ensure the adequacy of external building materials.
2. To define the terms of the consent and protect the amenity of nearby residential property
3. In order to protect the amenity of the occupiers of the development.
4. To protect nesting birds
5. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
6. In order to ensure that the approved landscaping works are properly established on site.
7. In the interests of promoting sustainable travel through improved pedestrian and cycle movement.
8. In the interests of promoting sustainable travel through improved pedestrian and cycle movement.
9. In order to safeguard the interests of road safety and prioritise sustainable transport movement.
10. In the interests of road safety.

**Informatives**

It should be noted that:

1. Planning permission shall not be issued until a suitable legal agreement has been concluded for the following developer contributions.

Affordable Housing

25% of the total number of units.

Education

A financial contribution towards education infrastructure actions in the Leith Trinity Education Contribution Zone.

Total education infrastructure contribution required is £265,455  
Education infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Quarter 1 2015 to the date of payment.

Total education land contribution required is £17,935  
No indexation to be applied to land contribution.

Note - arrangements will be made to refund or deduct the £44,619 education contribution already paid by the same applicant in April 2016.

### Transport

A financial contributions towards transport actions in the North Edinburgh Transport Contribution Zone.

Total transport infrastructure contribution is £164,703  
Transport infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Quarter 3 2016 to the date of payment.

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. Vehicle charging outlet (wall or ground mounted) should be of the following standard:

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

## **Financial impact**

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

The development will make financial contributions in accordance with the Draft Supplementary Guidance: Developer Contributions and Infrastructure Delivery. There are no financial implications for the City of Edinburgh Council.

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

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

## **Equalities impact**

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

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

## **Sustainability impact**

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

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 was received on 12 October 2015, (reference 15/04781/PAN). A public event was held on Wednesday 19 November 2015 at Ebenezer United Free Church of Scotland at Bangor Road. The results of the community consultation have been submitted with the application as part of the Pre-application Consultation Report (PAC).

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

The proposal was advertised on 8 July 2016 and attracted seven representations. This included six objections from local residents and supporting comments from the Water of Leith Conservation Trust. A full assessment of the representations can be found in the assessment section. The Leith Central Community Council have submitted a consultation response and this is contained in Appendix 1.

## **Background reading/external references**

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

**Statutory Development  
Plan Provision**

**Edinburgh Local Development Plan November 2016**

The Edinburgh Local Development Plan identifies this site as within the Urban Area, where general housing and employment policies apply. The river and relevant vegetated land which forms part of the corridor are identified as a Local Nature Conservation Site (LNCS).

The area immediately to the north/east of the site is designated as open space and the path running through it is designated as a core path.

The area is also covered by the Bonnington Development Brief. This shows proposed uses on the site as being residential and small business space. The brief was approved by Planning Committee in 2008 following the removal of the business and industry designation from the former local plan. The brief is intended to provide a framework for development proposals incorporating uses other than business, industry or storage in the Bonnington area.

**Date registered** 23 June 2016

**Drawing numbers/Scheme** 1,2,3a-15a, 16b, 17a, 18a, 26, 27,

**John Bury**

Head of Planning & Transport  
PLACE  
City of Edinburgh Council

Contact: Bruce Nicolson, Principal Practitioner  
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## **Links - Policies**

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### **Relevant Policies:**

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

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

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

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

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

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

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

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

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

LDP Policy Des 10 (Waterside Development) sets criteria for assessing development on sites on the coastal edge or adjoining a watercourse, including the Union Canal.

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

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

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

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

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

LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

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

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

LDP Policy Emp 9 (Employment Sites and Premises) sets out criteria for development proposals affecting business and industrial sites and premises.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

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

LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

LDP Policy Ret 6 (Out-of-Centre Development) identifies the circumstances in which out-of-centre retail development will be permitted.

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

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

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

LDP Policy Tra 8 (Provision of Transport Infrastructure) sets out requirements for assessment and mitigation of transport impacts of new development.

LDP Policy Tra 9 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

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

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

# Appendix 1

**Application for Planning Permission 16/03138/FUL  
At Site 54 Metres Southeast Of 20, West Bowling Green  
Street, Edinburgh  
To construct 98 No. residential units with commercial space  
at Anderson Place/West Bowling Green Street. Ground floor  
frontage, associated parking, landscaping and accesses.**

## Consultations

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### Waste Services response – dated 6 July 2016

*I have been asked to provide feedback regarding this application on behalf of the Waste Management service. This relates to the construction of a mixed development consisting of 98 residential units (1 bed, 2 bed and 3 bed flats and houses) and some commercial units.*

*It is alluded to in the Sustainability Statement Form (S1) part of this application, that there would appear to be a mix of units within this development consisting of both residential and commercial units thus various measures for uplifting the waste and recycling will need to be considered.*

*It is imperative that regardless of whether the waste is classified as domestic or commercial waste that the Waste (Scotland) Regulations are adhered to. Developers must also consider adequate access for vehicles collecting the waste (including turning circles), sufficient provision for the storage of waste for the residential or commercial units, health & safety surrounding storage and collection of waste and last but not least suitable collection points. The developer must as a matter of priority contact the Community Waste Officer for this area to agree these arrangements. The Officer that covers this area is Claire Bolton and I have copied this to her.*

*The 98 residential units (1 bed, 2 bed and 3 bed flats and houses) will fall into the scope of domestic waste and the council will be responsible for managing this waste and it will be mandatory for recycling provision within this scope also. It is noted in the application that the residential units classified as flats should be provided with communal waste facilities and that houses with adequate space (e.g. private gardens) should have private containers. Both services provided consists of a provision of containers for DMR (Dry Mixed Recycling – i.e. cardboard, paper, cans and plastics), glass, food waste and refuse. Where the residential unit has a garden the council normally provides a garden waste service as well.*

*For any commercial waste generated by the commercial units the council will not be the provider of waste management services to this property. Therefore it will be the responsibility for the producer of the waste from the commercial units to source a trade waste supplier who will provide a service to allow the recycling of paper, card, metals, plastics, glass and food. A new trade waste policy implemented by the council also means that waste will no longer be allowed to be stored on public land although exemptions may be provided for food waste and glass subject to approval from the council. This will mean that the waste will need to be effectively segregated within the premises and will only be permitted to be put out for collection for a maximum of one hour time period at prearranged times. The waste must also be clearly marked with the business name and an agreed collection time.*

## **Archaeology response – dated 5 July 2016**

*Further to your consultation request I would like to make the following comments and recommendations concerning this application to construct 98 residential units with commercial space.*

*As detailed in the AOC's Data Structure Report submitted with this application, a comprehensive programme of archaeological investigation was carried out across the site in response to planning application 12/01840/FUL. The results uncovered important information not only of its industrial development from the late 18th century but significantly remains associated with the mid-16th century sieges of Leith.*

*Given the earlier archaeological investigations on this site it is considered no further archaeological mitigation is required in regards to this application.*

## **Affordable Housing response – dated 16 August 2016**

### *1. Introduction*

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

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

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

*\* 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 98 homes and as such the AHP will apply. There will be a AHP requirement for a minimum of 25% (24) homes of approved affordable tenures. The developer has entered into an early dialogue with a Registered Social Landlord (RSL) in order to deliver a mix of affordable housing on site.*

*The applicant has stated that the affordable housing will account for 25% (24 homes) of the new homes. This is welcomed by the department. The affordable homes are required to be tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.*

*In terms of accessibility, it is important that affordable homes are situated within close proximity (400 metres) of regular transport links.*

### **3. Summary**

*The applicant has made a commitment to provide 25% on site affordable housing and this is welcomed by the department. These will be secured by a Section 75 Legal Agreement. This department welcomes this approach which will assist in the delivery of a mixed sustainable community.*

*\* The applicant has entered into an early dialogue with a Registered Social Landlord (RSL) to deliver the affordable housing*

*\* 25% of the homes are required to be affordable homes and delivered The affordable housing will be required to be include a variety of house types and sizes to reflect the provision of housing tenures across the wider site*

*\* In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be expected to be identical in appearance to the market housing units, an approach often described as “tenure blind”*

*\* The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.*

### **Environmental Assessment response – dated 16 August 2016**

*The proposal is for a mixed residential and commercial development of 98 flats with small scale ground floor commercial units (Class 4). The site is currently occupied by several industrial buildings with industrial units neighbouring the site apart from on the south where the ‘Bond Building’ is located, this is residential. The development of residential properties in this area is consistent with the Bonnington Development Brief.*

*The site currently has consent for the construction of 114 residential units with commercial space (Class 4) located on the ground floor with associated parking (12/01840/FUL).*

*Environmental Protection welcome the reduction in density however still require updated information with regards noise, land contamination and local air quality impacts. The applicant has provided updated supporting material that address these issues.*

*The application site is surrounded by several potential noise sources although it is noted that the Bond Building has been converted into a residential block. It has been occupied for a considerable time without any major causes of concern. The submitted noise impact assessment in support of the application has shown that a satisfactory level of amenity can be achieved taking into account the neighbouring land uses including transport sources of noise and the newly proposed class 4 units below the residential. Environmental Protection can concur with the findings of this report subject to the suggested specific mitigation measures being fully implemented and conditions attached.*

*The applicant has submitted an updated air quality impact assessment which has used an up to date air quality model and has taken into consideration the recently declared Great Junction Street Air Quality Management Area (AQMA) which is located 165m from the development site. The development of this reduced density development will not have an adverse impact upon local air quality. Environmental Protection strongly recommends that the applicant installs electric vehicle charging facilities throughout the development due to the proximity the site is to the declared AQMA.*

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

*Therefore on balance and as the site already has consent for housing Environmental Protection do not object to this application subject to the following conditions:*

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

*a) A site survey (including intrusive investigation where necessary) must be carried out to establish, 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.*

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

*2. The following noise protection measures to the proposed development, as defined in the Robin Mackenzie Partnership 'Environmental Noise Assessment' report (Ref R-6007-CS-TWF dated 18 October 2012:*

*- Glazing units with a minimum insulation value of 10/12/6mm double glazing shall be installed for the external doors and windows of the facades overlooking Anderson Place with an attenuated ventilation system with a minimum  $D_{n,e,w}$  of 36dB.*

- Glazing units with a minimum insulation value of 10/12/6mm double glazing should be installed for the external doors and windows of the West Bowling Green Street Facades with an attenuated ventilation system with a minimum  $D_{n,e,w}$  of 36dB.

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

#### *Class 4 Uses*

3. The premises should be restricted to Use Class 4 with no permitted change to Use Class 6 allowed.

#### *Informative*

Charging outlet (wall or ground mounted) should be of the following standard:

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

#### **Flood Prevention response – dated 13 September 2016**

Flood Prevention have reviewed the documents on the portal for the above application and we have no further comment or requests from the applicant.

#### **Leith Central Community Council response – dated 31 August 2016**

We broadly support the application, with the following caveats and comments:

1. we are concerned about the cumulative traffic impact of this development, is seen with others in the immediate vicinity: all traffic will egress onto Bonnington, Newhaven, or Ferry Rd where the junctions already are difficult to cross - for pedestrian, cyclists and motor traffic. In addition, there are capacity issues during peak hours. We therefore urge the addition of measures - by way of negotiation with developer or conditions - to maximise car sharing and non-motor traffic.
2. for similar reasons, we would like to see the cobbled street leading to the bridge restored and traffic-calmed.
3. we welcome the provision of attractive commercial space, including convenience retail, if possible.
4. the key benefit accruing to the wider community is unfettered access to the Water of Leith; this must be maintained along the complete water-side perimeter of the development, especially at the basin.

5. no aspect of the development should have an impact on flooding upstream or downstream; future owners must not obtain flood-protection at public expense (planning consent should be conditional on this).

6. we welcome the brick exterior instead of light-coloured rendering

We regret the absence of consultation findings and an indication of the developer's response to consultation comments/requests in the PAC report. It is our understanding that insufficient PAC reports are a valid reason for refusal. We would be keen to see this part of the an earlier Planning Reform bedding in in practice.

We also note the difficulties we had to finalise our comments for this application due to (a) the timing of the application's validation just before summer holidays and repeated failures of the planning portal, especially evenings and weekends, which are key times for LCCC volunteers, and apologise for the consequently late submission of our comments.

In summary, we are happy to see this development go ahead with due regard to our comments above.

### **Communities and Families response – dated 16th August 2016**

The education actions required to mitigate the impact of planned and anticipated housing development, including school land safeguards, have been established on a city-wide contribution zone basis. This requirement is set out in guidance on Developer Contributions and Affordable Housing (December 2015).

This site falls within Leith Waterfront part of the 'Leith and Trinity Education Contribution Zone' where the following education actions have been identified:

#### **LEITH AND TRINITY EDUCATION CONTRIBUTION ZONE ACTIONS – Leith Waterfront**

Action

Cost at Q1 2015

New 14 class primary school (Leith Waterfront only)  
£11,328,584

Land purchase - 1.2ha land - Primary School Site (Leith Waterfront only)  
£1,476,000

School site servicing and remediation (estimated £300 per sq m) (Leith Waterfront only)  
£3,600,000

4 Primary School classes (zone primary schools or neighbouring primary schools) (Leith Waterfront only)  
£1,052,144

3 RC Primary School classes (Zone wide)  
£838,627

*Increase secondary school capacity to accommodate an extra 270 pupils (Leith Academy, Trinity Academy) (Zone wide)*

*£8,665,812*

*A standard pro-rata contribution towards the costs of delivering these actions has been established for this part of the Zone. This is applicable to new housing developments which will have a net impact on education infrastructure.*

*The proposed development is expected to generate primary school and secondary school pupils. A standard contribution towards 'Education infrastructure, land remediation and servicing' and 'Land purchase' is therefore required, as set out in the table below.*

*If the appropriate contribution is to be provided by the developer, Communities and Families does not object to the application.*

*Assessment based on:*

*83 flats*

*(15 one bed flats excluded from assessment)*

*Education Infrastructure, land remediation and servicing*

*Contribution per unit*

*Flats £2,875.85*

*Houses £14,555.90*

*Total required contribution £238,695*

*Note: To be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q1 2015 to the date of payment*

*Land purchase*

*Contribution per unit*

*Flats £167.96*

*Houses £727.81*

*Total required contribution £13,940*

*Note: No indexation is to be applied to land purchase contribution.*

## **SEPA response – dated 16 September 2016**

*We object to this planning application on the grounds of a lack of information in relation to surface water drainage. We will review this objection if the issue detailed in Section 1 below is adequately addressed.*

*We ask that the planning condition(s) in Section 2 be attached to the consent. If this will not be applied, then please consider this representation as an objection. Please also note the advice provided below.*

### *1. Surface Water Drainage*

*1.1 Surface water runoff must be treated by sustainable drainage systems (SUDS) therefore is important to ensure that adequate space to accommodate SUDS is incorporated within the site layout.*

*1.2 It appears from the application submission that porous paving is proposed to deliver SUDS for the site. Whilst in principle that should be acceptable in order to assess the drainage proposal (and the suitability of the SUDS to be used on site) the applicant is required to provide the output from the Simple Index Approach Tool (as set out in Chapter 26 of the SUDS Manual). This has not been submitted with this planning application.*

*1.3 Due to a lack of information on surface water drainage we object to this application. The objection will reviewed if the output from the Simple Index Approach Tool is provided in order to demonstrate that a satisfactory Sustainable Drainage System (SUDS), with no unacceptable adverse impact on the water environment, can be accommodated on site.*

*1.4 Comments on the acceptability of post-development runoff rates for flood control should be sought from the local authority flood prevention unit, and not from SEPA. Comments from Scottish Water should be sought where the SUDS proposals would be adopted by them. We encourage the design of SUDS to Sewers for Scotland Second Edition standards and the adoption of SUDS features by Scottish Water as we are of the view that this leads to best standards and maintenance.*

### *2. Flood Risk*

*2.1 We have no objection to the proposed development on flood risk grounds provided that, should the Planning Authority be minded to approve this application, the following planning conditions are imposed:*

*\* No built development or land-raising shall take place within the existing 1:200 year flood extent as detailed within the Flood Risk Assessment by McGregor McMahon dated 30/08/2016*

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

*2.3 Notwithstanding our position we would expect Edinburgh Council to undertake their responsibilities as the Flood Prevention Authority.*

*Technical Report*

*2.4 We have reviewed the information provided in this consultation and it is noted that the application site (or parts thereof) lies within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of flooding.*

*2.5 The site is brownfield and the proposal is for a change of use from a mill complex to residential development with part still to remain as commercial. The site ranges in height between 5.9mAOD and 8.3mAOD.*

*2.6 We have been supplied with the Water of Leith flood model output (exact date of report unknown but potentially dated 2002) for this reach of the river which was commissioned by Edinburgh Council. The Flood Risk Team within SEPA have not fully reviewed this study and as such we cannot comment on the model output. The consultant states that these figures are still considered valid by Edinburgh City Council. The 1:200 year flood level provided is 6.1mAOD at Anderson Place and 5.6mAOD at the downstream extent of the site taking into account the closure of Leith Docks gate. Finished floor levels are elevated a minimum of 1.44m above these flood levels. As such, we do not object to the development based on the information supplied. The finished floor levels are significantly elevated above the model which we support as there are uncertainties regarding peaks flows on the Water of Leith as well as no bridge blockage or an allowance for climate change was included within the information supplied.*

*2.7 We are of the understanding that there is a retaining wall situated between the Water of Leith and the site. Development should be set back from this wall to enable maintenance to take place as required and to mitigate any damage should failure occur.*

*2.8 To ensure the site is not at risk of flooding and there is no increase in flood risk elsewhere we strongly recommend that no land-raising or built development takes place within the existing 1:200 year flood extent.*

*Detailed advice for the applicant*

### *3. Surface Water Drainage*

*3.1 Please note that we have lodged and objection to this application due to a lack of information to assess the acceptability of your proposals for surface water drainage.*

*3.2 We require the submission of the output of the Simple Index Approach (SIA) tool (as set out in Chapter 26 of the SUDS Manual) which demonstrates that an appropriate surface water (SUDS) scheme can be accommodated within the site layout.*

### *4. Flood Risk*

*Caveats & Additional Information for Applicant*

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

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

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

*Regulatory advice for the applicant*

## 5. Regulatory requirements

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

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

## **SEPA additional comments – dated 20 December 2016**

*In our response of 16 September 2016 (our reference PCS/148824) an error has been made in relaying the advice from our team of flood risk hydrologists. We have no objection to this development on flood risk grounds and withdraw the request for a condition to restrict development in the 1.200 flood level. This condition is not necessary as the floor levels specified in the planning application are significantly elevated above the model of the flood levels.*

## **Economic Development response – dated 29 August 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 a 0.80 hectare piece of brownfield land within the Bonnington area of Edinburgh. The site is bounded by West Bowling Green Street to the north, Anderson Place to the west, and the Water of Leith to the east and south. The surrounding area is an uneasy mix of industrial and residential properties.*

*The site was previously home to four industrial properties, all of which were demolished in 2011:*

- \* 2-8 West Bowling Green Street: a 3,594m<sup>2</sup> warehouse.*
- \* 3-11 West Bowling Green Street: a 2,448m<sup>2</sup> warehouse.*
- \* 15-19 West Bowling Green Street: a 1,559m<sup>2</sup> warehouse.*
- \* 26 Anderson Place: an 874m<sup>2</sup> warehouse.*

*The site therefore previously provided 8,475m<sup>2</sup> of industrial space (gross internal area) – equivalent to 144 full-time equivalent jobs if fully-let for light industrial purposes, representing an estimated £8.84 million of gross value added (2013 prices). Taking multiplier effects into account would give a total estimated impact of 286 FTE jobs and £16.64 million of GVA (2013 prices).*

*As set out in the "Industrial Supply and Demand" paper considered by the Council's Economy Committee on 15 September 2015, there are significant pressures on the availability of industrial space in Edinburgh. Due to a combination of limited development (with only one speculative industrial development in Edinburgh since 2008), rising demand and the loss of industrial space to alternative uses, the availability of industrial space in Edinburgh is the lowest on record. The shortage of small light industrial spaces is particularly acute, with rents in Edinburgh now amongst the highest in the UK as a result of supply shortages. The loss of industrial space is particularly acute in central Edinburgh, where there has been extensive conversion to other uses. While some industrial users have migrated to suburban areas such as Newbridge, these locations are not suitable for all users of light industrial space, some of whom place a premium on locations with good access to central Edinburgh.*

*It is noted that consent was granted in May 2013 for a redevelopment of the site delivering 114 residential units (30 one bedroom, 61 two bedroom and nine three bedroom) and 524m<sup>2</sup> of class 4 commercial space spread over five ground floor units (12/01840/FUL). If fully let, it is estimated that this 524m<sup>2</sup> of commercial space could directly and indirectly support 22 jobs and £1.29 million of GVA (2013 prices).*

### *Commentary on proposed uses*

- \* Sui generis – Flats*

*The development as proposed would deliver 98 residential units (15 one bedroom, 56 two bedroom and 27 three bedroom). This would not be expected to directly support any jobs. However, expenditure by households living in the units could be expected to support the local economy.*

*Data from the Office for National Statistics' Living Costs and Food Survey indicates that households in Scotland spend, on average, £24,669 per annum. This suggests that the 98 households could be expected to collectively spend a total of £2.42 million per annum. However, this includes items of expenditure such as utility bills; holidays; insurance; mortgage/rent payments; and television licenses that are unlikely to be made in Edinburgh. Therefore, not all of the £2.42 million would be made locally.*

*A number of items of expenditure that it is considered could reasonably be expected to be made locally are listed below along with projected annual expenditure on each item associated with 98 households:*

- \* Food and non-alcoholic drinks: £0.29 million*
- \* Alcoholic drink, tobacco and narcotics: £0.08 million*
- \* Household goods and services (furniture, cleaning products, kitchenware, etc): £0.14 million*
- \* Catering services (eating and dining out): £0.16 million*
- \* Personal care (toiletries, beauty treatments, etc): £0.06 million*
- \* Clothing and footwear: £0.12 million*
- \* Operation of personal transport (maintenance/fuelling): £0.17 million*
- \* Transport services (public transport fares): £0.07 million*
- \* Purchase of vehicles: £0.13 million*

*Projected expenditure on these items totals £1.22 million per annum. It is estimated that this expenditure could directly support approximately 14 jobs and £0.36 million of gross value added per annum (2013 prices) in Edinburgh. Taking multiplier effects into consideration would give a total impact of 19 jobs and £0.54 million of gross value added per annum (2013 prices).*

*The development density is relatively high at 123 units per hectare which represents an efficient use of the site.*

*\* Class 2/4*

*The development as proposed would deliver 389m<sup>2</sup> of class 2/4 space. These classes cover a broad range of uses and it is therefore not possible to provide a detailed estimate of employment supported by this space. It is estimated that direct employment could range from 8 to 24 full-time equivalent jobs while direct gross value added could range from £0.43 million to £0.49 million per annum (2013 prices). Taking multiplier effects into account would give a total estimated impact of 16 to 34 full-time equivalent jobs and £0.72 million to £0.91 million of gross value added per annum (2013 prices).*

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

*The development as proposed would deliver a high density residential development of 98 units. This is a reduction of 16 units on the existing consent. However, this is balanced by the fact that the units in the revised scheme are on average larger. The proposed development totals 208 bedrooms, compared to 179 bedrooms for the consented scheme.*

*The development could be expected to directly support approximately 8 to 24 full-time equivalent jobs and £0.43 million to £0.49 million of gross value added per annum (2013 prices). Additionally, it is estimated that expenditure by residents could support 19 jobs and £0.54 million of gross value added per annum (2013 prices). This would give a total projected economic impact for the development of approximately 27 to 43 full-time equivalent jobs and £0.97 million to £1.03 million of gross value added per annum (2013 prices).*

## **Communities and Families response – dated 12 December 2016**

*Residential development is required to contribute towards the cost of new education infrastructure to ensure that the cumulative impact of development can be mitigated, as outlined by current guidance on Developer Contributions and Infrastructure Delivery. In order that the total cost of delivering the new education infrastructure is shared proportionally and fairly between developments, Education Contribution Zones have been identified and ‘per house’ and ‘per flat’ contribution rates established.*

*This site falls within Sub-Area LT-2 of the ‘Leith Trinity Education Contribution Zone’.*

*The proposed development is expected to generate additional primary school and secondary school pupils. Taking account of the application site, the education infrastructure actions that are identified in the guidance are appropriate to mitigate the cumulative impact of residential development expected within this part of the Zone.*

*The full ‘per unit’ contribution rates that have been established for the Sub-Area are therefore applicable to this development. If the appropriate contribution is provided by the developer, Communities and Families does not object to the application.*

*Assessment based on:*

*85 Flats (13 one-bedroom flats have been excluded)*

*Total infrastructure contribution required:*

*£265,455*

*Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q1 2015 to the date of payment.*

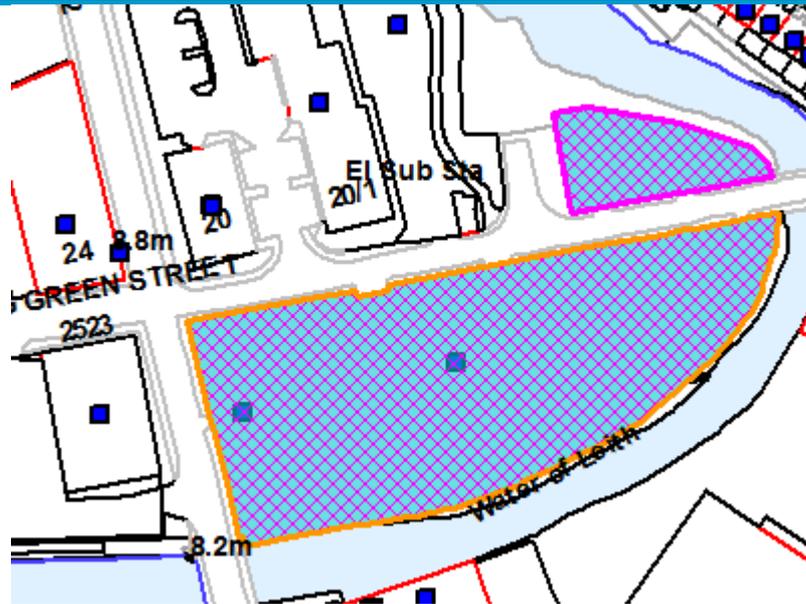
*Total land contribution required:*

*£17,935*

*Note – no indexation to be applied to land contribution*

## Location Plan

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**END**