

# Development Management Sub Committee

Wednesday 19 April 2017

**Application for Planning Permission 16/01510/FUL  
At 189 Morrison Street, Edinburgh, EH3 8DN  
Amendment to the detailed Planning Permission  
10/02373/FUL to include revised car park layout, design  
amendments to H1, H2, H3, H4 AND H5, revised vehicular  
access arrangement, materials and hard and soft  
landscaping proposals.**

<b>Item number</b>	4.17
<b>Report number</b>	
<b>Wards</b>	A11 - City Centre

## Summary

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The proposals are consistent with the objectives for the redevelopment of this part of the city and are supported by the development plan. The development is appropriate in terms of design, scale and materials. It will not impact on the historic environment or existing residential amenity or adversely affect road or pedestrian safety. The proposals are acceptable and there are no material considerations which outweigh this conclusion.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LDPP, LDES01, LDES04, LDES05, LDES06, LDES07, LDES08, LEN01, LEN03, LEN06, LEN09, LTRA02, NSG, NSGD02, NSMDV, NSLBCA, CRPWEN, CRPNEW,
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# Report

## **Application for Planning Permission 16/01510/FUL At 189 Morrison Street, Edinburgh, EH3 8DN Amendment to the detailed Planning Permission 10/02373/FUL to include revised car park layout, design amendments to H1, H2, H3, H4 AND H5, revised vehicular access arrangement, materials and hard and soft landscaping proposals.**

### **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 application site is the former Haymarket goods yard, located in the City's West End, opposite Haymarket Railway Station at the junction of Morrison Street and Dalry Road. The site occupies an area of 1.7 hectares. There are railway tunnels that run under the site at its northern end in an east-west direction.

The properties opposite, to the north, on Morrison Street are commercial at street level with two or three storeys of residential above. The properties from 266 Morrison Street onwards and around to West Maitland Street are category C(s) listed and were listed on 14.12.1970 (LB Ref: 47727).

To the north-west is Clifton Terrace with 2-storey properties rising to 4-storeys at the corner of Grosvenor Street. The uses are mixed commercial. Grosvenor Street is predominantly a residential street, characterised by 3-storey Georgian properties with attic accommodation. 1-25 and 2-24 Grosvenor Street are category B listed buildings, listed on 10.12.1964 (LB Ref: 28977 and 28978).

To the west, across Dalry Road, is the category B-listed Ryries public house situated on the Haymarket junction, listed on 09.02.1993 (LB Ref: 26926). Haymarket railway station sits further to the west and is A-listed, listed on 27.10.1964 (LB Ref: 26901).

Properties on Dalry Road are predominantly commercial with 2-storey residential use on the upper levels; these form part of the Dalry colonies.

To the south are wholly residential properties in the Dalry colonies, which are category B-listed; and the 4-storey developments of Morrison Crescent, and Fraser Court, which is sheltered housing.

Morrison Link, to the east, is solely occupied by the a hotel within a 5-storey, sandstone building.

The site is not within, but is immediately adjacent to, both the West End Conservation Area, which runs along the north side of Morrison Street, and the New Town Conservation Area, which runs along the north side of Haymarket Terrace. Likewise the site bounds the World Heritage Site, on Morrison Street, but does not lie within its confines.

This application site is located within the Dalry Conservation Area.

## **2.2 Site History**

5 November 2003 - Planning Permission was refused by the DQ Sub-Committee, contrary to officer recommendation, for the clearance of the existing car park and ancillary buildings to form a comprehensive redevelopment comprising retail, office, leisure, licensed premises, car parking and replacement public conveniences incorporating re-grading the site to adjacent street levels (application number: 02/03210/FUL). The development consisted of a seven storey office development over the site, with a major public arcade running west to east through the building,

The reasons for refusal related to:

- no positive contribution to the mixed use character of the surrounding area by failing to provide cultural or public uses;
- broad composition and detailed design is not of an appropriate quality and distinction;
- does not create new public spaces and points of interest;
- did not relate to the established character of the surrounding area; and
- did not address transportation infrastructure issues.

11 August 2004 - An application was recommended for approval at the DQ Sub-Committee for a comprehensive redevelopment comprising: retail, office, leisure, licensed premises, car parking and replacement public conveniences, proposals incorporate re-grading of the site to adjacent street levels. The application was referred to the Scottish Ministers and was subject to a Public Inquiry (application number: 04/00681/FUL).

31 July 2006 - Scottish Ministers granted planning permission following a Public Inquiry for the above development. (P-PP-75-96-LA-84).

27 August 2008 - An application was recommended for approval at the DM Sub-Committee for the demolition of existing buildings and structures, re-grading of the existing car park and a comprehensive redevelopment comprising hotels, offices, retail, commercial, leisure, public houses, restaurants, car parking and associated landscaping/public realm and utilities infrastructure (application number: 07/03848/FUL).

The application was called in by Scottish Ministers in order to consider the merits and impacts of the proposed development on the prominent gateway to the city centre, and on the city's skyline.

27 October 2009 - Scottish Ministers refused planning permission for the above development following a Public Inquiry.

The reasons for refusal related to:

- the 5 star landmark hotel failed to respect the grain and scale of the surrounding townscape; and
- the 5 star landmark hotel would not enhance the City's skyline and would not preserve the setting of the World Heritage Site or prominent listed buildings.

28 March 2011 - Planning permission was granted for the demolition of existing buildings and structures, re-grading of existing car park and comprehensive redevelopment comprising hotel, offices, retail, commercial, leisure, public houses, restaurants, car parking and associated landscaping/public realm and utilities infrastructure (application number: 10/02373/FUL).

21 January 2014- Pre-application Notice granted for amendment to detailed planning permission (10/02373/FUL) to include design changes to proposed hotel development (Block D) of the approved masterplan was withdrawn (application number: 12/02797/PAN).

20 March 2014 - Pre-application Notice granted for amendment to detailed planning permission (REF: 10/02373/FUL) to include hotel use within block C (Haymarket 3) and associated modifications to block B (Haymarket 4) (application number: 14/00930/PAN).

7 December 2015 - Planning permission granted for amendment to approved mixed use development to enable Block C (Haymarket 3) to operate as a hotel and associated modifications to Block B (Haymarket 4) (application number: 14/03230/FUL).

10 August 2015- Pre-application Notice granted for amendment to detailed planning permission 10/02373/FUL to include revised car park layout, design amendments to H1, H2, H3, H4 and H5, revised vehicular access arrangement, materials and hard and soft landscaping proposals (application number: 15/03314/PAN).

31 May 2016- Listed building consent granted for alterations to existing boundary wall and associated erection of handrails.(application number: 16/01733/LBC).

## **Main report**

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

The application seeks to amend the planning permission granted on 28 March 2011 for "demolition of the existing buildings and structures, re-grading of existing car park and comprehensive redevelopment comprising a hotel, offices, retail, commercial, leisure, public houses, restaurants, car parking and associated landscaping/public realm and utilities infrastructure." The consented development comprises 5 buildings. Three of these are office buildings and two are hotels. In addition, there is significant public realm including three public squares. and key pedestrian priority routes through the site.

The key principles of the consented master plan remain unchanged and the use, general mass and form of all five buildings remain as consented. However, there are proposed design changes to all 5 buildings on the site as well as landscape changes and a reduction in parking numbers.

The changes are summarised below.

### **Building H1**

The building is located in the centre of the site. As consented, the building is 8 storeys measuring 32 metres at its highest point above ground level. The upper floors of this building were to be office use with 9 commercial units to be located at ground floor. Two double height entrances for the offices were proposed at ground floor level. The external finishes were to be sandstone cladding, metal framed glazing, metal cladding infill panels and metal clad steel frame cills.

In the current proposals, this building remains primarily in office use. One of the double height entrances has been removed from the building with the previous entrance space being proposed as a new retail unit with an active frontage to the West Square.

The overall general mass and form of the building remains as per the consented scheme though there is an increase in overall height of the building due to the creation of a level of plant. This takes the building to a total height of 33.6 metres at its highest point. Other minor design alterations such as the removal of the brise soleil throughout and change to fenestration details are also proposed.

### **Building H2**

The building is located in the south-west corner of the site, set perpendicular to the Dalry Colonies. The building, as consented, is for 6 storeys with stepped 3 storey wings to the rear, nearest the colonies. The building would be a 245 bedroom hotel with bar and restaurant located at ground floor. Ground floor would also contain two retail units. A service yard would be created to the south-east of the building.

Whilst retaining the general design intent, mass and form of the consented plans, the new proposals would result in changes to the materiality of the elevations. The main changes include the use of metal cladding in lieu of stone on sections of the building along with the top storey on the rear of the building being finished in a zinc cladding in lieu of stone. Significant planting is proposed to the rear of the building to help form a screen between the building and the Dalry Colonies.

### **Building H3**

H3 is located in the south-east corner of the site, situated between the 3\* hotel and Morrison Crescent. The building, as consented, would be 6-storeys high and a maximum of 22 metres high. The building would be used as a hotel with two small retail units located on the ground floor fronting onto the most southerly internal street. The proposed external finishes match those proposed for Block B.

The primary changes to the building relate to the use of metal cladding inset panels in lieu of the consented stone panels.

## **Building H4**

H4 - The building, as consented, would be 7-storeys high and will measure a maximum of 28 metres high. The building would have a centrally located, dual entrance onto both Morrison Link and the courtyard garden. The upper floors and the southern half of the ground floor is designed for office use with the remainder of the ground floor divided into two units that will accommodate retail, bar or restaurant uses. The external finishes will primarily be sandstone cladding with metal framed glazing and an aluminium louvre system.

The proposed building retains the general design intent, mass and form of the consented plans with very minor alterations to the design.

## **Building H5**

The building, is located to the north of the site at the junction of Morrison Street and Dalry Road. The building, as consented, was designed as two distinct elements linked by a central glazed atrium. The main entrance was situated on the West Square. The curved element of the building was to be 6 storeys and 26 metres high. The orthogonal element of the building was to be 8 storeys and 35 metres in height. The upper floors would be office use with the ground floor of the curved element containing one retail unit and the ground floor of the orthogonal element containing 6 commercial units. The building was to be constructed of metal framed glazing with a sandstone exo-skeletal frame.

It is now proposed that there will be an additional storey to the curved element of the building, increasing this element to 7 storeys in height. The central atrium would respond appropriately, marginally increasing the height of this element.

The overall footprint of the building remains essentially as per the consented plan. However, the north façade has been set back 1.4 metres around the Haymarket corner to ensure the tram services are protected. This increases the pavement width in this location. In addition, the design is amended to address the landscape requirements where the site meets Dalry Road taking the rail tunnels, which are located directly below H5 into consideration.

There are also proposals to change the overall design and materiality of this building. The proposed building now features a sandstone base plinth upon which a new anodised aluminium structure will sit.

## **Public Realm**

The main change to public realm occurs where the site meets Dalry Road. As consented, this element joined Dalry Road at grade providing a single level through the site as well as vehicular access. Due to technical issues arising from the location of the railway tunnels, directly below this section of the site, it is now proposed that part of this junction with Dalry Road will be stepped to an upper platform outside the entrance of H5.

## Dalry Road Platform

The West Square, or Dalry Road Platform would be open onto Dalry Road. Due to technical requirements of the north rail tunnel which runs below this space it has been necessary to maintain a level of 58.5 metres over the top of the tunnel. The space now has an upper platform addressing the entrance of H5, accessed via steps from Dalry Road. An accessible route to the site from Dalry Road enters along the façade of H2. Due to this level change across the space, the space is broken down in to a number of smaller spaces and routes.

## Morrison Street Platforms

Located on Morrison Street, the East Square or Morrison Street Platforms provides an informal green space to the site. Soft landscaping is proposed to provide a buffer to the traffic on Morrison Street. The paving will be a mix of different coloured (dark, mid and light grey) and textured (honed, flamed and picked) granite.

## The Sidings

The Courtyard Garden, or the Sidings, provides a secondary route through the site. Designed with small, more intimate areas of soft landscaping and seating.

## Main Street

The Main Street runs from the Dalry Road Platform to Morrison Street Platform between H5 and H1. This remains the priority pedestrian street.

## Secondary Street

Running parallel to the 3 star hotel, the secondary street runs from Dalry Road to Morrison Crescent. This is a secondary route through the site.

The palette of paving materials in all spaces proposed for the spaces/streets focus on three granite types with colour, size and finish all used to help create visual variety and interest.

## **Transport**

The consented scheme includes car park access (entry and exit) from Morrison Crescent. It is now proposed that car park access will be provided via a new priority junction on Morrison Link in place of the Morrison Crescent access. This will serve an undercroft car park located beneath buildings H1 and H4 which will be accessed via a ramp.

It is proposed that a total of 53 parking spaces will be provided within the development which includes 50 standard spaces and 3 accessible spaces, located within an undercroft car park below H1 and H4. In addition, a total of 12 motorcycle spaces are proposed. It is proposed that there will be 338 cycle parking spaces split between the H1, H4 and H5 developments, with a further 50 spaces provided at surface level.

The main change to on-site vehicular movement is the removal of vehicular access from Dalry Road. A single vehicle access point is now proposed via Morrison Street. This creates an internal loop exiting on onto Morrison Crescent.

### **Scheme 1**

The scheme was amended in terms of the landscape proposals at the junction of the site and Dalry Road due to the constraints created by the rail way tunnels running below this part of the site.

### **Scheme 2**

The primary amendment proposed at this stage was the increase in height of H1. This would have resulted in the building projecting significantly above the threshold set by the Colvin and Moggridge study of 91.7 metres.

In addition, car parking access arrangements were altered and the overall car parking provision reduced from 94 spaces (89 standard spaces and 5 accessible spaces).

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

- Design and Access Statement (addendum 2017);
- Landscape Design Statement (addendum 2017);
- Planning Statement;
- Pre-application consultation report;
- Travel Plan;
- Sustainability Statement;
- Visual Analysis (addendum 2017); and
- Schedule of plans/drawings.

### **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 development is acceptable in principle in terms of meeting the Council's objectives for the central area;
- b) the proposed layout, scale, design and materials are acceptable;
- c) the development has an adverse effect on the City's skyline;
- d) the development will have an adverse impact upon the World Heritage Site, neighbouring listed buildings or the character and appearance of adjacent conservation areas;
- e) the development adversely affects neighbouring residential amenity;
- f) the development raises any implications for road or pedestrian safety;
- g) there will be an adverse environmental impact;
- h) the proposal meets the requirements of the Edinburgh Standards for Sustainable Buildings;
- i) representations raise issues to be addressed; and
- j) the proposals have any equalities or human rights aspects that need to be considered.

a) Principle of the Development

The principle of the development of this site was established when the consented masterplan application was determined. By virtue of work having commenced on site, the development is live. Policies in the Local Development Plan continue to support the principle of the proposed development on the site. The application does not introduce any new material considerations in respect of this matter. A minor increase in office floorspace is acceptable.

b) Scale, Design and Layout

Overall, the mass and scale of the five buildings remains largely as per the consented application (ref: 10/02373/FUL). However, there are a number of design changes to each building which are dealt with in turn:

**Building H1**

H1 is the largest of the office blocks, providing an important central building within the main body of the site. Its triangular footprint and accommodation of active retail/commercial uses on all three facades enables the block to interact in a positive way with the routes and spaces around the site. The main change to this building is the removal of one of the office entrances. This alteration focuses the arrival to the offices on the north elevation with a new retail unit located on the northwest Corner next to the West Square helping to create more vitality at this important corner.

The building height is marginally taller than the consented scheme due to the inclusion of roof plant on top of the building. This results in the building breaching the 91.7 metre threshold recommended by Colvin and Moggridge in the Haymarket Urban Design Framework, by 100mm. Despite this, the increase in height would have no significant impact on the surrounding environment, on key views or the City skyline.

The other design changes are largely minimal and are acceptable in this instance.

## **Building H2**

H2 is located in the south-west corner of the site, set perpendicular to the Dalry Colonies. The building design will primarily reflect the architectural language of that already consented with some minor material changes to the principle elevation being acceptable. On the rear elevation, facing the Colonies, the upper level, previously finished in stone, is now proposed to be clad in zinc. This is an appropriate material and helps break up the solid mass of stone previously consented. More planting is proposed to help screen the building to and from the Colonies. Other proposed alterations are minor in nature and acceptable.

## **Buildings H3 and H4**

For each of these building, the proposals relate primarily to the material finish of the elevations. These material changes are acceptable, using appropriate, contemporary materials and retaining the design intent of the consented scheme.

## **Building H5**

The original design intent was for 3 distinct building elements. This approach is retained in the current proposals. However, the architectural composition and expression, in terms of materiality, has been altered. A new storey is added to the circular element of the building. This has no significant impact on the overall design nor on the surrounding built environment.

The proposal remains a highly contemporary structure retaining much of the architectural expression of the consented scheme. The main proposed change relates to the composition of the building. A new base plinth, constructed of sandstone, is now proposed upon which a light weight, anodised aluminium structure would sit. This is a move away from the materiality and design of the consented scheme with its singular stone exo-skeleton frame replaced by a contemporary upper and lower design to the building. As the key, landmark building on site, such a contemporary approach is appropriate. Not only will the building sit comfortably within its context but from key local views such as Grosvenor Street this new contemporary design will be framed by the historic environment, the contrasting architectural styles complimenting one another rather than competing. The building retains a sense of place with the sandstone base at ground level anchoring the building in its immediate context and relating it to the surrounding built environment and the contemporary material at upper level creating a striking contrast. The anodised aluminium is an appropriate colour, allowing it to sit comfortably in the historic environment while being a bold contemporary architectural statement. The circular component of the building is increased in height by a storey but this has no adverse impact on the City skyline or key views and has no negative impact on the composition of the building.

Overall, the scale, design and material proposed are acceptable.

## **Public Realm**

The public realm remains largely as consented with a main street, secondary street and three platform spaces designed to maximise pedestrian use and integration. These platforms create informal break out spaces. Informal planting is used to enhance the spaces and along Morrison Street as a buffer between the site and the traffic. The palette of materials proposed is acceptable consisting of high quality materials.

The main alteration to the public realm occurs at the junction between the main street through the site and Dalry Road. The Waverley rail line runs underneath the site at this point. This is a constraint particularly at this end of the site. Technical and safety issues have required the retention of material over the top of the northern tunnel, which has in turn influenced levels and access into and through the site at this junction. Where the consented scheme had these junctions meeting at grade, this proposal now has a raised platform, directly outside the entrance to H5, with steps down to Dalry Road. This is an unavoidable consequence of the rail tunnels below the site but the space has been designed to maximise accessibility and the upper level creates another attractive informal public space. The requirement for this alteration also means that the previously consented access point from Dalry Road is no longer proposed. This is a positive change to the proposals.

The proposed public realm represents an improvement on what was previously consented.

### **c) Skyline**

A full assessment of the impact of the proposed development on the City's skyline was undertaken when the previous application (ref: 10/02373/FUL) was determined. This concluded that there would be not be any adverse impact on the skyline. A further assessment has been undertaken to ensure none of the key views will be impacted upon.

There is a threshold set on the site of 91.7 metres as set out in the Haymarket Urban Design Framework. Any building that breaches this threshold could have an impact on the City's skyline by virtue of height. As highlighted, the new proposed height of H1 is 91.8 metres, taking the plant level into consideration. Such a minor infringement of the threshold would have no impact on the skyline.

The current proposals will have no adverse impact on the city skyline.

### **d) Impact on historic environment**

A full assessment was undertaken in relation to the impact of the proposed development on the World Heritage Site, adjacent listed building and the adjacent Conservation Areas when the previous application (10/02373/FUL) was determined. This concluded that the proposed development would not have a detrimental impact in terms of the historic environment. Edinburgh World Heritage had no comment on the proposals. The scale, mass and form of the proposed development remains as per the consented scheme having no adverse impact on the surrounding historic environment.

The site was identified as being within an area of archaeological significance and as a consequence a condition was imposed on the previous consent requiring a programme of archaeological work in accordance with a written scheme of investigation. Although various elements have been undertaken to date not all of the required archaeological mitigation has been undertaken/completed. Accordingly it a condition is attached to this application to ensure the completion of the overall archaeological mitigation strategy for the site.

e) Neighbouring residential amenity

A full assessment of the proposed development was undertaken in terms of its impact on daylighting, sunlight, overshadowing and privacy. This concluded that there would not be any detrimental effect on neighbouring residential amenity. The proposals do not introduce any issues with respect to these matters.

In terms of noise, the previous application for the wider Haymarket site (ref; 10/02373/FUL) was granted consent subject to a number of conditions relating to noise mitigation measures. Relevant conditions are transposed should consent be granted to ensure appropriate noise mitigation measures are implemented to safeguard the amenity of residents in the colonies which are in close proximity to the site. An informative is also recommended to ensure the developer is made aware that further implementation of noise mitigation measures may be necessary should complaints from residents arise.

A sub-station located on the boundary of the colonies, as consented as part of the amendment application (ref: 14/03230/FUL), has been moved to a new location to address issues of noise and health. The sub-station would now be located internally on the opposite side of the service yard to the rear of H2. This represents a significant improvement and should address any future noise complaints.

The proposals will not have any detrimental impact on the amenity of neighbouring properties.

f) Road and Pedestrian Safety

**Parking**

The proposals would result in a significant reduction in the number of parking spaces provided.

The Council's current parking standards for development in this zone (zone 1) has no minimum requirement therefore zero parking would be considered to be acceptable and a maximum of 243 spaces. Therefore the reduction in parking provision is considered to be acceptable.

The car park access has been moved to Morrison Link in the proposals. Transportation has no objection to the location of the entrance to the underground car park.

## Site Access & Servicing

Site access and servicing would be restricted as per the previous consented scheme, allowing adequate provision for the proposed uses. However, the access point from Dalry Road in to the site has been removed from the proposals, which has a positive impact on the use of the space for pedestrians.

### g) Environmental Impacts

The site lies adjacent to the central Edinburgh Air Quality Management Area (AQMA). It is anticipated that the proposed changes to the development will not have an impact on air quality.

The proposed changes will not impact on the local wind environment or ground contamination.

### h) Sustainability

The Edinburgh Standards for Sustainable Building identifies 6 principles that major developments are to address and sets thresholds for each criteria.

<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.

### i) Public Comments

- Inappropriate change from sandstone to zinc on upper level of H2 - addressed in section 3.3b).
- Design of H2 becoming less sophisticated - addressed in section of 3.3b).
- Sandstone should be used throughout as consented - addressed in section 3.3b).
- Public realm material palette not varied enough - addressed in section 3.3b).
- Concerns regarding the design and height of H5 with regards key views - addressed in section 3.3b).
- Visual screen of trees broken - addressed in section 3.3b).
- Proposed steps create a significant physical barrier to the new development - addressed in section 3.3b).
- Reduction in green space inappropriate - addressed in section 3.3b).
- Sub-station in service yard on Colonies boundary - addressed in section 3.3e).
- Vents for supermarket to close to Colonies; - addressed in section 3.3e).
- Increased issues of overlooking - addressed in section 3.3e).

- Location of the service yard - addressed in section 3.3e).

#### j) Equalities and Human Rights

The proposed development will create an environment with improved public realm and will offer good access to transport and public places. It will provide job opportunities and training. The proposals will have a positive impact in respect of rights.

The development will be accessible for people disadvantaged by age, disabilities or pregnancy/maternity requirements in accordance with current standards. The proposals will have a positive impact in respect of equalities.

#### Conclusion

The proposed mixed use development remains consistent with the objectives for the redevelopment for this part of the city and is supported by the development plan. The proposed changes are appropriate to the context in terms of design, scale and materials and would have no adverse impact on the historic environment. There will be no impact on existing residential amenity, and there will be positive improvements on the previous consent in terms of road and pedestrian safety throughout the site. The proposals are acceptable in terms of sustainability. There are no material considerations which outweigh this conclusion.

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

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

##### **Conditions:-**

1. 'No development shall take place on the site until the applicant has secured the implementation of the programme of archaeological work (excavation, reporting and analysis) in accordance with the agreed written scheme of investigation submitted by the applicant and approved by the Planning Authority.
2. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
3. A landscape management plan, including tree replanting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; the approved plan shall be implemented within 6 months of the completion of the development.
4. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
5. The hotel and class 3 kitchens shall be ventilated by a system capable of achieving 30 air changes per hour, and the cooking effluvia shall be ducted to roof level to ensure that no cooking odours escape or are exhausted into any neighbouring premises as agreed by the Council, as planning authority.
6. 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.
7. Prior to the commencement of work on each building, a detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Council, as planning authority. Thereafter, sample panels of the materials are to be erected and maintained on site as agreed by the Council, as planning authority.
8. Prior to the commencement of work on site a programme for the waste management facilities shall be submitted to and agreed by the Council, as planning authority. Thereafter, the agreed programme shall be implemented prior to the occupation of any part of the development.
9. Prior to the operation of the car park, details of its operation, including hours of operation, tariffs and measures to allocate parking, shall be submitted to and agreed in writing by the Council, as planning authority.
10. Prior to the occupation of the first office building, details of measures to control parking and waiting within the site shall be submitted to and agreed in writing by the Council, as planning authority. Thereafter the agreed measures shall be implemented in full within an agreed timescale.
11. Prior to the occupation of the first phase of the development a management plan for the restriction of traffic entering the site from Morrison Street shall be submitted and approved by the Council, as planning authority, this shall include any physical measures required to restrict traffic from entering the site and hours when vehicles will be permitted onto the route. Any further alterations to the approved management plan shall be agreed with the Council, as planning authority.
12. Prior to the removal of the existing toilet provision on site, details of public toilet provision at street level, including means of operation and programme of implementation shall be submitted to and approved in writing by the Council, as planning authority. Thereafter, the works shall be implemented according to the agreed programme.

## **Reasons:-**

1. In order to safeguard the interests of archaeological heritage.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
4. In order to ensure that the approved landscaping works are properly established on site.
5. In order to safeguard the amenity of neighbouring residents and other occupiers.
6. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
7. In order to enable the Head of Planning to consider this/these matter/s in detail.
8. In order to safeguard the amenity of neighbouring residents and other occupiers.
9. In order to enable the Head of Planning to consider this/these matter/s in detail.
10. In order to enable the Head of Planning to consider this/these matter/s in detail.
11. In order to safeguard the interests of road safety.
12. In order to safeguard the amenity of neighbouring residents and other occupiers.

## **Informatives**

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.
3. All music and vocals, amplified or otherwise, shall be controlled as to be inaudible within any neighbouring premises
4. The design, installation and operation of the substation shall be such that any associated noise complies with NR20 when measured within any nearby living apartment with the windows open for ventilation purposes.



## **Financial impact**

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

There are no financial implications to the Council.

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

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

## **Equalities impact**

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

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

## **Sustainability impact**

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

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

## **Consultation and engagement**

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

Pre-application discussions took place on this application.

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

The application was advertised on 25 March 2016. One letter objecting to the proposals was received from the Cockburn Association and two letters providing general comments were received.

The West End Community Council have commented as a statutory consultee and in addition, Dalry Colonies Association have also submitted comments.

The following material issues have been raised:

- Public realm material palette not varied enough;
- Concerns regarding the design and height of H5 with regards key views;
- Development isolated and divorced from surroundings;
- Sub-station in service yard on Colonies boundary;
- Visual screen of trees broken;
- Vents for supermarket to close to Colonies;
- Increased issues of overlooking;
- Inappropriate change from sandstone to zinc on upper level of H2;
- Design of H2 becoming less sophisticated; and
- Sandstone should be used throughout as consented.

The application (Scheme 2) was advertised on 15 July 2016 and two letters of objection were received.

The letters of objection include a letter from the Dalry Colonies Association.

The following material issues have been raised:

- Location of the service yard;
- Proposed steps create a significant physical barrier to the new development; and
- Reduction in green space inappropriate.

The application (Scheme 3) was advertised on 14 October 2016. Seventy-three letters objecting to the proposals were been received. The letters of objection include letters from Ward Councillor Dixon, The Architectural Heritage Society of Scotland and the Dalry Colonies Association.

The West End Community Council have commented as a statutory consultee.

The following material issues have been raised:

- Inappropriate increase in height of H1, breaches threshold of 91.7 metres as set out in Haymarket Urban Design Framework.

One further letter of comment, from the Dalry Colonies Association, was received on 14 March 2017 as part of a re-notification. This letter raised no new material planning considerations.

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](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development  
Plan Provision**

The application site is identified in the Local Development Plan as being in the City Centre. The site is also covered by the Haymarket Design Framework.

**Date registered**

18 March 2016

**Drawing numbers/Scheme**

1,2,3B, 4B, 5A, 6B, 7C, 8A, 9A, 10B, 11C, 12B, 13B, 14, 15B,, 16B, 17A-23A, 24-27, 28A-34A, 35, 36A, 37B, 38A-41A, 42B-45B, 46C, 47A, 48B, 49, 50A-60A, 61, 62, 63A, 64-66, 67A, 68A, 69-71, 72A-80A, 81, 82B, 83B, 84, 85, 86A, 87, 88, 89B, 90B, 91, 92B-104B, 105 and 106,

Scheme 4

**David R. Leslie**

Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Euan Mcmeeken, Planning Officer  
E-mail: euan.mcmeeken@edinburgh.gov.uk Tel: 0131 529 3989

**Links - Policies**

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**Relevant Policies:**

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

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

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 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

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 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.

### **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 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

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

The West End Conservation Area Character Appraisal emphasises that the area is characterised by mixed, residential commercial buildings. The central section of the conservation area is a major modern financial area consisting of modern offices. The Georgian and Victorian tenements within the area are mainly 4-6 storeys, and constructed of stone with pitched, slated roofs.

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

# Appendix 1

**Application for Planning Permission 16/01510/FUL  
At 189 Morrison Street, Edinburgh, EH3 8DN  
Amendment to the detailed Planning Permission  
10/02373/FUL to include revised car park layout, design  
amendments to H1, H2, H3, H4 AND H5, revised vehicular  
access arrangement, materials and hard and soft  
landscaping proposals.**

## Consultations

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### Transport

*No objections to the application.*

*Note:*

1. *The transport strategy for the proposed development is all as per the previously consented application (10/02373/FUL). The transport changes being brought forward as part of this application are:*

a) *Reduction in parking numbers from 94 to 53.*

*The Council's current parking standards for development in this zone (zone 1) has no minimum requirement therefore zero parking would be considered to be acceptable and a maximum of 243 spaces. Therefore the reduction in parking provision is considered to be acceptable.*

b) *Car park access moved to Morrison Link.*

*The proposed location of the access to the underground car park is considered to be acceptable.*

### Network Rail

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

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

*There must be no additional loading/surcharge on Haymarket Tunnels (including sidewalls) by the proposed development. All proposed works above the tunnels must be subject to further discussions and agreement with Network Rail.*

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

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

*The developer must contact our Asset Protection Engineers regarding the above matters*

## **Archaeology**

*Further to your consultation request I would like to make the following comments and recommendations in respect to this application for an amendment to detailed planning permission 10/02373/FUL to include revised car-park layout, design amendments to H1, H2, H3,H4 and H5, revised vehicular access arrangement, materials and hard and soft landscaping proposals.*

*I refer you to my earlier comments in response to detailed planning permission 10/02373/FUL which outlined the principal industrial archaeological significance of the site and also required mitigation requirements. Subsequent to granting of permission an archaeological mitigation strategy was agreed for the redevelopment of the site with CFA Archaeology on behalf of the developer, require a staged approach.*

*Although various elements have been undertaken to date not all of the required archaeological mitigation has been undertaken/completed. Accordingly it is recommended that the following condition is attached to this application to ensure the completion of the overall archaeological mitigation strategy for the site;*

*'A revised and updated written scheme of investigation must be submitted by the applicant for approval by the planning authority in order to ensure the completion of the programme of archaeological work (excavation, reporting and analysis and publication) agreed for the site under 10/02373/FUL.'*

*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.*

## **Edinburgh World Heritage**

*No comment*

## **West End Community Council**

*1 Design*

*Block H5:*

*Additional top storey: Stepping back to reduce the impact and create a better junction with the central section of the building is acceptable.*

*Ref: ECLP DES 3 a); Des 10 b), c)*

*Block H5:*

*Columns on the corner of Morrison Street: Opinions vary in the community on which solution is the more desirable, whether to remove the columns for a more spacious appearance at this busy junction and reduce the obstruction for pedestrians (given the problem of the clutter of the tram cabinets), or to link with the design of the building's western façade, as the better architectural solution.*

*Ref: ECLP Des 1*

*Block H2:*

*WECC appreciates the consideration given to the proximity of the Dalry Colonies in this scheme. There is less concern amongst residents about overlooking from the hotel bedrooms and the privacy screening arrangement for the top storey is welcomed. The softening effect of greenery should help the overall feel.*

*Ref: ECLP Des 3 c)*

*Block H1:*

*The fenestration changes are considered to be an improvement.*

*Ref: ECLP Des 3 c)*

## *2 Materials*

*The use of sandstone, particularly where close to the Georgian and Victorian terraces on Morrison Street and Dalry Road, is welcomed.*

*We support the use of traditional metals in the detailing, e.g. zinc. We suggest copper would continue a New Town theme, but accept that there are cost implications. Cast iron does not appear to have been considered. We recommend its use, e.g. as balustrades and as arm rests on seating, to reflect the railway heritage. This could also support local industry in these times of hardship for traditional metal working.*

*Ref: ECLP Des 6 b) iv*

## *3 Transport*

*Pedestrianisation of the site during daytime (as distinct from daylight) hours and the removal of the Dalry Road entrance from the plan are supported by WECC.*

*Ref: ECLP Des 3 g); Des 7 a)*

*Electric vehicle charging points: We assume that these will be provided in the car park. Car park provision reduced: There is concern about the loss of the public spaces. Local businesses on Morrison Street have suffered badly in recent years from the loss of the car park.*



*Cycle storage and changing facilities for cyclists appear to be adequate to accommodate the office and hotel staff.*

*Ref: ECLP Tra 5, 6*

#### *4 Public Realm and Landscape Design*

*The general theme and the planting proposals meet with residents' approval. Rowan has been suggested as another tree option. Adding some sandstone slabs to "lighten" the overall greyness of the paving has also been suggested. The connection to railway history, e.g. naming of the streets and railway sleepers for seating, meets with approval.*

*Ref. ECLP Des 5 a) "character"*

*Concerns:*

*Seating to suit the elderly and those with mobility problems needs to be incorporated. The proposed bench seating lacks back rests and arm rests. The elderly and some disabled people would find these benches difficult to use. The earlier plan for individual seats with cast iron frames was appropriate and the seats were grouped for social convenience. This approach has not been taken in the current proposal, which is unsympathetic in terms of usability.*

*Extending the wooden surfacing along a larger area of the "benches" would be helpful, as granite is very cold to sit on.*

*Child height seating might be a useful consideration, if families are to be encouraged to shop here.*

*Public Art: WECC wishes to remind the developer of the original intention to include a culturally significant piece of public art on the site. The most prominent raised bed could echo the historic treatment at Coates Crescent (the Gladstone Memorial) and proposed sculpture plinth for Atholl Crescent (as promoted by the West End Art Trail group). Edinburgh is renowned for its public art in its streetscape.*

*The blank walls of the toilet building could be used for a railway themed mural.*

*Ref: ECLP Des 3 j)*

#### *5 Sustainability*

*The 10ft high wall on Morrison Street is constructed of what appears to be Craigleith stone. No provision seems to have been made in this application to re-use the stone, e.g. by incorporating it in the landscape and public realm designing.*

*Ref: ECLP Des 6 b) iv*

## 6 Amenity

*Sunlight and Daylight Analysis: The WECC Environment Convenor considers that insufficient information has been provided by the developer to allow the CC to support the height change to H5. There are concerns about the effect on homes in the historic tenement in Morrison Street.*

*Ref: ECLP Des 3 c)*

*There are concerns about light pollution control, because of the possible effect on local housing.*

*Ref: ECLP Des 3 c)*

*Servicing and delivery hours: A Management Plan should outline steps to minimise disturbance during the night for Dalry Colonies residents. (What is meant by "twilight hour operation"? Twilight means different times, depending on the time of year.*

*Ref: 6.1 Design and Access Statement)*

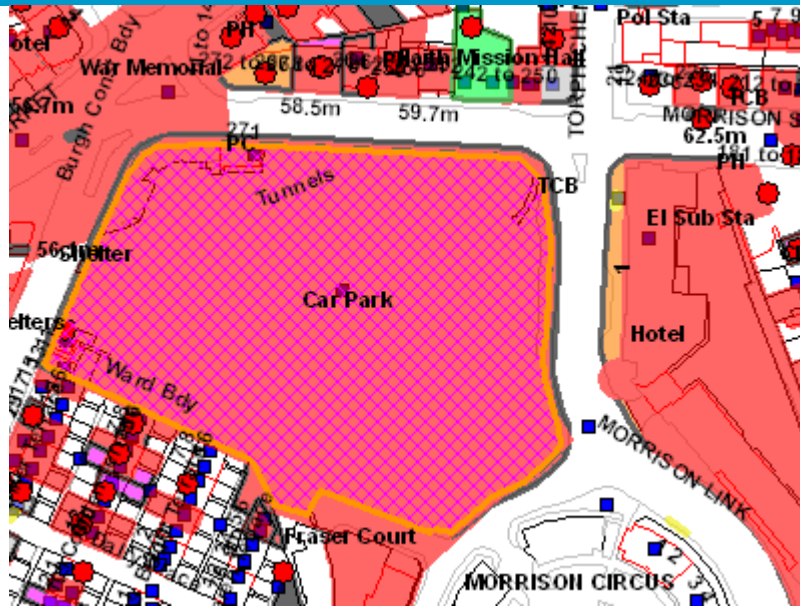
*Ref: ECLP Des 3 h)*

*Public Toilet provision: We note that there is still objection to the siting of this facility in the far corner, linked to the car park. We have lodged previous objection on this subject. There needs to be clear sign-posting to guide football and rugby fans, concert-goers, etc. through the site. There has been a great deal of local objection from West End residents regarding the closure of the existing toilets. This is an important issue, for the elderly in particular. (The CEC A City for All Ages Advisory Group has highlighted the issue of the difficulties created by the loss of public toilets throughout the city.) The developer of this Haymarket site has to cater for residents, not just commuters, if the retail elements are to be patronised. Use of the public toilets should be free of charge. The design should be for a fully accessible facility, with mother and baby as well as disabled provision. We note that there will be public access to toilets within the foyers of the office blocks, etc., but there is doubt about how successful this arrangement will be and how tourists will be made aware of it.*

*Ref: 6.1 Access Statement*

## Location Plan

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**END**