

Development Management Sub Committee

Wednesday 13 December 2017

**Application for Planning Permission 17/04240/FUL
At George Watsons College, Grandstand, Myreside Road
Erection of two spectator stands, disabled viewing platform,
television gantry, hospitality marquee, retail marquee, food
and drink units, toilet facilities, and associated
works/infrastructure.**

Item number	7.3
Report number	
Wards	B10 - Morningside

Summary

The current site is in use as a sports ground and has been in this use for many years. There is no planning history for the use of the site as a sports ground and therefore no planning restrictions in terms of numbers of spectators that can attend events at the site.

The principle of the development meets the requirements of Policy Env 18 and Policy Env 19 of the adopted Local Development Plan as the existing playing field will be significantly improved and the proposal will support economic growth.

The proposal would retain the existing character of the immediate area. The height of the development and geometric form relates well with the built environment and uses materials which complement this part of Myreside Road.

The proposal will have an effect on the amenity of neighbouring properties in terms of noise and air quality. The use of the ground as a sports facility is well established; there are no planning restrictions currently to control crowd numbers. There could therefore be similar effects of crowd noise and disturbance and air quality from the existing use of the site.

The proposal has adequately addressed transport matters.

There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES03, LEN18, LEN19, LTRA06, LTRA02, LTRA03, LTRA07, NSG, NSGD02,

Report

Application for Planning Permission 17/04240/FUL At George Watsons College, Grandstand, Myreside Road Erection of two spectator stands, disabled viewing platform, television gantry, hospitality marquee, retail marquee, food and drink units, toilet facilities, and associated works/infrastructure.

Recommendations

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

Background

2.1 Site description

The site lies on the east side of Myreside Road, measures 1.98 hectares and is an existing playing field used by George Watson's College. To the north of the site is a three storey modern flatted development, to the east are buildings belonging to George Watson's College and to the west are playing fields used and owned by the school. To the south lies the site of the Royal Edinburgh Hospital which is being redeveloped. On the site, there is a two storey grandstand adjacent to Myreside Road. There is a landscaped bunding sloping up away from the playing surface. The pitch benefits from existing floodlighting.

This application site is located within the Merchiston and Greenhill Conservation Area.

2.2 Site History

7 December 2016 - Planning permission was granted for the erection of two temporary spectator stands and ancillary facilities including television gantry, hospitality marquee, portable food and drink units, portable retail marquee and portable toilets (application number 16/04715/FUL). This permission was granted for a limited period of 12 months.

Adjacent Sites

28 March 2013 - Planning permission was granted in respect of the phase 1 development of the healthcare masterplan of the Royal Edinburgh Campus including erection of mental health and brain injury facilities (Class 8) together with various works including access and landscaping (as amended) (application number 13/04232/FUL).

27 October 2017 - An application for planning permission was submitted for an extension to the west facade of the existing Upper Primary School building of George Watson's College and associated landscape works to create a new entrance, five new classrooms and a new dedicated music department (application number 17/04987/FUL). This is pending consideration.

27 October 2017 - An application for planning permission was submitted for an extension, internal and external playground alterations to existing primary and nursery building of George Watson's College to create two additional nursery classrooms (application number 17/04986/FUL). This is pending consideration.

Main report

3.1 Description Of The Proposal

Following the 12 month trial period from January 2017, Edinburgh Rugby wish to continue to play selected matches at Myreside during the 2017/18 campaign and beyond. The games will continue to be played on a Friday evening or Saturday afternoon depending on broadcast schedules. The matches will avoid days when there are matches at nearby Tynecastle football stadium.

The proposed development comprises:

- 1) the erection of two spectator stands;
- 2) a television gantry;
- 3) the erection of a hospitality marquee;
- 4) the erection of viewing gantry for disabled and their companions; and
- 5) welfare facilities - toilet and retail units.

The capacity of the stadium will remain as 5,500 in keeping with the previous approval. The previously approved spectator stands at the north and south ends of the stadium will be permanent facilities in operation between August and April (inclusive) and dismantled outwith this period.

The north stand will have the capacity to seat 852 people. The structure will measure 52.44 metres (m) wide, 4.53m high and 8.9m deep. The south stand will have a capacity to seat 1944 people. The structure will measure 74.51m wide, 6.69m high and 12.86m deep.

The disabled viewing platform will be located to the south of the television gantry as a separate structure and will have the capacity to hold 10 spectators in wheelchairs and their companions. It will measure 3.42m deep, 15.80 metres wide and be elevated from 1.2 metres from pitch level. The structure will be roofed and its overall height is 3.5 metres.

The proposed materials are under structure galvanised steel ring scaffold. Decking would be phenolic plywood/aluminium rimmed, the seating would be of an aluminium frame with plastic seats coloured arctic grey and the roof outer layer would be of an aluminium frame tarpaulin white/grey in colour.

An additional 743 spectators will be accommodated in the pitch side standing area located along the eastern edge of the pitch. This is an existing standing area.

Facing the existing grandstand, a television gantry is proposed on the eastern boundary of the pitch. This structure has been reduced from the previous approval and would hold three cameras and spaces for commentary/interviews as the spaces for coaching staff would be accommodated in the main stand. It would measure 13m wide, 4.3m deep and be a height of 6m at its highest point. The proposed materials are steel scaffolding.

The main supporter marquee will be located adjacent to the existing Watsonians Clubhouse across Myreside Road. This will provide a bar and covered area for up to 300 people and will be open for 90 minutes before and after the rugby match. The marquee and bar will be closed during the match. It will continue to have no external seating or drinking area. There is no amplified music proposed for the marquee. Power will be provided by a generator.

To the rear of the south stand, three toilet blocks and a marquee are proposed which will be permanent facilities in operation between August and April (inclusive) and dismantled outwith this period.

The submitted plans also include food and drink units, portable retail units and portable toilets and retail marquees. These are not permanent structures as they would be removed at the end of each match so are not subject to planning controls.

There are existing floodlighting posts on the rugby pitch. The proposal would continue to use these facilities but to upgrade their intensity of light. It is considered, however, that these changes to the floodlighting do not constitute development so they are not included in the assessment of the proposal.

Public parking will be limited to blue badge holders only. No official car parking will be provided next to the ground for any spectators and the only pedestrian access to the stadium will be via the main turnstile on Myreside Road.

In addition to public park and ride, park and ride facilities will continue to be provided at BT Murrayfield Stadium (500 spaces with the potential to increase this by a further 250 spaces).

As with the trial period, the following mitigation measures will continue:

- Traffic Restriction Orders;
- Stewarding to direct supporters away from local street parking; and
- Provision of support travel information and travel planning to encourage fans not to drive to the immediate vicinity of the venue.

During the trial period, a Match Safety Plan was produced for each game by the Scottish Rugby Events Safety Officer and as part of the match safety planning process, Edinburgh Rugby used the recognised best practice of Events Planning and Operation Group (EPOG) process. It is intended that this practice will continue.

Supporting documents

The following information has been submitted in support of the application:

- Statement in support of the proposals
- Noise Impact Assessment;
- Transport Assessment; and
- Air Quality Statement.

These documents are available to view on the Planning and Building standards On-line Services.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposal including uses is acceptable in principle;
- b) transport matters have been adequately addressed;
- c) the proposed scale, design and materials are acceptable;
- d) the proposal is detrimental to the amenity of neighbours;
- e) the proposal preserves the character and appearance of the conservation area;
- f) the proposal has any equalities or human rights impacts;
- g) the representation raise issues to be addressed; and
- h) any other matters.

a) Principle of development

Planning permission was granted on 7 December 2016 for the erection of two temporary spectator stands and ancillary facilities including television gantry, hospitality marquee, portable food and drink units, portable retail marquee and portable toilets (application number 16/04715/FUL) for a limited period of a year. This involved hosting six games at the ground between January and May 2017. This trial period was undertaken in accordance with terms of planning permission 16/04715/FUL).

Key considerations in terms of principle of development are open space and sports pitch provision, the location of leisure uses and economic benefits.

The site is designated as an area of open space in the adopted Edinburgh Local Development Plan (LDP). The site has been used as a sports ground since 1878 and therefore the principle of using the site as a sports ground / sports related facility is established.

The proposal affects a playing field and will be considered against LDP Policy Env 18 Open Space Protection. This policy aims to protect all open spaces, both privately and publically owned that contribute to the amenity of the surroundings or are capable of providing for the recreational needs of residents and visitors.

The new stands would be built on grassed areas at the north and south of the playing pitch. The site is fairly restricted on the northern and eastern boundaries by existing buildings. There would be no significant impact on the quality or character of the local environment.

LDP Policy Env 19 Playing Fields Protection is also relevant. The proposed development is ancillary to the principal use of the site as a playing field and would not adversely affect the use or potential of the remainder for sport and training. The proposal complies with part (a) and (b) of the policy. Part (c) and (d) are not considered applicable.

In addition, the proposed development helps meet the LDP objective to support the growth of the city economy.

There is no statutory requirement to consult Sports Scotland on the proposal as it does not result in the loss of the existing playing field or would not prejudice or prevent the site from being used as an outdoor sports facility.

The proposal is acceptable in principle.

b) Transport Issues

LDP Policy Tra 1 Location of Major Travel Generating Development requires major development which would generate a significant travel demand will be permitted on suitable site in the City Centre. Where a non-City Centre site is proposed, the suitability of a proposal will be assessed having regard to:

- a) the accessibility of the site by modes other than car;
- b) the contribution the proposal makes to the Local Transport Strategy objectives and the effect on targets in respect of overall travel patterns and car use; and
- c) impact of any travel demand generated by the new development on the existing road and public transport networks.

Following the approval of planning permission, the monitoring of travel activity was undertaken during two matches at Myreside during February and March 2017 to determine how spectators travel to matches. The results are included in an Addendum to the original Transport Assessment (TA) prepared in support of the previous application. The results show that the majority of the trips to the stadium were spectators walking or using public transport. The results for car driving mode are significantly less than that predicted in 2016.

With the addition of match day traffic associated with 5000 spectators, it is expected that traffic flows through key junctions will continue to be significantly less than the non-match day network peak hour traffic flows. The measures to control congestion and the impacts on the surrounding road networks are considered to be within acceptable levels.

The proposal will continue the use of the facilities at BT Murrayfield which will further enhance the Park and Ride opportunities.

The nearest railway station to Myreside Stadium is located at Slateford, (approximately 1.7km west of the stadium (21-22 minute walk), which provides services to West Lothian and Glasgow. Edinburgh Waverley is well located for links to existing bus services, while spectators arriving at Haymarket are more likely to rely on taxis for access to the site.

The site continues to be well served by Lothian Bus services operating in this area. Bus services 23 and 38 travel along Balcarres Street and Craighouse Gardens. The bus stops on Slateford Road are 1km away (15 minute walk). Bus stops are located directly in front of the site on Myreside Road.

The site is therefore well placed and accessible by modes of transport other than the car.

In terms of the contribution to the Local Transport Strategy objectives and targets in respect to overall traffic patterns and car use, no official parking (with the exception of blue badge holders) is proposed. As narrated above, Park and Ride facilities will be provided at BT Murrayfield Stadium (500 spaces with the potential to increase this by a further 250 spaces if required). Other mitigation measures will continue to be in place:

- Traffic Restriction Orders;
- Stewarding to direct supporters away from local street parking; and
- Provision of support travel information and travel planning before and during the relocation to encourage fans not to drive to the immediate vicinity of the venue.

LDP Policies Tra 2 Private Car Parking and Tra 3 Private Cycle Parking seek development to comply with car parking and cycle parking requirements set out in supplementary guidance. The existing ground has car parking which is informally provided. Limited car parking would continue to be available for blue badge holders only. There is no formal cycle parking available. This level and type of provision is in line with facilities provided at other stadiums and is considered acceptable.

The proposal would enable travel to the site by modes of transport that are not a car.

c) Layout, Scale, Design and Materials

The new stands are to be located at the north and south ends of the pitch which is currently grass bunding. Given the form of the stands, a visual link from Myreside to the buildings beyond will be retained.

The new stands are of plain and functional design in keeping with the existing form. The height of the new stands is lower than that of the existing grandstand and the nearest residential property at 84 Myreside Road. The materials and built form are dictated by the functionality of the stand.

The proposed hospitality marquee is to be positioned adjacent to the existing clubhouse across Myreside Road. It is also of a plain and functional style subservient to the neighbouring building. The visual impact is again limited in terms of topography and does not impact on the openness of the playing fields to the north and north-west.

A television gantry is to be located on the eastern boundary. Its geometric form will not detract from the character of the surrounding area.

The visual impact of the stands is limited due to the topography of the surrounding area and the existence of the existing main stand along the boundary with Myreside Road. It is therefore acceptable and will not have a detrimental impact on the openness of the playing fields to the west and north-west.

A structure is to be located on the eastern boundary separate from the television gantry, to provide a dedicated area for disabled viewing and their companions. It is also of simple form and will not detract from the character of the surrounding area. It is lower in height than the television gantry and the south stand to the south. It is therefore acceptable and will not have a detrimental impact on the openness of the playing fields to the west and north-west.

The welfare facilities to the south of the South Stand and alongside Myreside Road are of a scale and form subservient to the neighbouring buildings.

The proposal complies with LDP Policy Des 1 Design Quality and Content and LDP Policy Des 3 Development Design.

d) Amenity of Neighbours

LDP Policy Hou 7 Inappropriate Use in Residential Areas states that developments which would have a materially detrimental effect on the living conditions of nearby residents will not be permitted.

The applicant has submitted a shadow cast study which demonstrates that any additional overshadowing from the new stands, hospitality marquee and television gantry would fall onto land owned by the applicant.

In terms of privacy and overlooking, the proposed north stand lies closest to residential properties. It would be 21.6 metres from 84 Myreside Road. The TV gantry on the eastern boundary is of a height where overlooking could occur but any would be restricted to the existing school buildings and the Royal Edinburgh Hospital. It is designed to pursue views of the pitch, rather than on land on the opposite of the site boundary. This complies with the requirements of the Edinburgh Design Guidance.

The nearest residential properties to the sports ground are the flats to the north on Myreside Road. The south elevation of the upper floors overlook the sports ground. To the south east is the Royal Edinburgh Hospital; a new treatment building has recently been constructed along the boundary with the sports ground. The first floor of the building is visible from the sports ground and accommodates office space and plant rooms. The ground floor of the building which accommodates patient's bedrooms is not visible behind the existing perimeter wall.

The applicant has undertaken a Noise Impact Assessment which includes a Noise Management Plan to minimise disturbance to local residents.

The main source of noise from the proposed games will be voices of spectators and players talking and shouting. The main spectator location and therefore noise source location will not change significantly from the existing main stand and spectator embankments, though there will be an increase in the number of spectators.

The proposed hospitality marquee and various retail outlets will result in spectators spending time in locations currently not used.

The noise level from one game to another will vary depending on the number of spectators, number of points scored and level of excitement etc.

The noise impact assessment has shown that the average and maximum noise level during the game is approximately 10dB louder than on a Friday night with no game. The increase in noise level lasts for approximately 3 hours between 19.00hrs and 22.00hrs.

The applicant has also demonstrated that the change in noise level is only a 1-4dB increase when compared to a Watsonians game. Although the noise from the Edinburgh Rugby game is for a longer period.

The difference in crowd attendance from a Watsonian game to an Edinburgh Rugby game is approximately 300 compared to 5200. In acoustic terms, this should have equated to an increase of 12dB. The applicant has suggested that the limited increase recorded indicates that the location of the stands and the noise management plan helped reduce levels of noise increase. This is accepted by Environmental Protection.

The previous planning permission required acoustic matting to be erected to the north beside the residential flats to reduce noise levels. In agreement with the Council for the last game during the trial, the matting was not in place to allow for a comparison. Both the average levels and maximum levels of noise during the games, with and without the acoustic matting, did not vary. The similar results when the acoustic matting is used indicates that the matting would not be required. This is accepted by Environmental Protection.

The PA system does not form part of the development proposals and is therefore not a planning matter. However, use of the PA system is included in the Noise Management Plan and covered in an informative.

The main hospitality marquee will be located adjacent to the existing Watsonians Clubhouse across Myreside Road. The noise from within the marquee would consist primarily of people's voices. The noise level will vary depending on the number of people talking within the marquee. The applicant's Noise Impact Assessment has considered the noise from inside the marquee. As a result of the likely noise levels, existing background noise levels and distance attenuation to the nearest residential properties 200m away it is unlikely to be audible. The marquee operated in this location during the trial games without causing any noise disturbance.

The generator powering the lights and bar in the Marquee has not been selected yet. However, the applicant's noise impact assessment has modelled the likely impact a standard generator would have on the nearest residential properties and it will not be audible. It is recommended that an informative is attached to ensure the applicant is aware of the acceptable limits on noise levels from plant in relation to the nearest residential properties.

Retail activities will be located within the two ground entrance areas adjacent to Myreside Road. These are temporary structures being erected for match days during the season. They will require a licence to operate and will be inspected and controlled under the licensing regime. These structures are not subject to planning control. Any additional noise and disturbance would be controlled through other statutory controls.

A floodlighting will continue to be used as part of the proposals. As explained earlier in the assessment, there exists floodlighting at the stadium so this increase is not considered to be development.

The proposed development will have an impact on the neighbouring residential amenity in terms of noise. However the use of the site as a sports pitch is well established and there are no planning conditions which restrict spectators numbers at this site. During the trial games, it has been demonstrated that there is no significant noise disturbance to residential properties. Noise from plant machinery and issues such as general street noise and disturbance can be dealt with through more appropriate statutory legislation. The applicant's Noise Impact Assessment includes a proposed Noise Management Plan and is this is covered in an informative.

There would be no adverse overshadowing, loss of sunlight or loss of privacy to neighbouring properties.

The proposal is acceptable in terms of the effect on amenity.

Air Quality

LDP Policy Env 22 Pollution and Air, Water and Soil Quality seeks to prevent significant effects for health, the environmental and amenity in terms of air quality. An Air Quality report has been submitted which assesses the emissions to air from local Air Quality Impacts.

The site is located approximately 900m from the nearest Air Quality Management Area. The applicant has provided some supporting information on the local air quality impacts. The air quality impacts would be limited to one hour before and one hour after the event (as people make their way to and from the stadium). The proposed times for the matches are not predicted to coincide with peak hour traffic flows for the local area, further reducing the potential for impacts. There is also proposed mitigation in place to provide park and ride facilities and alternative travel suggestions to spectators to actively encourage the use of other modes of transport. A condition is attached requiring the installation of an electric vehicle charging outlet to reduce the potential impact on air quality.

The proposal is acceptable in terms of the effect on air quality.

e) Conservation Area

The site does not lie within a conservation area but within a level zone immediately to the south of the boundary of Merchiston and Greenhill Conservation Area. Further south lie the boundaries of Plewlands Conservation Area and Craiglockhart Hills Conservation Area. Given the height of the proposal and its relationship within existing buildings, there will be no adverse impact on the spatial pattern or character and appearance of these areas.

The proposal retains the character and appearance of the neighbouring conservation areas.

f) Equalities or Human Rights Impacts

This application was assessed in terms of equalities and human rights. No impact was identified. An equality and Rights Impact Assessment Summary is available to view on the Planning and Building Standards Online Service.

g) Public Comment

Material Considerations

- parking issues-assessed in section 3.3b).
- increased noise and disturbance particularly at night-assessed in section 3.3d).
- •light pollution-assessed in section 3.3d).
- •fast food odours-assessed in section 3.3).

Non-material Considerations

- Evening training sessions to taking place at Myreside - not a planning consideration.

- No notification of up-coming matches - not a planning consideration.
- Disturbance from PA system - not a planning consideration.
- Formation of access from Myreside Road to the western gate of school grounds - being considered as part of a separate planning application (17/04987/FUL).
- The redevelopment plans for George Watson's College junior school - these are subject to a separate planning application (17/04987/FUL).

h) Other Matters

This proposal raises a number of matters which are either not planning related or are more appropriately addressed through other controls.

Conditions which duplicate the effect of other controls will normally be unnecessary and those which conflict with other controls will be ultra vires because they are unnecessary.

The use of the land for the purposes of this application does not require planning permission and it is not appropriate to apply planning conditions which restrict the current use of land. To do so would be ultra vires.

In addition, planning cannot control the use of land through the use of planning conditions for land which is not under the control of the applicant. This would relate to controls over the adjoining roads, which are more appropriately dealt with through the use of temporary traffic restriction orders (TTROs).

In terms of the control of the sale of alcohol from the hospitality marquee, the main stand and draught bar marquee in the south stand, this matter is more appropriately controlled through the use of occasional licences under the Licensing (Scotland) Act 2005.

An Event Management Plan (EMP) for each rugby fixture will be required. The EMP will follow the guidance in the "Guide to Safety at Sports Ground Publication 2008". The Events Planning Operations Group (EPOG) will schedule meeting with other key stakeholders, including the Scottish Fire and Rescue Service, Scottish Ambulance Service etc in relation to impacts on their operations.

Conclusion

The current site is in use as a sports ground, and has been in this use for many years. There is no planning history for the use of the site as a sports ground and therefore no planning restrictions in terms of numbers of spectators that can attend events at the site.

The principle of the development meets the requirements of LDP Policies Env 18 and Env 19 as the existing playing field will be significantly improved and will encourage economic growth.

The proposal would meet the requirements of LDP Policy TRA 1 and measures will be taken to mitigate any adverse effects on network.

The proposal would retain the existing character of the immediate area. The height of the development and geometric form relate well with the built environment and use materials which complement this part of Myreside Road.

The proposal will have an effect on the amenity of neighbouring properties in terms of noise, smells, air quality. The use of the ground as a sports facility is well established; there are no planning restrictions currently to control crowd numbers. There could therefore be similar effects of crowd noise and disturbance and air quality from the existing use of the site.

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. An electric vehicle charging outlet shall be installed of the following standard:

70 or 50kW (100 Amp) DC with 43kW (63 Amp) AC unit. DC charge delivered via both JEVs G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

Reasons:-

1. In order to promote sustainable car usage and reduce potential impacts on air quality.

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. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address;

5. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Head of Planning and Transport if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All such disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved by the Head of Planning and Transport.
6. Monitoring of parking and traffic demands should be carried out and arrangements modified if required in discussion with the Council and emergency services, as stated in the Transport Assessment.
7. The applicant is advised to consider entering into a good neighbour agreement with any groups which are involved in promoting community relations in the area, in particular the Patient Council at the Royal Edinburgh Hospital.
8. All plant should be located as far as practical from noise sensitive locations to ensure the Council's NR25 standards are met within the nearest residential properties.
9. The development should be operated in accordance with the proposed Noise Management Plan specified in the RMP, Technical Report ref R-7628D-GH-RGM dated 12 September 2017 as detailed below;
 - Appropriate stewarding to be provided to direct and control spectators. Stewards to be trained to identify and address any excessive noise that would amount to anti-social behaviour.
 - Traffic management plan to be in place. Including that Myreside Road should be closed for 10/15 minutes at the end of games to assist with quick crowd dispersal.
 - Access gates adjacent to residential properties to the north to remain closed at all times.
 - Local residents to be notified in advance of the dates of the matches and be provided with a telephone number and email address that complaints can be made to.
 - All retail outlets at the ground to closed at the end of games to assist with quick crowd dispersal.
 - No external drinking at the supporter's marquee to be allowed.
 - Waste collection will not be undertaken during night time hours, (23.00- 07.00).
 - Glass beer bottles should not be available.
 - The public address system should be controlled to the levels currently used.
 - All complaints from local residents or businesses should be logged in the incident register.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 6 October 2017 and 8 representations were received: 1 supporting and 7 objecting to the proposals. These included comments from Myreside Road Owners Association. The Community Council did not submit any comments.

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

Background reading/external references

- 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 site lies within the urban area of the Edinburgh Local Development Plan where it is designated as open space.

Date registered

13 September 2017

Drawing numbers/Scheme

1-12,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Jennifer Zochowska, Senior Planning Officer

E-mail:jennifer.zochowska@edinburgh.gov.uk Tel:0131 529 3793

Links - Policies

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 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 Env 18 (Open Space Protection) sets criteria for assessing the loss of open space.

LDP Policy Env 19 (The Protection of Outdoor Sports Facilities) sets criteria for assessing the loss of outdoor sports facilities.

LDP Policy Tra 6 (Park and Ride) sets out the circumstances park and ride facilities 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 7 (Public Transport Proposals and Safeguards) prevents development which would prejudice the implementation of the public transport proposals and safeguards listed.

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, parking, streets and landscape, in Edinburgh.

Appendix 1

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Consultations

Roads Authority Issues

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

1. *The applicant will be required to contribute the sum of £2,000 per order to progress suitable orders as necessary to:
 - a. *introduce temporary waiting and loading restrictions;*
 - b. *introduce temporary turning bans;*
 - c. *introduce temporary access restrictions;*all orders and other traffic management measures to be agreed with the Council and emergency services;*
2. *The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address;*
3. *All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Head of Planning and Transport if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All such disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved by the Head of Planning and Transport.*

Note:

The monitoring of parking and traffic demands set out in the Edinburgh Rugby Transport Assessment: Addendum Report dated 26 September 2017 is considered satisfactory. No unacceptable impacts have been identified.

Environmental Protection

An initial trial using Myreside was carried out for the second half of the 2016/17 Season. This involved hosting six games at the ground between January and May 2017. The trial was undertaken in accordance with planning permission 16/04715/FUL. The current application is for full planning permission to use the ground for the full season from 17/18 onwards. The applicant carried out detailed noise assessments during all these matches as well as capturing background noise data and assessing noise levels during Watsonian matches before the stands were erected. The applicant has also captured useful data on modes of transport for spectators attending the fixtures during the trial. There are no proposals to alter the floodlights.

It is proposed to erect two spectator stands and provide various ancillary facilities including a hospitality marquee, food and drink units and retail marquee.

The two new temporary stands will provide covered seating for approximately 2,800 spectators. The overall ground capacity will rise from 4,500 to approximately 5,500. The applicant has advised that attendances at home games will reflect those experienced during the trial period i.e. 3000-5500 spectators.

The nearest residential properties to the sports ground are the flats to the north on Myreside Road. The south elevation of the upper floors looks directly onto the sports ground. To the south east is the Royal Edinburgh Hospital; a new treatment building has recently been constructed along the boundary with the sports ground. The first floor of the building is visible from the sports ground and accommodates office space and plant rooms. The ground floor of the building which accommodates patient's bedrooms is not visible behind the existing perimeter wall.

The main source of noise from the proposed games are voices of spectators and players talking and shouting. The main spectator locations and therefore noise source location will not change significantly from the current approved main stand and spectator embankments. The main stand will remain unaltered and the spectator location at the embankments replaced by two new stands. There will however be an increase in the number of spectators.

The noise impact assessment has shown that the average and maximum noise level during the game is approximately 10 dB louder than on a Friday night with no game. The increase in noise level last for approximately 3 hours between 19.00hrs to 22.00hrs.

The applicant has also demonstrated that the change in noise level is 1-4 dB increase when compared with a Watsonians game. Although it was noted that the noise from the Edinburgh Rugby game are for a longer period.

The difference in crowd attendance was approximately 300 vs 5200. In acoustic terms this should have equated to an increase of 12 dB. Therefore, the applicant has suggested that the limited increase recorded indicates that the location of the stands and the noise management plan have helped reduce the levels of noise increase. Environmental Protection agree with this assumption.

During all games except from the last, the temporary stand to the north located beside the residential flats, were covered in an acoustic matting to reduce noise levels. In agreement with Environmental Protection for the last game during the trial matting was not in place to allow for a comparison. Both the average levels and the maximum levels of noise during the games with and without the acoustic matting did not vary. The results showed that when the acoustic matting is used and when it is not used gave similar results, indicating that the matting would not be required.

Environmental Protection received no complaints during the six trial games in the 2016/17 season regarding crowd noise.

The proposed retail stands will be small trailers or pop up marquees. There will be no external seating area provided. There is no amplified music proposed for the retail areas. Power will be provided by a generator in each area. Planning has advised that these temporary mobile units do not necessarily require planning permission. However, they will require a licence to operate and will be inspected and controlled under the licensing regime.

The main supporters marquee will be located adjacent to the existing Watsonians Clubhouse across Myreside Road. This will provide bar and covered area for up to 300 people and will be open for 90 minutes before and after the rugby match. The marquee and bar will be closed during the match. There will be no external seating or drinking area. There is no amplified music proposed for the marquee. Power will be provided by a generator. The applicants noise impact assessment has demonstrated that this will have no adverse impacts on the nearest residential properties. This is as a result of the distance attenuation to the nearest residential properties being 200m away.

The marquee operated during all 6 trial games in the 2016/17 season without causing any noise disturbance.

Food and drink retail units will be located at the two entrance areas adjacent to Myreside Road. An additional bar marquee is situated to the rear of the South Stand. There will be no external seating area provided. There is no amplified music proposed for the retail areas.

In order to limit any increase in the noise from the PA system the noise impact assessment states that any additional speakers shall not give rise to noise levels at the residential properties higher than the current PA system. The use of multiple smaller speakers, closer to the crowd, will limit the overall level of noise breakout from the ground. Environmental Protection shall recommend as an informative is attached to ensure that this is considered.

The applicants' noise impact assessment has advised that the potential for disturbance from the proposed activities can be significantly reduced by having a noise management plan in place. Environmental Protection agrees with this however not all the suggested measures can be controlled or conditioned through planning. The following noise mitigation measures were recommended by the applicant in the form of a noise management plan and will be recommend as an informative:

- o *Appropriate stewarding to be provided to direct and control spectators. Stewards to be trained to identify and address any excessive noise that would amount to anti-social behaviour.*
- o *Traffic management plan to be in place. Including that Myreside Road should be closed for 10/15 minutes at the end of games to assist with quick crowd dispersal.*
- o *Access gates adjacent to residential properties to the north to remain closed at all times.*
- o *All plant to be located as far as practical from noise sensitive locations and to be selected to ensure the City of Edinburgh NR 25 noise criteria is achieved.*
- o *Local residents to be notified in advance of the dates of the matches and be provided with a telephone number and email address that complaints can be made to.*
- o *All retail outlets at the ground to closed at the end of games to assist with quick crowd dispersal.*
- o *No external drinking at the supporter's marquee to be allowed.*
- o *Waste collection will not be undertaken during night time hours, (23.00- 07.00).*
- o *Glass beer bottles should not be available.*
- o *The public address system should be controlled to the levels currently used.*
- o *All complaints from local residents or businesses should be logged in the incident register.*
- o *No fried food retail adjacent to the flats to the north on Myreside Road.*

Local Air Quality Impacts

The site is located approximately 900m from the nearest Air Quality Management Area. The applicant has provided some supporting information on the local air quality impacts.

Public parking at the pavilion will be limited to blue badge holders. No official parking will be provided next to the ground for any other spectators and the only pedestrian access to the stadium will be via the turnstiles on Myreside Road. The applicant has advised that the capacity crowds are unlikely ever game with some fixtures still being hosted at Murrayfield.

The applicant had carried out a spectator survey to get information on how supporters currently travel to the Murrayfield rugby stadium. Most trips are made via public transport however a third still travels via private car or taxi. Moving to the Myreside stadium will result in a decrease in travel via train and tram but increase travel by bus and walking. The applicant supplemented this survey on two fixtures held at Myreside and this was consistent with the original survey.

The applicant proposes to provide a 'Walk/Park & Ride' facility from Murrayfield, with bus services running a 10 minute frequency during the hour prior to and after matches. Environmental Protection recommend that buses serving this route are electric, this will ensure zero emissions and reduced traffic noise.

The applicant has advised that the following mitigation measures will encourage spectators to use public transport. This includes a traffic restriction orders, stewarding and travel information provided to spectators. Environmental Protection recommend that a number of other mitigation measures are considered including public transport incentives for supporters such as free bus tickets for ever ticket sold. A rapid electric vehicle charging point should be installed in the car park. This could be for use of taxis only and would provide infrastructure for electric taxis to serve the site efficiently and provide a legacy facility regardless of the future use of the stadium. Grant funding is available from the Energy Saving Trust for this type of infrastructure. The proposed Murrayfield Park and Ride Facility should be served with an electric bus.

It is highlighted in Edinburgh's Local Transport Strategy 2014-2019 that the Council seeks to support increased use of low emission vehicles and support the extension of the network of Electric Vehicle (EV) charging points.

The City of Edinburgh Parking Standards for Development Management also now encourages the use of EVs. It states that the Council is likely to introduce a requirement for EV charging infrastructure which depends on how charging technology evolves this includes:

- o Dedicated parking spaces with charging facilities.*
- o Ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.*

Developers should now consider the potential for EV charging as they develop their proposals. Based on currently available technology Environmental Protection recommends that at least one Electric Vehicle charging outlet should be of the following standard:

70 or 50kW (100 Amp) DC with 43kW (63 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

Grants are also available for the installation of EV charge points from the Scottish Energy Saving Trust. More information can be found at:

<http://www.energysavingtrust.org.uk/scotland/Organisations/Transport/Electric-vehicles/Electric-Vehicle-Charge-Point-Funding>

The Scottish Government in the 'Government's Programme for Scotland 2017-18 has a new ambition on ultra-low emission vehicles, including electric cars and vans, with a target to phase out the need for petrol and diesel vehicles by 2032. This is underpinned by a range of actions to expand the charging network, support innovative approaches and encourage the public sector to lead the way, with developers incorporating charging points in new developments.

Floodlighting

The applicant has not submitted a floodlighting assessment with this application. The applicant did submit an assessment for the previous application for temporary use. This assessment related to the proposed lighting upgrades as part of that application. That proposed system comprises of twelve double asymmetrical lights

The system shown in the assessment did not demonstrate the amount of spill generated from the complete final system. The design attributes from the old system were not known therefore it was not possible to carry out a comparison between the old and new floodlighting system. However, based on the submitted details for the temporary application it was demonstrated that it is unlikely floodlighting will an issue. Due to the temporary nature of the application Environmental Protection will did not request any further information. It was recommended that a further floodlighting assessment was carried out during a game during the trial period. This does not appear to have be done and there is no lighting assessment on the planning portal. However, it is noted that no light pollution complaints were received during the trial period of the matches. If there are no changes proposed to the floodlighting system as part of this application then Environmental Protection can't comment.

Due to the period of the temporary use for this site it has enable Environmental Protection to evaluate any concerns based on complaints, officer observations and real-life assessments. Therefore, on balance Environmental Protection does not object to this application with regards to air quality (subject to a condition) and noise but recommend an informative;

Condition

- 1. An electric vehicle charging outlet shall be installed of the following standard:*

70 or 50kW (100 Amp) DC with 43kW (63 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

Informative

- 1. The development shall be completed in accordance with the requirements specified in the RMP, Technical Report ref R-7628D-GH-RGM Dated 12 September 2017as detailed below);*
 - o Appropriate stewarding to be provided to direct and control spectators. Stewards to be trained to identify and address any excessive noise that would amount to anti-social behaviour.*
 - o Traffic management plan to be in place. Including that Myreside Road should be closed for 10/15 minutes at the end of games to assist with quick crowd dispersal.*
 - o Access gates adjacent to residential properties to the north to remain closed at all times.*
 - o Local residents to be notified in advance of the dates of the matches and be provided with a telephone number and email address that complaints can be made to.*
 - o All retail outlets at the ground to closed at the end of games to assist with quick crowd dispersal.*

- o *No external drinking at the supporter's marquee to be allowed.*
- o *Waste collection will not be undertaken during night time hours, (23.00- 07.00).*
- o *Glass beer bottles should not be available.*
- o *The public address system should be controlled to the levels currently used.*
- o *All complaints from local residents or businesses should be logged in the incident register.*
- o *Noise monitoring to be undertaken at two of the proposed six trial events. Monitoring should be undertaken at the nearest noise sensitive properties.*

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

2. *Public Transport subsidies shall be provided to supports purchasing match tickets*

3. *Electric buses should be operated between the stadium and the proposed Murrayfield Park and Ride.*

4. *Prior to occupation of the development, details demonstrating that noise from all plant complies with NR25 shall be submitted for written approval by the Head of planning and Building Standards*

Details required

Prior to occupation of the development, details demonstrating that noise from all plant (including air source heat pump system) complies with NR25 within the nearest residential property (with window partially open for ventilation purposes) shall be submitted for written approval by the Head of planning and Building Standards.

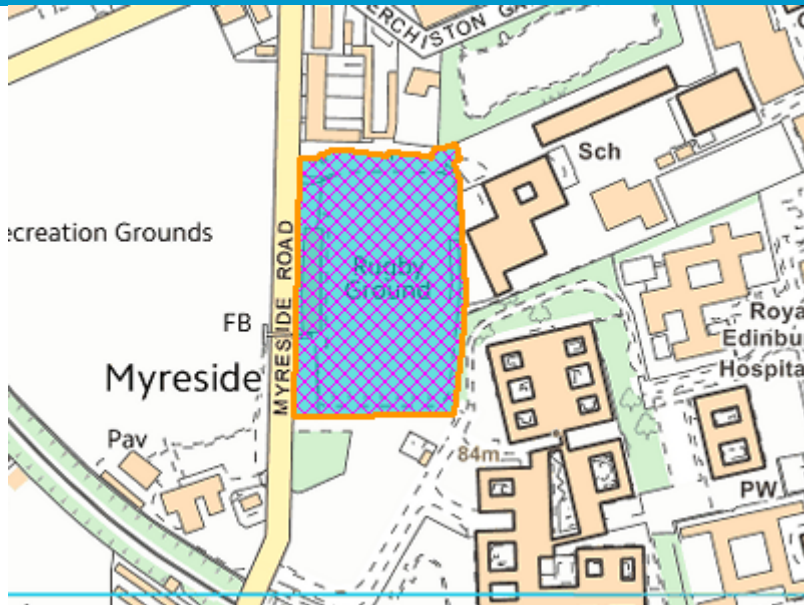
Should you wish to discuss the above, please do not hesitate to contact me on 0131 527 3877.

Police Scotland

I write on behalf of Police Scotland regarding the above planning application.

I note that this is now a planning application for the more permanent erection of various facilities at Myreside Road and differs little from the original application for temporary facilities erected last year. I can confirm that I have consulted with the architect Callum Fraser of Holder Planning and from the discussions held and review of the proposed plans with the architect I can see no concerns from a crime prevention/security view point in relation to the development.

Location Plan



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