

PROPOSED DEMOLITION OF EXISTING BUILDINGS, CLEARANCE OF
SITE AND ERECTION OF BESPOKE FIVE STOREY DEVELOPMENT OF
COMMERCIAL UNITS AND 11 FLATTED DWELLINGS
AT
120 - 124 PORTOBELLO HIGH STREET, EDINBURGH



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1. Introduction

The site and the surrounding area

The site is within the coastal suburb of Portobello, in north east Edinburgh, and historically it was a town in its own right.

It is a double plot located on the north side of Portobello High Street. Presently occupied by two single storey retail units, one of which has a basement.

It sits at the corner of the High Street and Beach Lane.

Portobello High Street is a designated town centre and street level uses are commercial, predominantly retail.

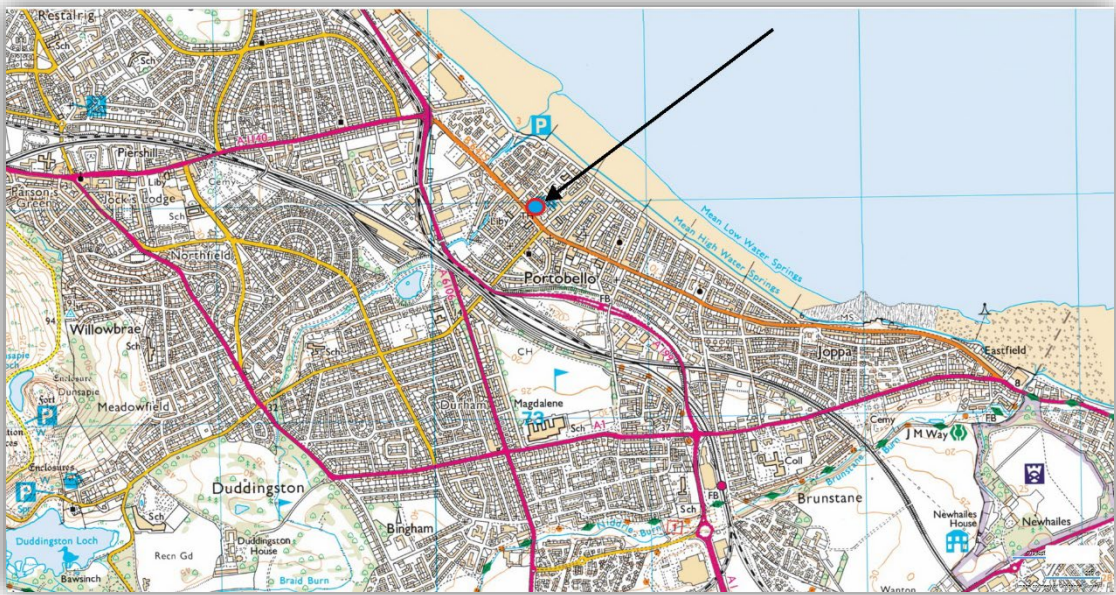


Figure 1: The site's location within East Edinburgh

To the north west, on the opposite corner of Beach Lane, is the Portobello Police Station, a B-listed Franco-Baronial L-plan former municipal building.

Mutually adjoining to the south east is a four storey late Victorian tenement, with retail at street level and flatted dwellings above.

To the rear, north east, is the rear car park for a small supermarket (presently trading as Scotmid Co-op) with the shop itself accessed from Bath Street to the south east.

Beyond the car park, further to the north east, Beach Lane runs into Ramsay Place which is a residential street comprising 4 storey tenements to either side.

To the front (south west) of the site, Portobello High Street is very wide, with around 32 metres between front elevations. The pavement is particularly wide on the opposite side of the street, but is also wider than average to the front of the site itself.



Figure 2: A bird's eye view of Portobello Town Centre with the site highlighted

The Site.

The site consists of two single storey retail units, most recently trading as a McColl's general store (120-122) and Signature Upholstery (124). There is a gated pedestrian access between the two units leading to the rear of 124.



Figure 3: The existing shop fronts

The left-hand unit has been extended to the rear along Beach Lane and it covers the entire footprint. The smaller right-hand unit has a very small area of

ground to the rear. This is separated from the adjoining car park by a rather dilapidated brick wall. Number 124 is attached to the gable of 126-132 Portobello High Street.

Both units within the site are presently in class 1 use. The adjoining units to the south east are a barber (class 1), and a noodle bar and a café (class 3).



Figure 4: The adjoining commercial units to the south east

There is no clear evidence as to what was historically on this site. There is visible evidence that the adjoining tenement was to be continued beyond its present termination, principally due to the dentilled appearance of the edge of the stone frontage.



Figure 5: The truncated gable of the adjoining tenement

Site History

Other than the pre-application consultation, there has been no significant planning history for either of the existing two shop units, other than on 23 May 2002 when planning permission was granted for the rear extension to number 120 (02/01011/FUL).

There is little information available on the past use of the site. Old maps give little away as to the history of the site, but in the late 1890's until more recent times it had been occupied by a public house. The following map extracts, from 1847 and 1894 provide the best idea of the sites past. Since 1894 little has changed on or adjacent to the site, mainly to the rear where the Scotmid store and car park now stand.

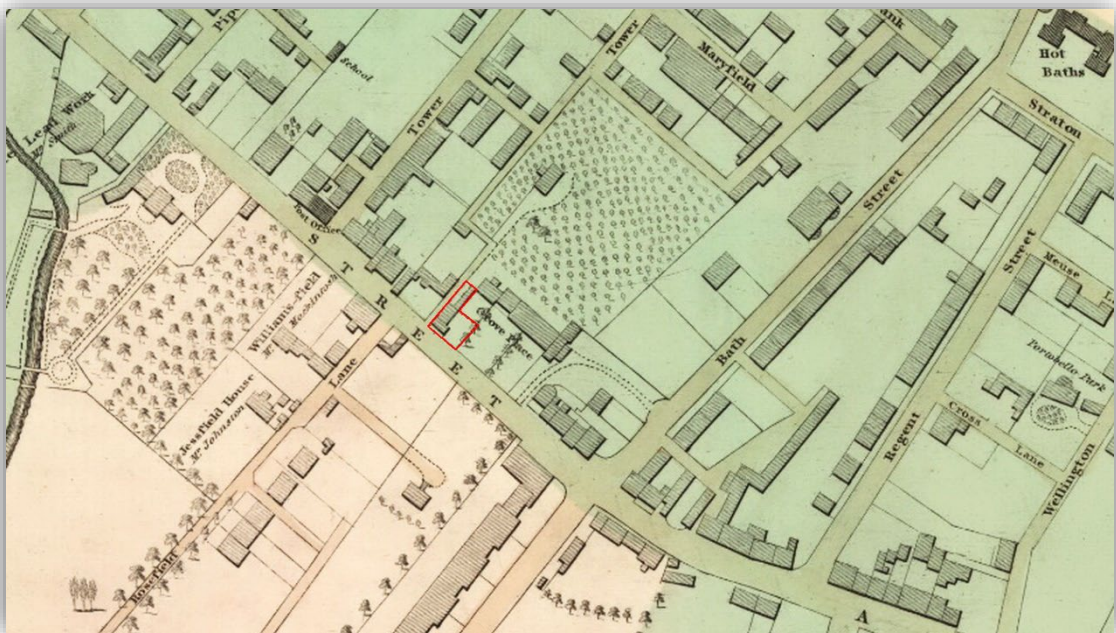


Figure 6: The Portobello Town Plan, extract, 1847

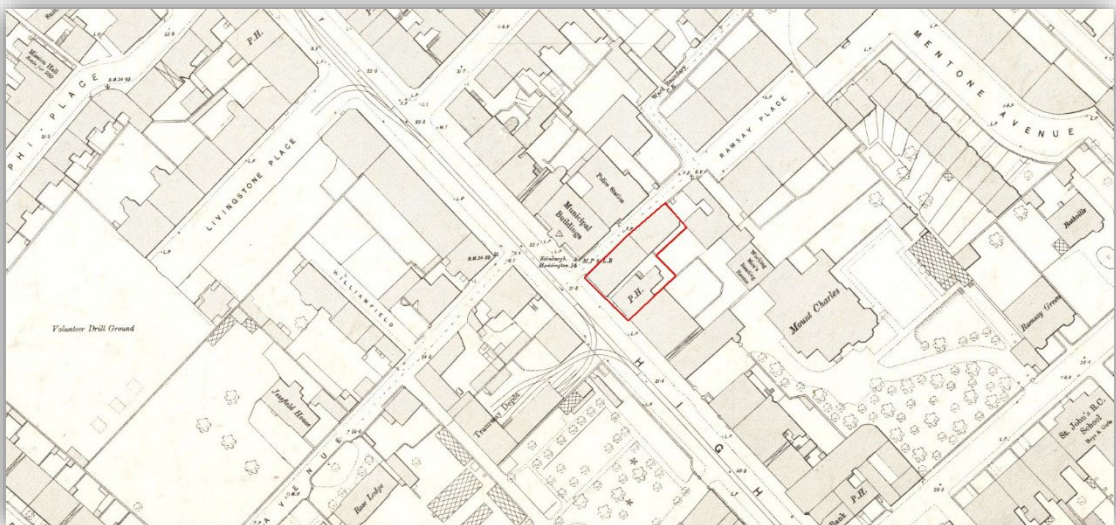


Figure 7: Ordnance survey of 1894

The Pre-application Process 21-00683-PREAPP, summary

A submission for pre-application advice was registered with the Council on 15 February 2021, and it was handled by a senior planning officer. A response was received on 07 April 2021. The full response is appended to this report.

The key issues were seen as being the massing, the design language to align with the character of the conservation area, the proximity to a B listed building, adequate pedestrian access, the amenity for occupiers, and the amenity of neighbours, with lesser issues being trees, waste, archaeology and flooding. These were all considered.

The principle of housing set above a high street retail frontage was accepted. The mix of housing was also accepted as being reasonable.

In terms of design, it was felt the height was appropriate, but that it needed to be adjusted towards the police station to respect its setting. Some concern was expressed about the rear height and the mass of the building along Beach Lane.

The articulation of the roofscape was seen to be important and whilst not necessarily requiring a traditional pitched roof, ways of intruding pitches and slopes in a more contemporary and interesting way should be considered.

The use of stone on prominent elevations is expected, though the design should be clearly contemporary but respectful of the surrounding historic context.

The initial design for the new building dominated the gable of the listed building potentially affecting its setting, and it was advised that the corner needs to be addressed.

The initial response regarding the character of the conservation area was quite critical, and it was advised that the building was not responding well to this and that the character appraisal needed to be the starting point for the design process.

Zero car parking was deemed acceptable and compliant with parking standards, and cycle parking should be provided in line with the standards in the Edinburgh Design Guidance. The main roads issue was the lack of pavement in Beach Lane.

Occupant amenity was good in terms of internal space, but thought should be given to improving external space.

Whilst there were not likely to be any issues with regards to daylight or privacy, there was potential for some overshadowing by the rear block.

It was advised that a surface water management plan would be required, with above ground surface water attenuation and treatment features.

It was concluded that significant amendments were required prior to submission.

The applicant took on board these comments, and followed this up with amended pre-application meeting which was arranged with the same senior officer. The feedback from the amended pre-app, dated 04 August 2021, is also appended to this statement.

The officer found the response and the meeting constructive, and appreciated the efforts in evolving the scheme along the lines previously advised. Some further comments were still necessary, and should be adopted prior to submission.

On the revised scheme the front elevation was angled back to reveal the police station more in views from the east. This was praised, but it was felt that this was an incongruous feature and that a chamfered or cut-out corner would be a better solution.

The revised roof design was considered to be acceptable.

Amenity space was still an issue and a strong case for lack of provision would be required. If good amenity space can be created then it should be where possible.

The massing on Beach Lane was still high, but had been partly resolved with articulation and materials. Visualisations would be critical to support this aspect of the development. The inclusion of some public art would benefit the scheme.

Policy Des 2 requires that the site should not prejudice the development of adjacent sites, and this should be demonstrated.

It was advised that the design statement should assess any impacts in relation to daylighting and sun-lighting of neighbouring properties. We also have to ensure the rear balcony does not compromise privacy.

Cycle storage was quantified, and it was advised to contact the waste officer regarding bin storage.

Following these comments, fortnightly project meetings were held to evolve the scheme towards final planning submission. The comments from the pre-app case officer were kept firmly in mind and informed the outcome of subsequent changes.

It is hoped that the submitted scheme meets with the approval of planning officials, and that we might work together on any issues that may still require further fine tuning.

2. The proposal

It is proposed to demolish the existing buildings, clear the site and to erect a five-storey mixed use building.

The ground floor of the proposed building will be commercial, with high street uses to the front (classes 1, 2 or 3), and with a more flexible commercial use to the rear which may be a class 4 use.

The main retail floorspace will access from Portobello High Street. Access to the residential apartments will be taken from Beach Lane.

In order to provide safe pedestrian access, and access to bin and cycle storage, a footpath is to be provided on the south east side of Beach Lane, requiring the façade to be set back at street level from its present alignment. There is no footpath at present.

The lack of any curtilage has meant that this development cannot provide on-site parking provision. There will however be substantial cycle parking provision, to approved standard, and access to the secure store room will be via Beach Lane. An integral bin store is provided adjacent to the cycle store access to be fitted with sliding doors to enable easier access to communal waste containers, again to comply with the Council's advice. Figure 8 below, is shaded to show cycle storage in blue, bin storage in green, and the public realm, including the new Beach Lane footpath, in orange.

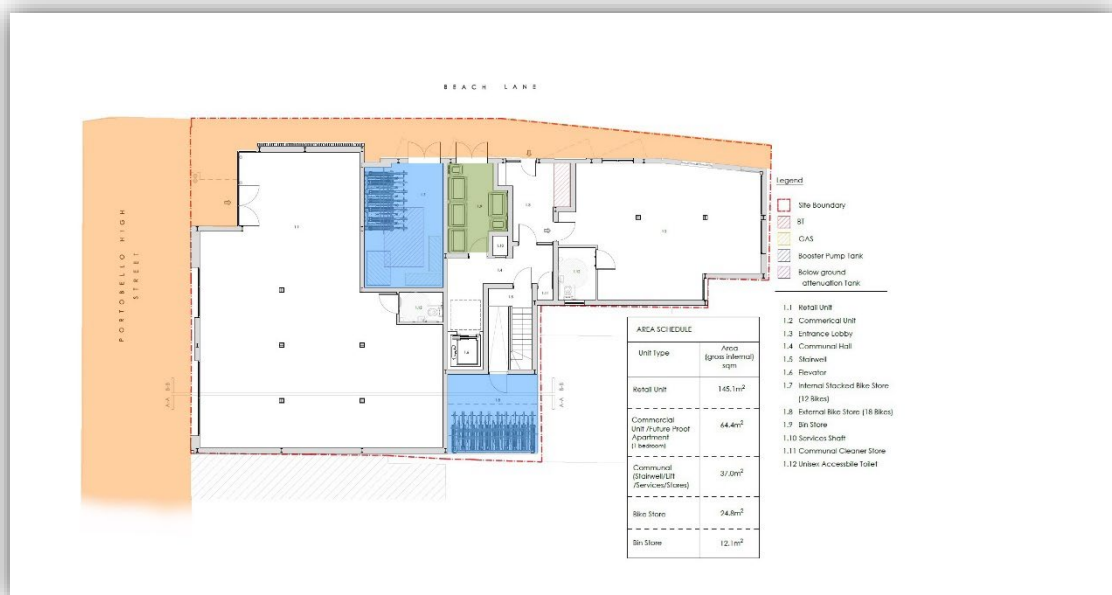


Figure 8: Proposed ground floor plan, highlighting bin store, cycle parking and public realm

The front commercial floorspace is to be flexible. It may be one larger single unit, as has been shown on submitted drawings, or it may become two smaller units as at present. The external design will remain the same for both options. The unit is 153 square metres.

The shop frontage is recessed under the main front elevation by around 800mm, and is finished in a contrasting material, which is proposed as a dark engineered facing brick. This dark brick finish will continue around the corner along Beach Lane at ground floor.



Figure 9: The proposed street frontage

The front elevation, above ground floor, will be predominantly finished in stone, with the stone returning around the corner and onto Beach Lane.



Figure 10: Proposed Beach Lane frontage

On the side, Beach Lane elevation, because of the proximity to the building opposite, and the narrowness of the lane, facing windows in this elevation have been designed with an angled outlook, towards the front and rear, as can be seen in figure 10 and on the intermediate floor plans (figure 11 below). In order to construct this successfully a more lightweight material has been necessary, but one still of high quality and demanded by the location, and so

this central section of the Beach Lane elevation is faced with laser cut Corten steel panelling. This will overhang the proposed footpath. It is hoped to incorporate artwork, possibly commissioned from a local artist to decorate these panels. The dark engineered brick will frame this to all sides. This design approach addresses the concerns regarding any future development of adjacent site by ensuring no direct line of sight for building users towards the existing police station windows except toilet windows which shall be opaque.

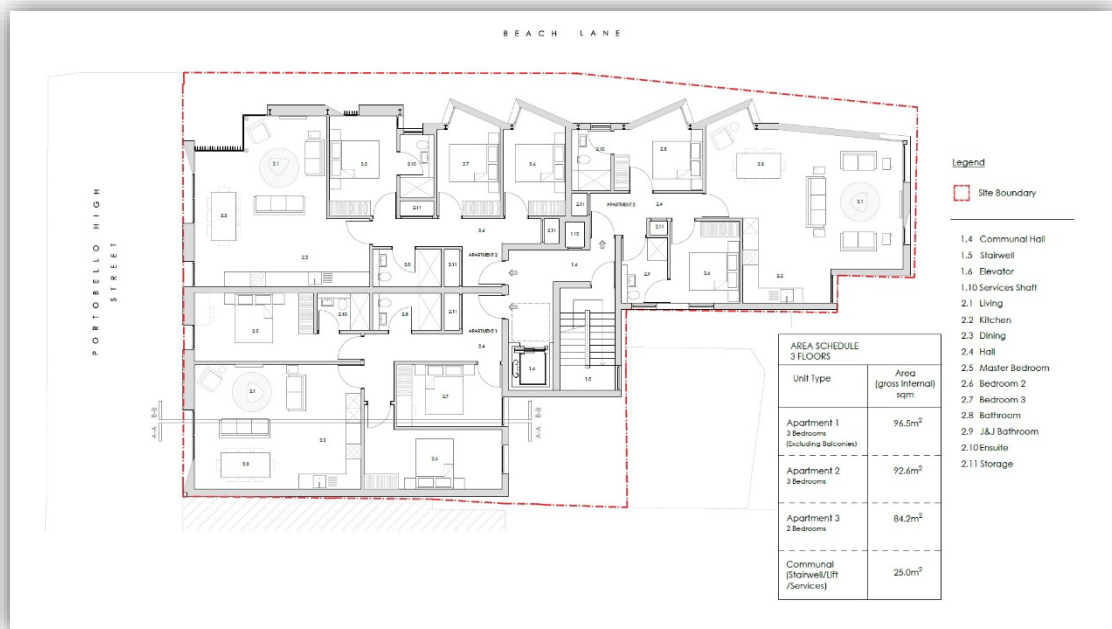


Figure 11: The typical, intermediate floor plan

The roof level, penthouse floor, is set back from the front and rear elevations, and has been proposed in a dark zinc cladding which will match nearby roof slate in colour. Slate was considered but deemed to be out of keeping with the contemporary design.

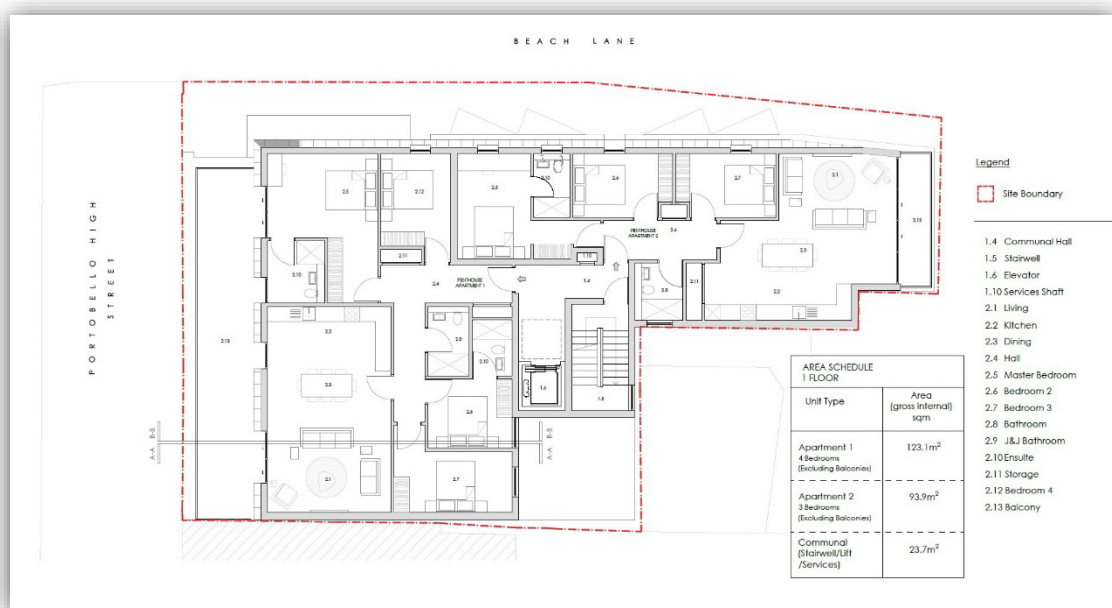


Figure 12: The penthouse floor plan

The set-backs created an opportunity for some private amenity space in the form of balcony terraces, with a significant area to the front, and a smaller terrace to the rear, adjacent to Beach Lane.

The mix of flats is varied, ranging from two to four bedrooms, and ranging in floor area from 87 to 123 square metres. These all fully comply, and exceed space standards in the Edinburgh Design Guidance.

The flat roof of the development has been designed to accommodate a planted “green roof”, to aid the development’s sustainable drainage credentials. The green roof area extends to 211 square metres. A separate Surface Water Management Plan has been prepared by Harley Haddow, which is appended to this application.

Also included are around 100m² of solar thermal panels to reduce energy needs. This can be seen in figure 13 below. The panels are set back so as to remain out of sight from public view.

A mixed energy system is proposed, with future upgradeability, and this is presented in detail within the submitted Energy Strategy document.

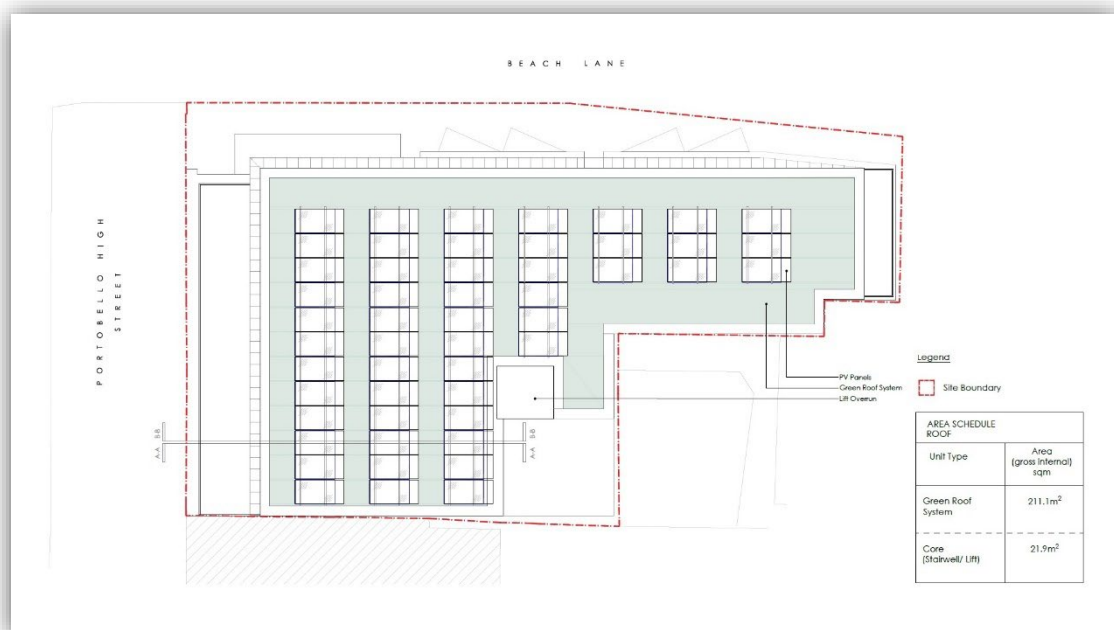


Figure 13: The roof plan, showing green roof and solar panels

The rear elevation is vertical to its full height (figure 15), in keeping with adjacent tenements, which have a steep pitch to the front, but which extend vertically the full height to the rear (see figure 14 below).



Figure 14: The east gable of 134 Portobello High Street

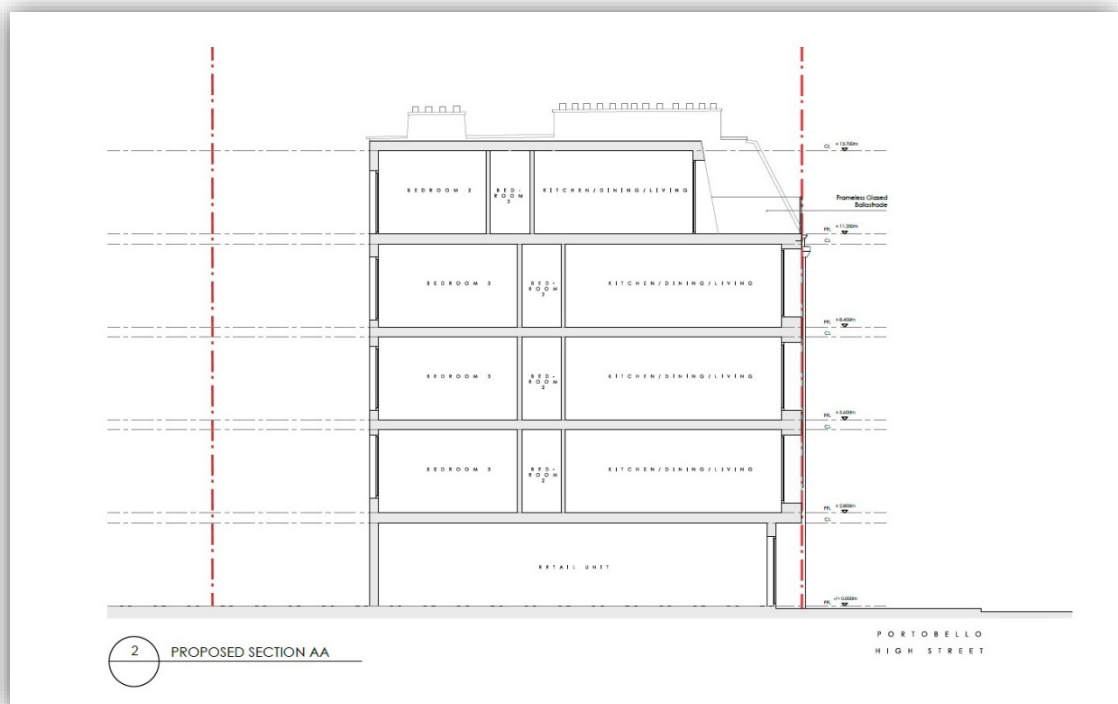


Figure 15: Section through the proposal, front to rear showing shop recess

3. Physical Constraints and Policy Considerations

Physical Constraints

The site has a very limited curtilage, with the plot being almost entirely covered by existing buildings.

Beach Lane, to the north west side, is very narrow with a narrow pavement only on one side of the lane.

To the north side of the Lane is the Portobello Police Station, which is a category B listed building.

Adjoining the site, sharing a mutual gable elevation, is a four-storey tenement with residential uses on the upper floors.

To the rear is a car park for a small supermarket.

There are some minor, possibly self-seeded trees to the rear of 124, adjacent to the supermarket car park. Only one is within the curtilage, also of low value.

Policy

Development plans are the basis for planning decision making, and decisions are to be made in accordance with the plan unless material considerations indicate otherwise. In this case the development plan comprise the local development plan supported by any supplementary guidance (SPG) adopted prior to 2019, when such guidance was no longer to be considered to be part of the LDP under the new Planning Act.

New development in this location will therefore be assessed against the **City of Edinburgh Development Plan (ELDP)**, and any supplementary planning guidance that was adopted prior to 2019.

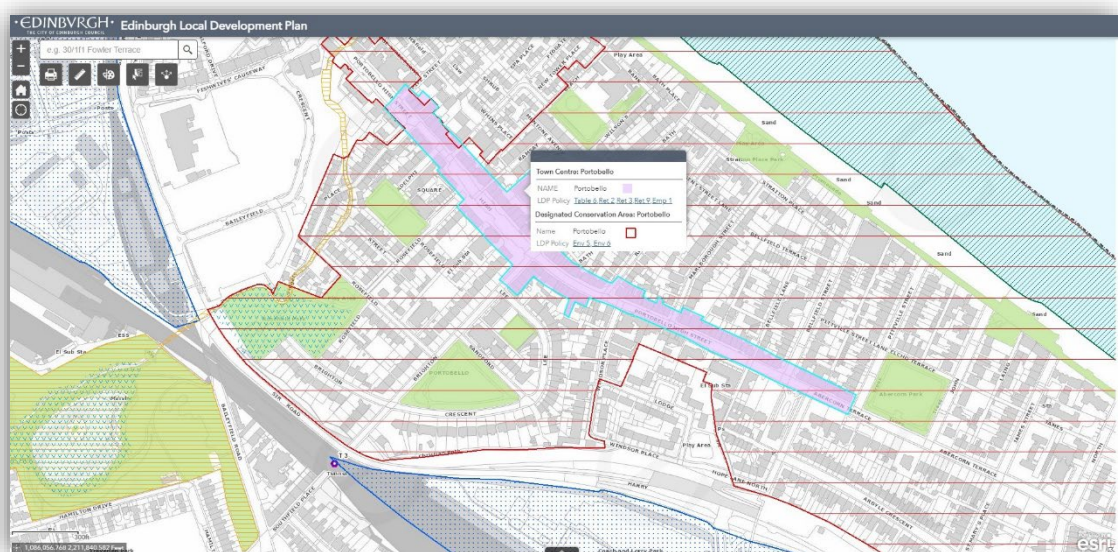


Figure 16: Edinburgh Local Development Plan excerpt

The site is within the urban envelope of the City of Edinburgh, and is within a designated Town Centre (Portobello). It is also within the boundaries of the Portobello Conservation Area.

A list of all relevant **ELDP** policies is provided in the appendix to this statement. We believe the more critical policies will be:

1. Policy Del 1 Developer Contributions and Infrastructure Delivery
2. Policy Des 1 Design Quality and Context
3. Policy Des 2 Co-ordinated Development
4. Policy Des 4 Development Design - Impact on Setting
5. Policy Des 5 Development Design - Amenity
6. Policy Env 3 Listed Buildings - Setting
7. Policy Env 5 Conservation Areas - Demolition of Buildings
8. Policy Env 6 Conservation Areas - Development
9. Policy Hou 1 Housing Development
10. Policy Hou 2 Housing Mix
11. Policy Hou 3 Private Green Space in Housing Development
12. Policy Hou 4 Housing Density
13. Policy Ret 9 Alternative Use of Shop Units in Defined Centres
14. Policy Tra 2 Private Car Parking
15. Policy Tra 3 Private Cycle Parking

It is understood that the LDP 2021, known as the **City Plan 2030**, will be a material consideration. On the proposals map for the new LDP, the only change to the allocations is the introduction of a “Strategic Active Travel Project and Safeguard”, the Edinburgh Waterfront promenade, and also **ATPR1** “*To provide a direct link from Seafield to Leith and Portobello with segregated active travel infrastructure*”.

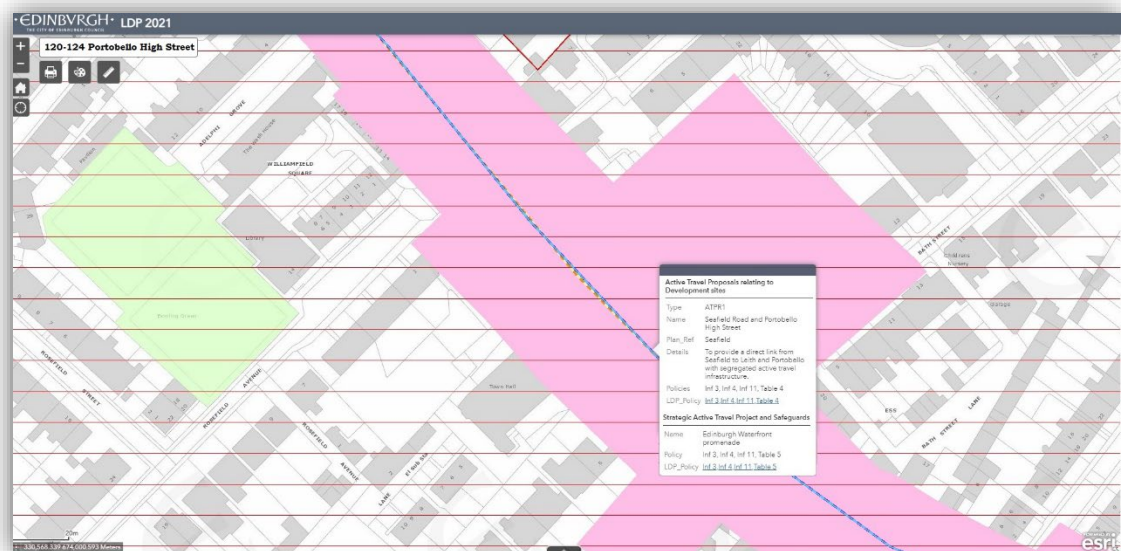


Figure 17: Edinburgh City Plan 2030 - Local Development Plan 2021 excerpt

Also relevant will be the Edinburgh Design Guidance, the Scottish Planning Policy, the Council’s Listed Buildings and Conservation Areas guidance, the Portobello Conservation Area Character Appraisal 2019.

4. Assessment

The Principle of the Use in this Location

As confirmed in the Council's pre-application submission response, the proposed Land Use i.e., the principle of housing and retail on the site, is acceptable subject to compliance with other policies of the **ELDP**. The area is within the Portobello Town Centre, where the mix of uses is commercial, predominantly retail at street level, with residential above. There are some large single use buildings in the area, such as the police station, the town hall, Portobello Library, and the Bank of Scotland. There tends not to be single use residential until one gets further from the centre.

Therefore, the retail unit to the street frontage would support the protection of the Portobello town centre. The commercial unit at the rear is acceptable in a non-retail use as it is not on a primary frontage.

Policy **Hou 1** (Housing Development) supports housing outwith allocated sites on other suitable sites in the urban area, provided the proposals are compatible with other policies in the plan

In terms of the residential use on upper floors, Policy **Hou 2** expects a suitable housing mix, and the mix of 2 and 3 bedroomed units would be deemed acceptable. The penthouse apartments add a further dimension to the mix, including one 4-bedroom apartment. Apartment sizes range from 87.7 m² to 123.1 m². The penthouse floor includes a large balcony to the front and a small one to the rear. This is considered to satisfy the requirements of policy **Hou 2**.

In terms of policy **Hou 4** on Housing Density, the 11 flats proposed creates a slightly denser ratio than the adjacent tenements because of the extra floor of accommodation. Higher densities are deemed to be appropriate within areas where a good level of public transport accessibility exists and where there will be no unacceptable damage to local character, environmental quality or residential amenity. Furthermore, Scottish government advice has always been to ensure that sustainably located brownfield sites should be developed to maximise density within reason, and this is deemed as being within reasonable limits.

The proposal ties in very well with the first two aims of the **Edinburgh City Plan 2030**, which are: -

1. Delivering a network of 20 - minute walkable neighbourhoods and embedding a 'place-based' approach to the creation of high quality, high density, mixed-use and walkable communities, linked by better active travel and public transport infrastructure, green and blue networks and bringing community services closer to homes.
2. Directing new development to, and maximising the use of, brownfield land rather than greenfield land, improving and re-imaging Edinburgh's neighbourhoods, rebuilding the city from within and delivering new communities in Edinburgh Waterfront, West Edinburgh and on other major development sites across the city.

The development is high density, within a walkable community, and maximises the use of a brownfield site. The proposal is therefore supportive of the strategic aims of the next Development Plan, and satisfies policy Hou 4 of the current plan.

Landscape/Urban character Issues

This is covered in detail in the accompanying Design Statement. A very lengthy design process, including a two-stage pre-application consultation and fortnightly project meetings has been followed to arrive at the present submission. The following extract from the design statement gives a good impression of the impact upon the urban character.



Figure 18: The street context

ELDP policies **Des 1 to 4** relate to the impact upon the urban character. These policies have been considered in full and advice was taken from the Council's feedback from the pre-application submission. Issues deemed to be massing, vertical emphasis, materials and the impact on the setting of the Police station building. These have all been addressed.

It is concluded that the development has taken account of the local character, and it will have a positive impact upon the streetscape whilst preserving the important elements of the listed building's setting. It is fully cognisant of the urban character and complies with adopted policy and advice.

Cultural Heritage Issues

The two significant issues here are the site's location within the Portobello Conservation Area, and the proximity to a category B listed building at 118 Portobello High Street.

1. The Portobello Conservation Area

The Portobello Conservation Area Character Appraisal was approved on 10 October 2016. The following is an extract that provides some introduction to the evolution and character.

“The Conservation Area is enclosed to the north-east by the sea and to the south-west by Sir Harry Lauder Road, which creates a visual and physical boundary for the Conservation Area as far as Windsor Place. At this point, the boundary turns north down Windsor Place and excludes the housing on the former Mount Lodge Estate. The north western and south eastern boundaries are less well defined: the north western boundary being generally defined by Beach Lane on the north side of the High Street and to the rear of Adelphi Place properties on the south side of the High Street, and the south-east boundary extending to the end of Joppa Road taking in Dalkeith Street and Morton Street. The Conservation Area includes three areas of distinctly different character:

- 1. The High Street provides the commercial and administrative focus for the Conservation Area retaining many original two storey Georgian buildings as well as a number of significant public buildings.*
- 2. The vehicle free Promenade, beach, cafes and amusement arcades highlight Portobello's character as a seaside resort.*
- 3. The remainder of the Conservation Area constitutes Portobello's main residential zone and includes an abundance of fine Georgian villas as well as a robust stock of Victorian villas and tenements which contribute to the suburban character.”*

The site is within the High Street zone, centred upon the Brighton Place/Bath Street junction. It is an identified shopping centre providing a mix of commercial activities where retail frontages are protected. Key objectives involve encouraging regeneration to attract investors and generate new employment opportunities, promoting good quality design and enhancing existing quality.

The High Street is characterised by individual buildings such as the Town Hall, the Police Station and the Georgian terraced shops with first floor housing in the eastern section. On the north side of the street, between Figgate Burn and Bath Street, the building height varies significantly, ranging from single storey shops to four storey tenements. There are a number of buildings which contribute to the character of the area and give focus to the townscape - the Town Hall and Police Station add variety to the facades of the High Street shop fronts.

There a small number of original or historic shop fronts along the High Street, however, the majority now have modern single paned, non-traditional frames

with flush doors. Overly deep fascia's, garish paint and inappropriate signage further detract from the character of the Conservation Area.



Figure 19: The shopfronts to the south east of the site

The street is particularly wide between Rosefield Avenue and Brighton Place. This area has a sense of being an important place for people to congregate, with benches on both sides of the street and the grouping of the town's main bank, Town Hall and Police Station all contribute to this feeling of civic space.

The design statement provides a further insight into this and how the character of the area has been adapted into the design process for this proposal.

Under the section on the assessment of development within the conservation area, the Appraisal advises *"The development of new buildings in a Conservation Area should be a stimulus to imaginative, high-quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, rather that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own"*. Specifically, it continues *"Therefore, while development of a gap site in a traditional terrace may require a very sensitive design approach to maintain the overall integrity of the area; in other cases modern designs sympathetic and complimentary to the existing character of the area may be acceptable."*

The site of the current development is deemed to be a gap site. Whilst it does have single storey shop units on it there is a significant perceived gap due to the height of the buildings to either side, and the fact that the existing shop units are of a more modern design and construction. There is distinct evidence that it was intended to continue the tenement towards Beach Lane, but this has never happened (see figure 5 on page 4).

The proposed building will be of an imaginative and high-quality design, respecting the built form and materials, albeit in a contemporary fashion. It fully respects the site context. The design philosophy has followed the second route, i.e. a modern design sympathetic and complimentary to the existing character. It is considered that it achieves this very well.

To the north west is the large form of the police station building, and to the south east is a four-storey tenement. To the rear are four storey tenements on Ramsay Place, which will remain slightly taller than the proposal. The

proposed building has maintained an appropriate height which remains in keeping with the scale of buildings in the immediate area. This is well demonstrated in the design statement.

2. Portobello Police Station, former Municipal Buildings: - 118 Portobello High Street, Police Station, LB27463, Category - B, Added - 04/09/1995

The other issue to be considered in this section is the impact upon the setting of this B listed building. Designed by architect Robert Paterson, in 1877 and described as being “*a large 2-storey, 3-bay Franco-Baronial L-plan municipal building with a central tower, and with later additions and internal alterations. Finished in bull-faced squared and snecked sandstone, polished dressings, and with brick to its NE elevation. Base course, chamfered ‘arrises’, and a moulded cill course to 1st floor*”.



Figure 20: A view of the High Street from the end of Brighton Place towards the police station

It was highlighted in the pre-application discussions and assessment that the views to this building will be important, and for this reason the corner of the site has been cut back to allow views to be retained from towards the town centre crossroads. Clearly there will remain some impact on the view, as presently the building is slightly artificially exposed due to the single storey buildings presently occupying the plot. Figure 19 shows the view towards the police station building from the east end of Brighton Place.



Figure 21: A view of the High Street with the development superimposed

Water, Site drainage and flooding

This is an urban site with no greenfield curtilage. The built footprint will equate to the existing built footprint.

There are no indications of any history or risk from flooding from pluvial or fluvial sources. The closest SEPA named watercourse is the Figgate Burn approximately 300m to the west of the site. In addition, the Firth of Forth is around 300m to the north. These can both be seen in figure 20 below.

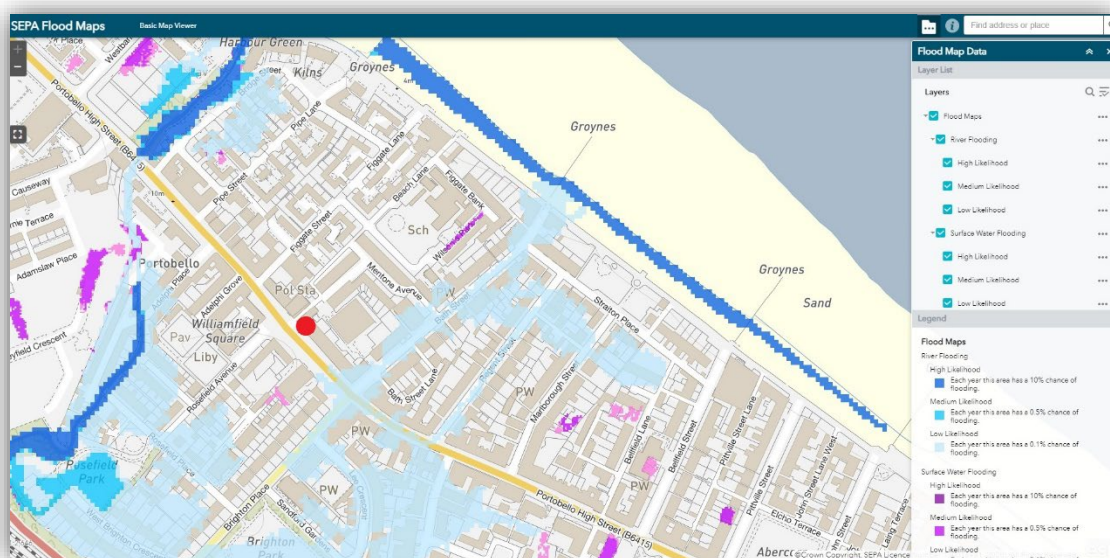


Figure 22: An excerpt from the SEPA flood maps

Initial contact with Scottish Water, Pre-Development Enquiry Application (Capacity Review reference DSCAS-0058052-SSN) has been accepted.

There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment works to service the development.

There are no issues currently identified within the SW wastewater network that would adversely affect the demands of the development.

The proposal for surface water connection to the combined sewer has been accepted for this site as per site layout drawing, based on inclusion of green-roof covering roof area.

A surface water drainage proposal has been prepared by Harley Haddow, issued separately (Drainage Strategy & Surface Water Management Plan April 2022).

Due to the lack of curtilage, the only options available were to create a green roof, linked to a storage cell system beneath the building. This has to remain accessible and so it is located within the cycle store compound area.

The surface water volume generated from the proposed works will be less than the existing arrangement due to the inclusion of a green roof with an approximate area of 211m². The discharge rate at present is estimated at 3.9

l/s. SuDS for the development will be provided through an area of green roof, and attenuation will be provided via cellular storage, providing around 4m³ of storage and a Hydrobrake flow control device to limit discharge to a maximum of 3.0 l/s, for the 1 in 200 year event, with a 40% allowance for climate change. The surface water runoff will discharge to the Scottish Water combined sewer network as per the existing arrangement. As stated earlier, a positive pre-Development Enquiry response has been received from Scottish Water.

The development therefore will improve the sites drainage characteristics, making it significantly less likely to contribute to local flooding, and reducing pressure on the existing drainage network.

The proposal therefore complies fully with policies Env 21 and RS 6.

Wildlife/biodiversity Issues

The site is not affected by any designations, nor is it near to any local wildlife habitats. The nature of the buildings, both in their construction and recent usage, along with the location on a busy high street makes it highly unlikely that the buildings will have become home to any roosting birds or bats.

There are some not so mature trees to the rear, all but one of which are within the adjacent Scotmid car park. The one tree in the rear area is will be removed as it is too close to the building. Those in the car park area should not be directly affected. In any case none of these specimens would be considered to be significant in their contribution to the character of the conservation area. The only significant trees are those to the rear of 126 to 140, and these are not affected at all.



Figure 23: Trees to the rear of the site (Scotmid car park)

Residential Amenity

To ensure that new development respects the amenity of existing neighbours, it is important that buildings are spaced apart such that reasonable levels of privacy, outlook, daylight and sunlight can be achieved. However, care should be taken that buildings do not become so far apart that the townscape becomes uninteresting. Therefore, achieving reasonable amenity needs to be balanced against achieving good townscape.

The application site has residential neighbours on three sides. To the south east, 126-128 Portobello High Street is mutually adjoined at the gable; there is a single dwelling to the north, which sits behind the police station; and finally there are the tenements on Ramsay Place some distance to the north east.

1. Privacy and outlook

The mutually adjoining tenement will not be affected in terms of privacy or outlook.

The house at 7 Beach Lane is significantly distant, and is adequately offset so that its privacy not to be affected by overlooking, and its outlook will remain relatively unaltered as the building will simply appear in its outlook, in a southerly direction, which at present is to the blank wall of the rear of 120 Portobello High Street, the supermarket and the existing tenements on the High Street. It is deemed that the high quality of the new building will actually enhance this outlook.

The flatted dwellings on Ramsay Place have no windows in the gable, and only have an outlook to the front and rear. The proposed development will have no impact upon privacy or outlook.

2. Daylight and sunlight

There will be no loss of daylight to windows of existing neighbouring residential property.

The design statement has provided an assessment of the sun on the ground around the site for the Autumn equinox (see figure 24 below).

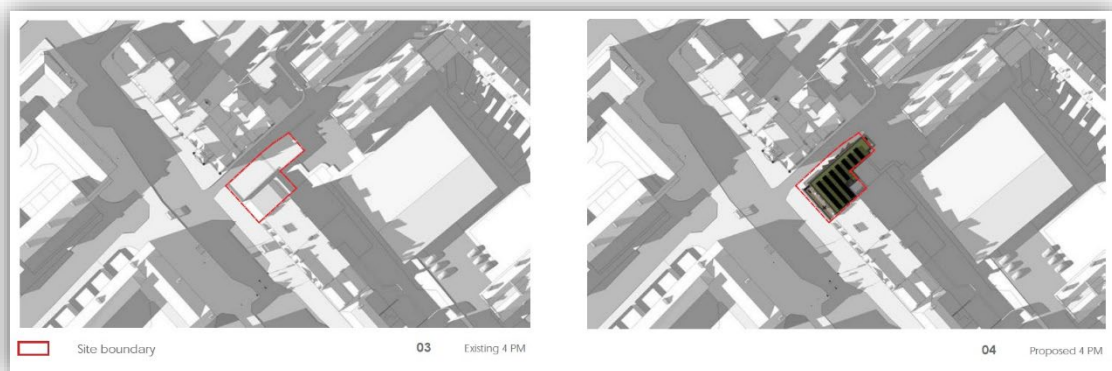


Figure 24: Sun on ground, Autumn, 4pm before and after development

There are no adverse issues of concern regarding the overshadowing of private amenity space. The only impact will be later afternoon to evening when there will be some additional overshadowing of communal garden ground to the rear of 126-128 Portobello High Street.

3. Amenity of future occupants

The biggest issue to contend with in this respect was the narrowness of Beach Lane, and possible impacts upon privacy, outlook and daylight. In order to overcome these concerns, the architect has proposed extruded, angled bay windows which look either south west towards the high street, or north east towards the Firth of Forth. The following figure shows on plan the direction of outlook from these apartments, and figure 26 shows a 3D image of the internal layout.



Figure 25: Outlook from the intermediate floors

With this carefully considered design solution, it has been possible to create three flats per floor in an L-plan which all have very good standards of amenity. This is again further explained in the design statement.

As for the penthouse floor, it has only two flats which have further enhanced outlook as well as the added benefit of external amenity space on the roof terraces.



Figure 26: A 3-D plan of the internal layout of the intermediate floors

Design and Access

The design element is covered by the separate design statement by Block9 Architects and is not repeated here.

With regards to access and transport issues, it was agreed at a very early stage, and in the pre-application submission, that this could be a parking-free development.

Policy **Inf 7**, “Private Car Parking” encourages private car parking free or low car parking developments, in appropriate locations.

This development supports the ‘20-minute neighbourhood’ concept, which is to create sustainable, walkable places. The site has excellent accessibility to local facilities, services and to public transport. There excellent access to open space, in particular Portobello Beach and Promenade, Figgate/Braid Burn walkway and linked parks such as Rosefield Park to the west, onwards to Duddingston and Holyrood Park, and also Portobello Public Park and golf course. Portobello High School is 1km to the south. The town’s library is directly opposite the site.

It is located within a designated town centre, and is on an extremely busy public transport route with a bus stop immediately adjacent to the premises.

There are further transport enhancements expected in the next development plan period with the introduction of **ATPR1** - New Active Travel Route: Along Seafeld Road and Portobello High Street, under the **City Plan 2030**.

Access to the building will be via Beach Lane. This was deemed to be the best option, and it required that a new footpath be created on the south side of the Lane. It helps maintain a stronger frontage to the High Street. The new

footpath will be a significant benefit to the area and to pedestrian safety on the Lane. Access to bin and cycle stores will be adjacent to the entrance lobby.

Secure cycle parking for up to 30 bikes will be provided, split between the internal store and the external one. Both are only accessible from Beach Lane, adjacent to the residential entrance.

Bin storage has been designed in accordance with the Council's advice for architects.



Figure 27: The ground floor highlighting the bike and bin stores

5. Summary and Conclusions

The critical determining issues as highlighted in the pre-application, will be with regards to the impact of the design upon urban character, the character of the conservation area and the setting of the listed building.

The site is one which is currently significantly under-achieving in terms of its contribution to the urban character, the sense of place and the economy of the town centre, being occupied by two single storey units of limited architectural value, a rather poor bookend to a tenement of four storeys.

This proposal is a bold architectural statement, which respects the local built form and character, and it was submitted after a significant amount of time spent dealing with the issues highlighted in this statement, and further elaborated upon in the design statement, and following a two-stage pre-application submission to the Council's planning department. This is a high-quality development which will contribute significantly to the Portobello Town Centre both visually, socially and economically. It will provide 11 excellent flatted properties, a new purpose-built retail/commercial unit, and will create a strong frontage and presence on the High Street. It will enhance the sense of place, and will improve upon the urban realm around the site.

It aims to be a very sustainable development, placing quality homes in a highly accessible location with excellent facilities within easy walking distance. The development will improve local drainage by incorporating a green roof and on-site storage. Energy will be supplemented by a significant rooftop solar panel array. It will be car free, with ample cycle parking, exceeding the required levels.

Neighbouring residents will not be subjected to any significant adverse impacts, and future occupants will have very good levels of amenity.

The design of the Beach Lane elevation is such that it will not prejudice the residential development of the police station building, should that ever take place in the future.

Materials, particularly to the High Street and Beach Lane are to a very high standard, deserving of the conservation area status of the location.

Therefore, it is anticipated that the proposed development has satisfied the critical policies of the Edinburgh Local Development Plan, and is in tune with the strategic objectives of the 2030 City Plan, and will have a very positive impact upon Portobello Town Centre.

It is hoped that the Council will continue to work with the developers as it progresses through planning, and that it agrees that this is an exemplary scheme, worthy of this site and that planning permission can be agreed, subject to conditions as necessary.

6. Appendices

A1 - List of all relevant Policies of the Edinburgh Local Development Plan 2016

Policy Del 1 Developer Contributions and Infrastructure Delivery - Proposals will be required to contribute to the various infrastructure provisions where relevant and necessary to mitigate any negative additional impact (either on an individual or cumulative basis) and where commensurate to the scale of the proposed development.

Policy Des 1 Design Quality and Context - Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.

Policy Des 2 Co-ordinated Development - Planning permission will be granted for development which will not compromise:

- a) the effective development of adjacent land; or
- b) the comprehensive development and regeneration of a wider area as provided for in a master plan, strategy or development brief approved by the Council.

Policy Des 4 Development Design - Impact on Setting - Planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:

- a) height and form
- b) scale and proportions, including the spaces between buildings
- c) position of buildings and other features on the site
- d) materials and detailing

Policy Des 5 Development Design - Amenity - Planning permission will be granted for development where it is demonstrated that:

- a) the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook
- b) the design will facilitate adaptability in the future to the needs of different occupiers, and in appropriate locations will promote opportunities for mixed uses
- c) community security will be promoted by providing active frontages to more important thoroughfares and designing for natural surveillance over all footpaths and open areas
- d) a clear distinction is made between public and private spaces, with the latter provided in enclosed or defensible forms
- e) refuse and recycling facilities, cycle storage, low and zero carbon technology, telecommunications equipment, plant and services have been sensitively integrated into the design

Policy Hou 1 Housing Development -

1. Priority will be given to the delivery of the housing land supply and the relevant infrastructure* as detailed in Part 1 Section 5 of the Plan including:

- a) sites allocated in this plan through tables 3 and 4 and as shown on the proposals map
- b) as part of business led mixed use proposal at Edinburgh Park/South Gyle
- c) as part of the mixed-use regeneration proposals at Edinburgh Waterfront (Proposals EW1a-EW1c and EW2a-2d and in the City Centre)
- d) on other suitable sites in the urban area, provided proposals are compatible with other policies in the plan

2. Where a deficit in the maintenance of the five-year housing land supply is identified (as evidenced through the housing land audit) greenfield/greenbelt housing proposals may be granted planning permission where:

- a) The development will be in keeping with the character of the settlement and the local area
- b) The development will not undermine green belt objectives
- c) Any additional infrastructure required* as a result of the development and to take account of its cumulative impact, including cross boundary impacts, is either available or can be provided at the appropriate time.

d) The site is effective or capable of becoming effective in the relevant timeframe. e) The proposal contributes to the principles of sustainable development.

* This should be addressed in the context of Policy Del 1, Tra 8 and the associated Supplementary Guidance.

Policy Hou 2 Housing Mix - The Council will seek the provision of a mix of house types and sizes where practical, to meet a range of housing needs, including those of families, older people and people with special needs, and having regard to the character of the surrounding area and its accessibility.

Policy Hou 3 Private Green Space in Housing Development - Planning permission will be granted for development which makes adequate provision for green space to meet the needs of future residents.

- a) In flatted or mixed housing/flatted developments where communal provision will be necessary, this will be based on a standard of 10 square metres per flat (excluding any units which are to be provided with private gardens). A minimum of 20% of total site area should be useable greenspace.
- b) For housing developments with private gardens, a contribution towards the greenspace network will be negotiated if appropriate, having regard to the scale of development proposed and the opportunities of the site.

Policy Hou 4 Housing Density - The Council will seek an appropriate density of development on each site having regard to:

- a) its characteristics and those of the surrounding area
- b) the need to create an attractive residential environment and safeguard living conditions within the development
- c) the accessibility of the site includes access to public transport
- d) the need to encourage and support the provision of local facilities necessary to high quality urban living.

Higher densities will be appropriate within the City Centre and other areas where a good level of public transport accessibility exists or is to be provided. In established residential areas, proposals will not be permitted which would result in unacceptable damage to local character, environmental quality or residential amenity.

Policy Hou 6 Affordable Housing - Planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units proposed. For proposals of 20 or more dwellings, the provision should normally be on-site. Whenever practical, the affordable housing should be integrated with the market housing.

Policy Hou 10 Community Facilities - Planning permission for housing development will only be granted where there are associated proposals to provide any necessary health and other community facilities relative to the impact and scale of development proposed. Development involving the loss of valuable health or other community facilities will not be allowed, unless appropriate alternative provision is to be made.

Policy Ret 9 Alternative Use of Shop Units in Defined Centres - In the City Centre Retail Core and town centres, change of use proposals which would undermine the retailing function of the centre will not be permitted. Detailed criteria for assessing proposals for the change of use of a shop unit to a non-shop use will be set out in supplementary guidance. Supplementary Guidance will detail an approach tailored to different parts of the city centre retail core and each town centre to be informed by town centre health checks which will assess the centres strengths, vitality and viability, weaknesses and resiliencies.

The change of use of a shop unit in a local centre to a non-shop use will be permitted provided:

- a) the change of use would not result in four or more consecutive non-shop uses and;
- b) the proposal is for an appropriate commercial, community or business use, which would complement the character of the centre and would not be detrimental to its vitality and viability.

Policy Tra 2 Private Car Parking - Planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance. Lower provision will be pursued subject to consideration of the following

factors:

- a) whether, in the case of non-residential developments, the applicant has demonstrated through a travel plan that practical measures can be undertaken to significantly reduce the use of private cars to travel to and from the site
- b) whether there will be any adverse impact on the amenity of neighbouring occupiers, particularly residential occupiers through on-street parking around the site and whether any adverse impacts can be mitigated through control of on-street parking
- c) the accessibility of the site to public transport stops on routes well served by public transport, and to shops, schools and centres of employment by foot, cycle and public transport
- d) the availability of existing off-street parking spaces that could adequately cater for the proposed development.
- e) whether the characteristics of the proposed use are such that car ownership and use by potential occupiers will be low, such as purpose-built sheltered or student housing and 'car free' or 'car reduced' housing developments and others providing car sharing arrangements.
- f) whether complementary measures can be put in place to make it more convenient for residents not to own a car, for example car sharing or pooling arrangements, including access to the city's car club scheme.

Policy Tra 3 Private Cycle Parking - Planning permission will be granted for development where proposed cycle parking and storage provision complies with the standards set out in Council guidance.

Policy Tra 4 Design of Off-Street Car and Cycle Parking - Where off-street car parking provision is required or considered to be acceptable, the following design considerations will be taken into account:

- a) surface car parks should not be located in front of buildings where the building would otherwise create an active frontage onto a public space or street, and main entrances to buildings should be located as close as practical to the main site entrance
- b) car parking should preferably be provided at basement level within a building and not at ground or street level where this would be at the expense of an active frontage onto a public street, public space or private open space
- c) the design of surface car parks should include structural planting to minimise visual impact
- d) the design of surface car parking or entrances to car parking in buildings should not compromise pedestrian safety and should assist their safe movement to and from parked cars, for example, by the provision of marked walkways.
- e) Space should be provided for small-scale community recycling facilities in the car parking area in appropriate development, such as large retail developments.

Cycle parking should be provided closer to building entrances than general car parking spaces and be designed in accordance with the standards set out in Council guidance.

Policy RS 6 Water and Drainage - Planning permission will not be granted where there is an inadequate water supply or sewerage available to meet the demands of the development and necessary improvements cannot be provided.

A2 - List of all relevant Policies of the Edinburgh Local Development Plan 2021 - The Edinburgh City Plan 2030

Env 1 Design Quality and Context - Planning permission will be supported by this policy where it is demonstrated that the proposal will create or contribute towards a vibrant, successful place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.

Env 2 Co-ordinated Development - Planning permission will not be granted for development which may compromise:

- a. the effective development of adjacent land, or
- b. the comprehensive development and regeneration of a wider area provided for in a master plan, strategy, Supplementary Guidance, development principles, Site Brief or Place Brief approved by the Council, or where the Council considers that such a master plan, strategy, guidance or Brief is needed as part of, or prior to, the submission of any planning application

Env 3 Development Design - Incorporating and Enhancing Existing and Potential Features
Planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area have been identified, incorporated, enhanced and linked to through its design.

Env 4 Development Design - Impact on Setting - Planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the quality of character of the wider townscape and landscape, green blue networks, and impact on existing views, having regard to:

- a. height, form and roofscape pattern;
- b. scale and proportions, including the spaces between buildings;
- c. position of buildings and other features on and around the site;
- d. materials and detailing.

Policy Env 7 Sustainable Developments - All detailed proposals involving the construction or change of use of one or more buildings* must incorporate all reasonably practicable measures to address the climate emergency and contribute to sustainable living, with this being demonstrated through a Sustainability Statement which addresses the following:

- a. how the proposal integrates measures to both mitigate and futureproof the building against the effects of the climate emergency, particularly with regard to the increased frequency and severity of extreme temperature and storm/ rainfall/flooding events as well as sea level rise and erosion, and
- b. how the proposal encourages all forms of active travel (including complying with Edinburgh's Street Guidance and associated Factsheets) and shall be accessible by those of all ages and levels of mobility, including those with disabilities.

In addition to the above, the Sustainability Statement must also address the matters set out below:

For developments involving new buildings the statement shall set out how the development has been designed to be of long-life construction and to allow future adaptation for different uses as well as utilising construction materials that have low or negative embodied greenhouse gas emissions and are local and/or sustainably sourced and/or recycled and capable of re-use at the end of a building's life cycle as far as reasonably practicable. For change of use proposals, the statement must address how the proposal has considered and integrated measures to increase resilience to future climate change and minimise greenhouse gas emissions such as built fabric efficiency improvement and Low and Zero Carbon Generating Technology.

For proposals involving the replacement of existing buildings* proposals should be accompanied by a carbon assessment setting out the 'whole-life' carbon footprint of the proposed development compared to the option of re-using the existing building to accommodate the proposed use**. Where this comparative assessment fails to show an overall lower carbon footprint then it must be set out why the developer considers the proposal justified, for example because the new development provides additional floorspace and/or dwellings compared to the existing building.

Env 11 Listed Buildings - Setting - Development within the curtilage of a listed building, or affecting its townscape or landscape setting, will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

Env 13 Conservation Areas - Demolition of Buildings - Proposals for the demolition of an unlisted building within a conservation area which makes a positive contribution to the special character or appearance of the Conservation area, either in itself or as part of a group, will only be permitted in exceptional circumstances*. In such cases it must be demonstrated that all options to retain the building have been fully explored and proven to be unable to provide a viable solution that allows the retention of the building.

Proposals for the demolition of any building within a conservation area, whether listed or not, will not normally be permitted unless a detailed planning application is approved for a replacement building which preserves the special character and appearance of the conservation area or, if acceptable, for the landscaping of the site.

Env 14 Conservation Areas - Development - Development within a conservation area, affecting its setting or impacting views of the area and from within it will be supported by this policy where it:

- a. preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal
- b. preserves trees, hedges, boundary walls, railings, paving and other features within the public realm which contribute positively to the special character or appearance of the conservation area, and
- c. demonstrates high standards of design and utilises materials appropriate to the historic environment.

Env 26 Housing Density - Sites identified to deliver housing in this Plan should provide density and dwelling numbers in line with that set out for the relevant site in Part 4, Table 2.

On other sites where the principle of housing is acceptable, development must achieve an appropriate density having regard to:

- a. the characteristics of the site and those of the surrounding townscape, where this positively contributes to the character of the area
- b. the need to create an attractive residential environment and safeguard living conditions within the development
- c. the accessibility of the site to public transport, in particular recognising the role of transport corridors; and
- d. the need to encourage and support the provision of local facilities necessary to high quality walkable neighbourhoods.

Housing proposals which come forward through Policy Hou 4 - Housing Land Supply must deliver a density of dwellings of at least 65 dwellings per hectare as averaged across the overall site's residential developable area (this should be inclusive of open space but excluding other non-residential uses)

Env 27 Public Realm, New Planting and Landscape Design - Planning permission will be supported by this policy where all external spaces, and features have had their design and position considered as a fundamental part of the scheme as a whole, and it has been demonstrated that:

- a. the design and the materials to be used are appropriate for their intended purpose, to the use and character of the area, especially where this has a special interest or importance,
- b. the different elements of paving, landscaping, street furniture and other features are coordinated to avoid a sense of clutter, and in larger schemes design and provision will be coordinated over different phases of a development,
- c. a tree canopy coverage of appropriate species shall be achieved in line with Council guidance*, as well as hedge, shrub and wildflower planting to provide a setting for buildings, boundaries and roadsides and create a robust landscape structure,
- d. a satisfactory scheme of maintenance will be put in place to ensure longterm viability, and
- e. in appropriate locations, where open space/public realm is created or enhanced by new development, public art or interpretation displays should be provided as an integral part of the design.

Env 30 Building Heights - Development which rises above the building height prevailing generally in the surrounding area will only be supported by this policy where each of the following criteria are met:

- a. a development is to be created that enhances the skyline and surrounding townscape and is justified by the proposed use,
- b. the scale of the building is appropriate in its context, and
- c. there would be no adverse impact on important views of landmark buildings, the historic skyline, landscape features in the urban area or the landscape setting of the city, including the Firth of Forth.

Env 31 Useable Open Space in new Development* - All proposals containing new-build development (except householder development and housing proposals covered by policy Env 32 below) shall include the provision of good quality, attractive, useable and where appropriate publicly accessible open space that forms at least 20% of the total site area. Wherever possible, this provision shall take the form of extensions and/or improvements to the green and blue network.**

Env 32 Useable Communal Open Space and Private Gardens in Housing Development -

Housing development will be supported by this policy where it provides good quality, useable open space and/or private gardens as applicable to meet the needs of future residents in line with the requirements below:

In developments containing flats where communal provision will be necessary, this will be based on a standard of 10 square metres per flat (excluding any units which are to be provided with adequate* private gardens). A minimum of 20% of total site area should be useable open space and/or private gardens. Where development cannot meet the criteria above, a contribution towards the open space and/or green blue network will be negotiated*.

For housing developments with private gardens, a contribution towards the open space and/or green network will be negotiated if appropriate, having regard to the scale of development proposed and the opportunities of the site and surrounding area.

Env 33 Amenity - Development will be supported by this policy where it is demonstrated that the amenity of future occupiers of the development and occupiers of neighbouring developments are not adversely affected by ensuring acceptable levels of amenity, particularly in relation to odour, space standards, noise, daylight, sunlight, privacy or immediate outlook.

Env 36 Designing for surface water - Detailed applications involving the construction of one or more buildings* will be supported by this policy where:

- a. They are accompanied by a Surface Water Management Plan which has considered design exceedance scenarios,
- b. The development creates an attractive, biodiverse sustainable drainage system* that manages the first 5mm of rainwater on-site at a plot level wherever possible as well as ensuring all water is stored and flows above ground avoiding pumping of water,
- c. The design is adaptable and resilient to climate change and considers overland flow paths, maximises permeable surfaces, avoids pinch points and potential blockages to collection points in the system, and stores water on site to the level stated in the Council's Flood regulations and maximising long-term* storage where appropriate,
- d. The design provides a drainage system that is safe, reliable and effective over the design life of the development and long-term maintenance has been considered and agreed between the developer and each party responsible for management of the system; and
- e. Developments fail to remove existing surface water pipes on-site or adjacent, unless it is demonstrated this is not viable.

Stand-alone proposals for SuDS development described in this policy will also be supported.

Env 38 - Shopfronts - Planning permission will be granted for alterations to shopfronts which are improvements on existing and relate sensitively and harmoniously to the building as a whole. Particular care will be taken over proposals for the installation of illuminated advertising panels and projecting signs, blinds, canopies, security grills and shutters to avoid harm to the visual amenity of shopping streets or the character of historic environments.

Hou 1 Housing Development - Housing Proposals table set out at Part 4, Table 2, allocates sites to deliver the housing land requirement in the period of the plan. Development should accord with the Place Policies and development principles set out in Place 1- Place 36 and Appendix D.

In addition to these sites proposals for housing will be supported:

- a. on other sites within the urban area, provided proposals are compatible with other policies in the plan and,

b. as part of redevelopment proposals in a commercial centre subject to retention of its function as a commercial centre and a Place Brief or master plan of the overall site area in accordance with plan policies.

Hou 3 Mixed Communities - Proposals for housing will be permitted if it is demonstrated that:

- a. development provides an appropriate range of housing of different types and sizes,
- b. developments of 12 or more units provide a minimum of 20% of units suitable for larger families and,
- c. the range of housing provided is well integrated through the entire development scheme.

Inf 1 Access to Community Facilities - Housing development will be supported where key community facilities are walkable* within a 20-minute return trip. Applicants must demonstrate this through an assessment of walking distances to key services and infrastructure. Proposals for housing in areas that do not currently meet this walking distance will be considered only where these services can be delivered, relative to the scale of development, and managed as an integral component of a mixed-use development.

In areas that do not currently meet this walking distance, opportunities to provide services will be considered where these meet other policies in the plan. Wherever possible, delivery of new community facilities should be as part of multi-service hubs that brings community services together, increasing opportunities for linked trips where the long-term sustainability of the facilities is prioritised. Proposals for new schools provide the opportunity to consider the integration of community services provision.

Inf 6 Cycle Parking - Proposals for residential development will be supported where:

- a. residents' cycle parking is securely and conveniently provided within buildings,
- b. secure external visitor cycle parking and storage is located close to building entrances and,
- c. the provision meets or exceeds the standards set out in Council guidance and is designed in accordance with the current Council guidance.

Inf 7 Private Car Parking - Development will be supported where private car use is not needed. This policy encourages private car parking free or low car parking developments. Within the Council's Low Emission Zone private car parking (other than accessible spaces) will not be permitted. The appropriate level of provision will be determined by the following factors:

- a. sustainable transport accessibility levels*, including committed public transport and active travel infrastructure or located in a central area,
- b. if development is on the edge of the Council's Low Emission Zone,
- c. parking controls on neighbouring streets to mitigate any potential overspill parking,
- d. the proposed use assumes no or low car ownership and use by potential occupiers, for example purpose-built sheltered housing or student accommodation,
- e. availability of shared mobility services to make it more convenient for residents not to own a car, for example the city's car club and cycle hire schemes,
- f. for major new developments, and where identified in a Place Policy or Development Principles, shared mobility services should be provided and be conveniently located close together and near to public transport stops, potentially in a 'mobility hub' with additional services, located with good natural surveillance,
- g. any car parking spaces will have smart electric vehicle charging provision,
- h. no additional space for car parking can be accommodated within the curtilage of a dwelling by careful design of gardens, driveways and integral garages,
- i. whether, in the case of non-residential developments, the applicant has demonstrated through a travel plan that practical measures can be undertaken to significantly reduce the use of private cars to travel to and from the site and,
- j. meets standards for accessible parking.

Inf 22 Water Supply and Foul Waste Water - Planning permission will not be granted where there is an inadequate water supply or foul waste water sewerage available to meet the demands of the development and necessary improvements cannot be provided.

Scottish Water has replaced the main storage and treatment facilities in Edinburgh, at Fairmilehead and Alnwickhill, with a new facility at Glencorse in Midlothian. Further, smaller scale, enhancements of the water supply and sewerage network may be needed to serve new development. For larger developments this will be identified and delivered as described in Policy Inf 3. Management of surface water has its own requirements separate to water supply and foul waste water and these are addressed by Policy Env 36 (Designing for Surface Water).

Re 3 Town Centres - Planning permission will be permitted for retail development within a town centre, where it has been demonstrated that:

- a. there will be no significant adverse effects on the vitality and viability of the city centre retail core or any other town centre,
- b. the proposal is for a development that will be integrated satisfactorily into the centre and will help to maintain a compact centre,
- c. the proposal is compatible, in terms of scale and type, with the character and function of the centre,
- d. the proposal will reinforce the retail vitality and improve the appearance, including public realm, or
- e. it can form an effective extension to the centre by promoting linked trips with safe and easy access to the town centre, where it is clear the proposal will help to improve the accessibility of the centre for all transport modes.

Planning permission will be granted for retail development on sites which adjoin the boundary of a town centre or can form an effective extension to the centre, and if it is clear that no suitable sites are available within the town centre itself, and subject to considerations a) to e) above.

B - Other referenced policies and documents

- Edinburgh Design Guidance amended January 2020
- Developer Contributions and Infrastructure Delivery August 2018
- Affordable Housing February 2019
- The Portobello Conservation Area Character Statement, October 2016
- Scottish Planning Policy, December 2020
- Creating Places - A policy statement on architecture June 2013
- Waste and Recycling Instructions for Architects and Developers May 2019

STATUS OF PRE-APPLICATION ADVICE

Any advice provided under this service is given on behalf of the Council as Planning Authority, based on the information provided, and the planning policies and other site constraints relevant at the time of writing. This advice does not prejudice any subsequent decision which will be based upon all material considerations, including views of all stakeholders, including the public.

For the purposes of requests for information made under the Environmental Information Regulations, advice given will be treated as commercially sensitive (and its release contested) until such time as an application has been determined.

This advice should be read in its totality and in conjunction with the relevant legislation and planning policies and guidance, including the Local Development Plan, Statutory Guidance, non-statutory guidance, site specific briefs etc. The Council documents can be accessed on the Council website.

1. Site

21/00683/PREAPP – 120 - 124 Portobello High Street, Edinburgh

The application site is on the corner of Portobello High Street and Beach Lane. Currently there are two single storey commercial units on the site. A traditional three storey and attic tenement lies to the east of the site and Portobello Police Station lies to the west. This is a C listed Victorian building near symmetrical with the east wing bordering Beach Lane.

To the rear of the site there is a car park for the supermarket which sits between Bath street and Beach Lane. Beach Lane turns west eventually leading down to the Promenade but Ramsay Place is near the bottom of the site and this is traditional tenements.

Portobello High Street is a town centre where retail development predominates with residential on the upper floors.

It is also in Portobello Conservation Area which a strong Georgian/Victorian aesthetic townscape character.

2. Proposed development

It is proposed to erect a mixed use development of 11 flats, 1 retail unit and a commercial unit. At this stage the design is conceptual.

Two options have been tabled in the design statement

Option 1 is for a 4 storey building to the front with the storeys lining up with the adjacent tenement. The top floor is a set back flat roof. The rear section is 6 storeys so there is a split level between the front and back. There is a mix of 2 and 3 bedrooms.

Option 2 is the same height all over at 5 storeys. This means that that the storeys to the front do not line up with the adjacent tenement. Again the roof is flat and set back.

The access to the flats will be on Beach Lane with a recessed entrance area to allow safe access away from traffic on the lane. Cycle parking and bin storage will be incorporated internally near to the entrance. No car parking is proposed.

3. Summary of key issues and overall advice.

Relevant History

- 23 May 2002 – planning permission granted for rear extension (02/01011/FUL)

- 15 March 2007 – planning permission granted for Change of use from vacant public house to a licensed betting office (07/00365/FUL)
-

Key issues:

- Land Use – the principle of housing on the site is acceptable subject to compliance with other policies of the Local Development Plan (LDP). In terms of policy Hou 4 on Housing Density, 11 flats appears to be more than the adjacent tenements because the whole footprint is being developed. Reducing the footprint of development would bring it to a spatial density more akin to the character of the area.

Policy Hou 2 also expects a suitable housing mix. The mix of 2 and 3 bedroomed units would be deemed acceptable.

The retail unit to the front would be acceptable within Portobello town centre and the commercial unit at the rear is also acceptable.

- Design - Policy Des 4 sets out the criteria for ensuring new buildings fit in with the surrounding area - a) height and form b) scale and proportions, including the spaces between buildings c) position of buildings and other features on the site d) materials and detailing.

In terms of height, the bulk of the front of the building aligns with the adjacent tenement and this is acceptable. However, as set out below, it should be considered if the building should step down to get a better relationship with the listed police station. The height of the building at the back also creates a building of significant mass which is at odds with the depth of most tenements in the area.

In terms of form, the addition of the flat roof top storey is the biggest problem. This is at odds with the character of the area and it will look out of place. The articulation of the roofscape is very important here and whilst we are not seeking a traditional pitched roof, there are ways of intruding pitches and slopes in a more contemporary and interesting way.

Because the building extends full height to the back of the site, it creates a building that is bulky with excessive mass. As noted below, there is no amenity space for residents. Thought should be given to creating amenity space and stepping the building down at the back to reduce the mass of the building.

We expect a stone built building. The design should be clearly contemporary but respectful of the surrounding historic context.

- Listed Building Setting - The building is adjacent to the C listed police station. Thought should be given to this relationship and how the

design could complement the way the listed building steps down to Beach Lane. As it appears in the design statement, the new building dominates the gable of the listed building potentially affecting its setting. The corner needs to be addressed.

- Conservation Area - The site is in Portobello Conservation Area. The main issue is that the new building appears to pay little attention to the character appraisal which establishes the key characteristics of the conservation area and its strong Georgian/Victorian aesthetic.

The building form proposed and the architectural precedents shown on p23 of the design statement suggest a building that could be anywhere rather than in the centre of a heritage seaside suburb. The character appraisal should be the starting point and the building should reference the strong stone-built character of the area and thought should be given as to how a modern interpretation of a pitched slate roof could be incorporated into the design.

- Roads and Access – zero car parking is acceptable and complies with parking standards. Cycle parking should be provided in line with the standards in the Edinburgh Design Guidance. The cycle store looks quite small.

The main issue will be the lack of pavement in Beach Lane. The building has been recessed underneath to allow for this but we need a proper pavement formed and the building will have to be pulled in to meet this requirement. The pavement should go down to the end of the site.

- Amenity of occupiers – the units appear to meet the space standards in the Edinburgh Design Guidance. Policy Hou 3 and the Edinburgh Design Guidance sets out the requirements for useable greenspace in new development and the development provides none.

Serious thought should be given to reducing the number of units and introducing amenity green space at the rear. This should be at least 20% of the site area. As it stands, the building could be considered overdevelopment as it does not include useable amenity space.

It is likely that privacy, daylighting and sunlighting standards can be met but this should be illustrated in the application.

- Amenity of neighbours - the new building is largely in a gable to gable situation with the adjacent tenement to the east. However, the rear section has the potential to impact on sunlight to the neighbouring garden. There does not appear to be any daylighting or privacy issues.

We will require you to show that the daylighting, sunlighting and privacy standards in the Edinburgh Design Guidance are met.

- Trees - There appears to be a tree adjacent to the site which may be affected by the development. If this is the case, a tree survey is required in the form specified in BS 5837:2012 for all trees with a stem diameter of 75mm or more, at 1.5m above ground on the site or within 12m of its boundary. Trees should then be categorised in accordance with their quality and suitability for retention. Further details can be found in the EDG page 113. Trees should also be assessed in terms of possible bat roosts.
- Waste - A waste strategy will need to be developed in consultation with the Council's Waste Planning team.
- Archaeology - In terms of buried archaeology, the site lies close to the former potteries and along the original Georgian street frontage so within an area of archaeological potential and we would therefore be recommending a conditioned programme of works.

We will require a heritage statement looking at the history of these plots in particular development history eg are there cellars on the site? This will have a bearing upon what level of recording is required.

The main issue on heritage is the upstanding heritage namely the shop front to William Hills. Although covered in paint this would appear to be a stone shop front and given the neoclassical style probably Georgian/early Victorian in date. As such it is of local historic importance and an important part of the street scene and conservation area. Accordingly, it should be restored/retained within the final design especially as the proposals indicate a retail unit in this location.

- Flooding - A Surface Water Management Plan (SWMP) will be required to confirm the drainage proposals and to support the planning application. This should be submitted in accordance with the details at <https://www.edinburgh.gov.uk/flooding/planning-application-guidance-flooding/1>

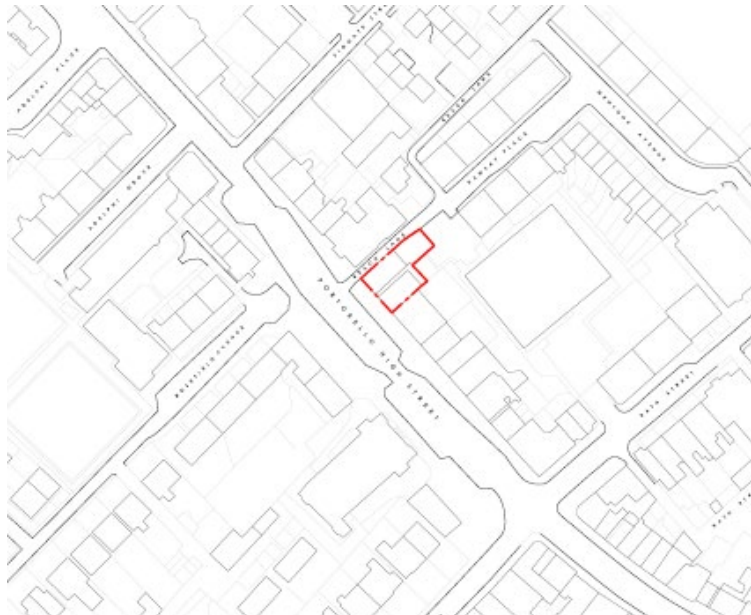
Although the development will occupy a similar footprint to the existing building, we will still require surface water attenuation and treatment measures.

We recommend the applicant consider above ground surface water attenuation and treatment features. Above ground features that are integrated into the landscape, such as raingardens, allow for easier maintenance and identification of potential reduction in storage capacity or blockages. SuDS features that encourage evapotranspiration and infiltration also have the potential to reduce the volume of surface water discharging from the site. We are also keen to see SuDS features that encourage wider benefits such as biodiversity and placemaking improvements.

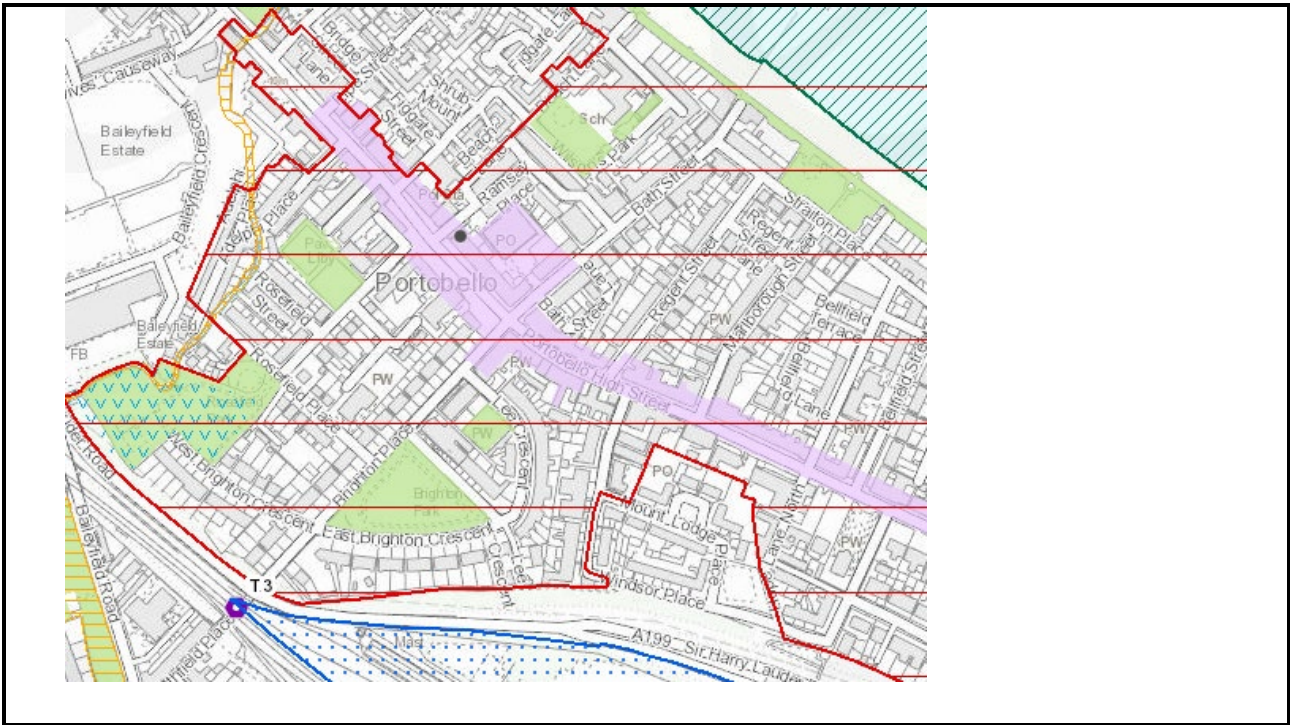
Conclusions

Based on the information submitted at pre-application stage, the proposals will need significant amendments to be acceptable. The proposals are overdevelopment and do not meet a number of policies in the LDP.

4. Location plan



5. Local Development Plan extract



6. Development Plan policy appraisal

6.1. Edinburgh Local Development Plan policies

The following policies will be used to assess the application and you should refer to the wording of them in the Local Development Plan.

- a) Principle of development - Hou 1 (Housing Development); Hou 2 (Housing Mix) and Hou 4 (Housing Density); Ret 3 (Town Centres); Emp 1 (Office Development)
- b) Listed Buildings setting - Env 3 (Listed Buildings - Setting)
- c) Conservation area - Env 6 (Conservation Area Redevelopment)
- d) Design - Des 1 (Development Quality and Context); Des 4 (Development Design - Impact on Setting); Des 5 (Development Design - Amenity);
- e) Private Green space - Policy Hou 3 (Private Green Space in Housing Development)
- f) Transport - Tra 2 (Private car parking) and Tra 3 (Cycle parking)
- g) Trees - Env 12 (Trees)
- h) Archaeology – Env 9 (Sites of Archaeological Significance)
- i) Flood Protection - Env 21 (Flood risk)

6.2. Edinburgh Design Guidance

The proposal will be assessed against the Edinburgh Design Guidance which informs design policies. Information on the following key issues can be found in the EDG:

- Design and layout p. 43 onwards
- Housing mix p.86
- Daylight, sunlight, privacy and outlook p. 82
- Trees p. 113
- Parking standards p.63

- Open space p.104
- Surface Water Management Plans p. 122

6.3 Other Guidance

- Portobello Conservation Area Character Appraisal

7. Developer contributions

The Action Programme and Developer Contribution Guidance accompanies the adopted Edinburgh Local Development Plan (LDP). It will be used by the Council as a delivery mechanism to lever the best possible outcome for the city and to coordinate development proposals with the infrastructure and services needed to support them. Developer contributions will be taken in accordance with the Action Programme and other material considerations.

None have been identified. Comments have not been received in terms of education contributions.

8. Any other environmental factors that require consideration

The applicant will be required to submit sufficient information to demonstrate that the site can be developed without having a detrimental impact on the environment. To support the application, the following documents will be required:

- Planning and design Statement;
- Heritage Statement;
- Waste management information;
- Surface water management plan information;
- Tree survey

9. Expiration date

This advice is provided based on current legislation, policy, guidance and material considerations. Where any of these elements have changed since the provision of this advice the applicant should consider the impact of the changes on their proposals.

This advice has been provided based on an analysis by a Planning team manager
Name of Team manager – Nancy Jamieson
Date – 7 April 2021

D - Council officer's response to the second, amended pre-application scheme

RE: 21-00683-PREAPP 120-124 Portobello High Street, advancement of design
External
Inbox

Nancy Jamieson <Nancy.Jamieson@edinburgh.gov.uk>
Wed, 4 Aug, 13:27
to me

Peter, thank you for the constructive meeting on Monday regarding the revised plans. I have bullet pointed the main issues below:

It is noted that the frontage has now been tilted back to allow more of the listed police station to be viewable. Whilst this is a laudable aim, I feel this could sit uncomfortably within the relatively straight building line of Portobello High Street. I would prefer a chamfered or rounded corner than the tilting proposed

I am satisfied that the revised roof design respects the character of the conservation area. The slated mansard roof aligns better with the neighbouring tenement.

We discussed amenity space in some detail and this could be an area where the breach of policy Hou 3 causes problems for your development. We will therefore have to have significant justification as to why the rear area cannot be greenspace instead of flats. You should concentrate on the quality of any amenity space that might be created in that area as justification. You may also wish to look at the historical character of Beach Lane. Did it have a building all the way down? Also are rear gardens typical of the tenements on PHS? I do realise that you will lose a lot of the site's development potential if you have to meet the Hou 3 standards but this is not material in planning terms and ultimately if good quality amenity space can be created, we would be seeking this.

We discussed the massing of the building and the fact it was still going to appear as a large development down Beach Lane. However, you have attempted to break up the mass on this side elevation with the use of differing materials and window articulation. Visualisations will be important in getting a feel for how successful this has been and creating an active frontage down Beach Lane is particularly important. You may wish to consider creating a public art space on the ground floor wall where local people could create a mural to enliven that part of the frontage

We discussed ensuring that your development does not compromise the redevelopment of the Scotmid site should that be proposed in future and this should be addressed in your planning statement

I am generally happy with the design of the frontage but you may wish to consider creating more vertically proportioned windows adjacent to the existing tenement. It is acknowledged that materials are not yet finalised but this will be particularly important. Stone to the front and its return is welcomed as it is in the rear section. The use of aluminium for the side will no doubt prove controversial. Other recent materials that are proving popular in these more traditional areas are slaistered brick but I am not sure this would give the crisp finish you are seeking. Brick is another possibility given the nearby pottery kilns but it would have to be high quality buff to tie in with the stone. It would be useful to see built examples in the design statement if you do intend to use aluminium

As previously advised your design statement should provide the calculations for any impacts in relation to daylighting and sunlighting of neighbouring properties. We also have to ensure the rear balcony does not compromise privacy. Some of the windows facing east and north are also on the boundary so any privacy implications need to be assessed.

Provision should be made for 33 cycles. Our transport colleagues generally do not expect people to have to lift bikes and advise on Sheffield racks.

Check with waste planning on whether your bin storage is sufficient.

Finally, I would urge you to carry out some community consultation although it is not obligatory. Portobello applications can prove to be controversial and if you can get any feedback at an early stage and people feel listened to this may smooth the path.

I hope these comments are useful but as always, we never know until the application is submitted and the public consultation process starts what the level of objection/support is going to be and this can affect the outcome of the application.

Nancy Jamieson

Planning Team Manager

Locals 2

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