

Development Management Sub Committee

Wednesday 24 June 2015

Application for Approval of Matters Specified in Conds 14/05263/AMC

At St James Centre, Edinburgh, EH1 3SS

Approval of matters specified in condition 23 (i), (iii), (vii),
(ix), (x), (xi), (xvi) and (xvii) of Planning Permission

08/03361/OUT relating to number of
residential/commercial/business units, design of external
features and materials, pedestrian and cycle access
arrangements, treatment to adopted roads or footways, car
parking venting, servicing, surface water and drainage, and
hard and soft landscaping details

Item number	7.1(a)
Report number	
Wards	A11 - City Centre

Summary

The application is consistent with the outline planning permission (08/03361/OUT) to which it relates. The form of the development, the uses within it and routes through it are all acceptable. It has a positive effect on the New Town Conservation Area, the setting of nearby listed buildings and the Outstanding Universal Value of the World Heritage Site. The impacts on neighbouring amenity are adequately protected and the proposal will provide appropriate levels of amenity for future occupiers. Its environmental and transport impacts are acceptable, as are its impacts on the economy.

There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, NSG, NSGD02, NSLBCA, NSMDV, CRPNEW, LPC, CITD1, CITD2, CITD3, CITD5, CITD6, CITD7, CITD10, CITE1, CITE3, CITE6, CITE11, CITE12, CITE17, CITE18, CITH1, CITH2, CITH3, CITH4, CITE7, CITH8, CITEM5, CITR1, CITR6, CITR12, CITT4, CITT5, CITT6, CITT7, CITT14, CITCA1,

Report

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parking venting, servicing, surface water and drainage, and
hard and soft landscaping details**

Recommendations

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

Background

2.1 Site description

The site is to the north of the east end of Princes Street. It is 5.2 hectares and includes James Craig Walk, Elder Street, St James Place, Little King Street, Cathedral Street and much of both Leith Street and Multrees Walk.

Within the site, there is the St James Centre, the New St Andrew's House office, the King James Hotel and two multi storey car parks.

Two category 'B' listed buildings are within the site boundary. These are: James Craig Tenement (formerly 27-31 St James Square) (item no 30027, 27 January 1992); and, St Andrew's Hall which is part of the St Mary's (Roman Catholic) Cathedral listing (item no 27449, 19 December 1979).

Surrounding streets and spaces are characterised by both historic and modern buildings. There are a considerable number of listed buildings nearby.

These include the following Category 'A' listed buildings: General Register House (Item no 27636, 14 December 1970); 23, 24, 25 and 26 St James Square (item no 29728, 14 December 1970); 30 - 34 (even numbers) Elder Street, including railings (item no 28731, 14 December 1970); 21 York Place, and 38 Elder Street, including railings and lamps (item no 29963, 14 September 1966); and, 27 York Place, 29-31 (odd nos) York Place, 33-37 (odd nos) York Place, 39- 43 (odd nos) York Place, 47-49 (odd nos) York Place, 51 York Place, 53-55 (odd nos) York Place, 57-61A (odd nos) York Place, 63-67 (odd nos) York Place and 69-73 (odd nos) York Place, all including railings (item nos, 29964, 29965, 29966, 29967, 29969, 29970, 29972, 29973 and 29974 respectively and all listed on 14 September 1966).

There are also the Category 'B' listed buildings nearby including the following: 45, 45A and 45B York Place, including railings (item no 29968, 14 September 1966); 5-11 (odd nos) Leith Street, 13 and 15 Leith Street, 27-35 (odd nos) Leith Street and 37-43 (odd nos) Leith Street and 8-12 Calton Road (item nos 29250, 29251, 29252 and 29253 respectively, all listed 19 December 1979).

Modern developments include the Multrees Walk shopping street and on Leith Street, offices and the Omni Centre.

Sandstone is the dominant external material, being used extensively on both the old and the new buildings. This provides visual cohesiveness. The Omni Centre is an exception, with its frontage being glass.

There is a mix of uses surrounding the site. There is the institutional use of General Register House. On James Craig Walk, there are flats and student housing. A related planning permission which is currently pending decision, permits the change of use from student housing to flats and shops. Along York Place, uses include residential and business. The tenements on Leith Street have shops and pubs at their ground levels with residential above. There are shops and hotels on Princes Street.

There are two birch trees at the Princes Street entrance of the existing centre. There are trees and vegetation outside New St Andrew's House next to James Craig Walk.

The application site is in the World Heritage Site.

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

2.2 Site History

25 March 2009 - Conservation area consent was granted for redevelopment and refurbishment including demolition works and new buildings to provide mixed use development comprising retail (Class 1), leisure and culture (Class 10 and Class 11), hotel (Class 7), offices (Class 4), food and drink (Class 3), residential, and other related ancillary uses (including Financial, Professional and other Services - Class 2), car parking, servicing, access arrangements, provision of new public realm and refurbishment of existing department store, detailed approval of siting and maximum height of building blocks, points of vehicular access and egress and location of pedestrian routes at the St James Centre, Edinburgh (reference 08/03361/CON).

29 April 2009 - Outline planning permission was granted for the redevelopment and refurbishment including demolition works and new buildings to provide mixed use development comprising retail (Class 1), leisure and culture (Class 10 and Class 11), hotel (Class 7), offices (Class 4), food and drink (Class 3), residential, and other related ancillary uses (including Financial, Professional and other Services - Class 2), car parking, servicing, access arrangements, provision of new public realm and refurbishment of existing department store, detailed approval of siting and maximum height of building blocks, points of vehicular access and egress and location of pedestrian routes at the St James Centre, Edinburgh. This is the outline planning permission to which this application for approval of matters specified in condition relates (reference: 08/03361/OUT).

23 May 2014 - Application for approval of matters specified in condition 23 (ii) of planning permission 08/03361/OUT submitted. This is pending consideration (reference: 14/02070/AMC).

14 April 2015 - Application submitted for approval of matters specified in condition 23 (iv), (v), (vi), (viii), (xii), (xiii), (xiv) and (xv) of planning permission 08/03361/OUT relating to cycle parking facilities, showers/lockers, signing of pedestrian/cycle routes, car parking bays, external lighting, hours of deliveries/collections, waste management + hours of operation. It is pending consideration (reference 15/01742/AMC).

21 April 2015 - Application submitted for approval of matters specified in Condition 23 of Outline Planning Permission 08/03361/OUT relating to design of the central hotel building (Block C) and associated landscaping and external lighting. This is pending consideration (reference: 15/01858/AMC).

29 April 2015 - Application submitted for approval of matters specified in Condition 23 of Outline Planning Permission 08/03361/OUT for 'the precise location and extent of individual uses. This is pending consideration (reference: 15/02054/AMC).

10 April 2015 - Application submitted for alterations to department store including reconfiguration of existing entrance, creation of new entrance and provision of temporary plant at 69 St James Centre Edinburgh (as amended) (reference 15/01659/FUL). This application is for changes to the John Lewis Store to facilitate the development during its construction.

The St James CPO

9 October 2014 - The St James Quarter Edinburgh (Number Two) Compulsory Purchase Order 2014 was made. This site forms part of the Compulsory Purchase.

24 February 2015 - The St James Quarter Edinburgh (Number Two) Compulsory Purchase Order - Under consideration of the Scottish Government's Department of Planning and Environmental Appeals (DPEA reference CPO-EDB-005).

Other related applications within the site

15 December 2015 - Application submitted for listed building consent for internal and external alterations and ancillary works at 27, 29, 31 James Craig Walk Edinburgh EH1 3BA. Currently pending decision (reference 14/05148/LBC).

29 April 2015 - Planning permission granted subject to legal agreement for change of use from student accommodation to Class 1 (Shops), Class 2 (Financial, professional & other services) and/or Class 4 (Business) uses and residential apartments, proposed alterations and ancillary works at 27, 29, 31 James Craig Walk Edinburgh. Currently pending decision (reference 14/05147/FUL).

27 Apr 2015 - Listed building consent granted for internal and external alterations and erection of extension and ancillary works at 3 St James Place Edinburgh. The existing building is St Andrew's Hall and is used as the John Lewis Collection Point (reference 14/05144/LBC).

20 May 2015 - Planning permission granted for change of use to Class 3 (Food and Drink) and Class 4 (Business) uses, proposed alterations, erection of extension and ancillary works at 3 St James Place Edinburgh EH1 3JH (reference 14/05143/FUL).

Main report

3.1 Description Of The Proposal

The application is for approval of matters specified in condition (AMC) of the 08/03361/OUT outline planning permission for the redevelopment of the St James Centre.

The outline planning permission established design parameters for the development including its footprint, form, height and maximum floor areas for individual uses. This AMC application seeks approval for the number of residential, commercial and business units, the design of external features and materials, pedestrian and cycle access arrangements, treatment to adopted roads or footways, car parking venting, servicing, surface water and drainage and hard and soft landscaping details.

The central hotel building is excluded from the application. An application for this has been submitted on 21 April 2015 (ref 15/01858/AMC).

The proposal includes the following:

- 143 flats comprising: 82 one bedroom flats; 42 two bedroom flats; 18 three bedroom flats (5 of which are duplexes); and, 1 four bedroom duplex. These are located on upper floors of the building on levels five to eight. The overall area of this is 18396 sq m.
- 50728 sq m of shops. The majority of these are accessed of the galleria that runs in a curve between the Princes Street and Multrees Walk entrances. The galleria is on 3 levels.
- 12897 sq m of food and drink establishments.
- 7628 sq m of hotel. Note that this is part of the hotel that is known as the central hotel building.
- 3189 sq m of cinema. It is a five screen cinema.
- 59911sq m of car park.
- 10190 sq m of service/ancillary space.

There is no office space proposed.

The entrance from Princes Street is from a square, known as Register Square. It is via a four storey glazed screen through which the arched roof of the galleria can be seen. Either side of the entrance are blocks of the building finished in stone. From the Square, these will be seen as six storeys plus a top storey set back to the west and four storeys to the east. These parts of the building have large two storey shop windows at the lower floors with a greater proportion of stone to the upper levels giving a more solid appearance. The square provides access up to James Craig Walk via steps and ramp and down to Leith Street via steps. There are three trees proposed along the western edge of the square.

Along Leith Street, small shops are proposed. There are also entrances into the apart-hotel, car parks and service exit. The building here is largely stone clad with vertical windows. Breaking up the facade are sections of facade that are finished with a full height screen that is largely made up of polyester powder coated (PPC) aluminium. These windows are similar in scale to traditional tenement windows. Because the street is sloped, the building's height, as measured from ground level to roof level, increases progressively from the Princes Street end.

It is proposed that the barrier that runs along the middle of the street and the change in level associated with it will be removed.

At Little King Street there is an entrance into the centre. This will provide access to the lower level of the galleria. There are stone clad blocks of the building which are separated by a PPC aluminium screen. In this there will be space for an art installation. The content of this is not shown in the application drawings. Upper levels that are set back are finished in curtain walling, zinc cladding. There are green roofs and zinc roofs.

At St James Place the walls are largely finished in pre-cast concrete and there are fewer windows at lower level than in other parts of the building. Service access is provided from this street to the units within the centre via metal faced doors.

At Elder Street there is the entrance into the centre that is opposite Multrees Walk. This part of the building is finished in stone and is similar in design to the parts of the building at Register Square and Leith Street. There are two storey shop windows proposed and vertical windows to storeys above.

Along James Craig Walk the design echos that proposed for Elder Street. In between the Elder Street and James Craig Walk elevations is the Central Hotel. This part of the scheme is being assessed separately.

Overall the building is 97.125m high when measured against OS datum (which is roughly sea level).

Cycle access is provided through the development. A 24 hour route for cyclists and pedestrians will be provided through the centre from Little King Street to St James Square. It is expected that cyclists would dismount when crossing the galleria.

The building will be serviced via a largely underground service route. This skirts the perimeter of the car park and allows lorries to deliver to shops etc. Delivery vehicles will enter at St James Place near Elder Street and exit onto Leith Walk.

Car park vents are located at nine locations with one vent on the façade fronting Leith Street, two located on the northeast façade on St James Place and six located on the northwest façade on St James Place. The ventilation system for this will control where air from the car park is expelled to in order to mitigate effects of atmospheric pollution.

The landscape design includes York stone paving to footways and new granite setts for carriageways. There are trees proposed at James Craig Walk, the new Register Square and at the proposed square at Little King Street. The proposal for St James Square is to create a pattern of pentagon shaped setts of varying tones of grey. At the St James Place, tarmac is proposed for the carriageway.

Surface water is attenuated using the roofs at level five of the development.

Supporting Statement

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

- Explanatory Statement;
- Quantum of Development Schedule;
- Window Cleaning + Maintenance Strategy;
- Design Statement (split into 10 parts);
- Illustrative Masterplan (split into 3 parts);
- Inclusive Design Review;
- Supplementary Environmental Report (split into 4 parts);
- Supporting Transport Statement (split into 3 parts);
- Surface Water Management (split into 2 parts);
- Statement on Limestone as External Material;
- Stone Finishes-Selection Report June 2015;
- Public Realm Strategy;
- Statement on Limestone; and
- Energy Centre NOX Emissions

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

3.2 Determining Issues

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The principle of the development is acceptable;
- b) The proposal, including its design, preserves or enhances the character of the conservation area;
- c) The proposal, including its design, preserves or enhances the setting of the listed buildings;
- d) The proposal, including its design, has any impact on the Outstanding Universal Value of the World Heritage Site;
- e) The materials are acceptable;
- f) The proposal preserves adequate amenity for neighbouring development;
- g) The proposals provides adequate amenity for future occupiers;
- h) Environmental impacts are acceptable;
- i) Transport impacts are acceptable;
- j) Economic Impacts are acceptable;
- k) Any impacts on equalities or human rights are acceptable; and
- l) Comments raised have been addressed.

a) Principle

The principle of the development is established by the outline planning permission to which this application for approval of matters specified in condition relates. In terms of the building form, the proposed uses and routes through the development, the proposal accords with the outline planning permission.

As part of the application a cinema is proposed. The outline planning permission (08/03361/OUT) to which this AMC application relates included within its description leisure and culture (Class 10 and Class 11). The Town and Country Planning (Use Classes) (Scotland) Order 1997 includes cinema use specifically within use class 11. So, while cinema was not specifically set out in description of development, it does fall within the ambit of the outline planning permission.

Furthermore, Policy Ret 6 - Entertainment and Leisure Developments - Preferred Locations, provides policy support since the cinema use integrates into the development. It is compatible with surrounding city centre uses and would not be to the detriment of nearby residents. As it is in the central area, it is consistent with the sequential, town centre first, approach set out in Scottish Planning Policy. The proposed cinema is therefore acceptable.

Office accommodation is not now proposed. While its inclusion would be beneficial to the economic development of the city, there is only a finite amount of floor area that can be provided in the development. The other uses, particularly retail, will provide significant economic benefit. The exclusion of office is therefore acceptable.

Overall, subject to other policy considerations, the development is therefore acceptable in principle.

b) Impact on the New Town Conservation Area

The New Town Conservation Area Character appraisal states that: *In its location, height and bulk, the St James Centre is a particularly obtrusive development.* It is specifically highlighted on the map in the Character Appraisal as an *intrusive feature*.

Describing the skyline, the Character Appraisal states: *While there are a considerable number of prominent buildings and focal points in the area, the sloping topography means that punctuation above the skyline is limited. The features that are prominent and can be seen from many parts of the area are the Old Town Ridge, Calton Hill with its monuments, and St Mary's Cathedral. Sitting alongside Calton Hill, the concrete development of the St James Centre forms an obtrusive element that can be seen from many points.*

The existing St James Centre complex has a considerable negative effect upon the conservation area. The building, being taller in height and alien in form to the buildings of the New Town, erodes its cohesion. It detracts from the city's skyline. The main external building material of dark grey/brown textured concrete does not harmonise with the natural sandstone that is the prevailing building material in the New Town. The centre engages poorly with the surrounding streets, offering little in the way of active frontages to the important thoroughfare of Leith Street or to James Craig Walk.

The height and form of the proposed building is consistent with the height and form established by the outline planning permission. The form in general, replicates aspects of the form of the historic buildings that were lost when the St James Centre was originally constructed. The form and height of the building is therefore acceptable.

The building is positioned to form street edges, with the building sitting next to the footway on Leith Street and widened James Craig Walk. On these streets an active frontage is provided at street level via a series of small shops, entrances into the centre and shop windows. The potentially negative effect of service egress and car parking entrance / exit is mitigated by the inclusion of gates which will help screen the interiors of these spaces. Pre cast concrete is used on the return walls in these locations which will create an attractive finish.

The building's elevations are designed to echo traditional Edinburgh buildings. The facade to Leith Street for example, is broken up into series of panels which are similar to the size of an individual tenement. The windows have vertical proportions and the stone is broken into horizontal courses that are around the same height as those on nearby buildings.

The proposed roof landscape design includes trees. These will soften the appearance of the building and add to its interest.

The proposed materials will have an effect on the special character and appearance of the conservation area. The materials are assessed in section e) separately below.

With the exception of materials, the proposed development will overcome many of the negative effects of the existing buildings and as a result would enhance the character and appearance of the conservation area. Provided satisfactory materials can be used, the proposal complies with policy Env 6 - Conservation Areas - Development.

c) Impact on the Setting of the Listed Buildings

There are a number of listed buildings around the site. Policy Env 3 - Listed Buildings - Setting requires that the proposed development is not detrimental to the appearance or character of a listed building or to its setting. Setting should be thought of as the way in which the surroundings of a historic asset or place contribute to how it is experienced, understood and appreciated.

The general form of the development is established through the planning permission in principle. This form improves the setting of listed buildings around the site. For example, the reinstatement of buildings along the heel of the footway of Leith Street makes the street two sided, in a similar way to how it was originally designed. This helps the understanding of the listed buildings along it.

The proposed Register Square, emphasises the importance of Register House as a key building within the city, creating a layout of buildings that responds to the geometry of the building itself. While views to Register House will be more restricted from Leith Street, this is acceptable. There were tenements in this location prior to the existing St James Centre being built. The form of the proposed building allows a greater view than was possible when these tenements were in place. This is shown in the design statement.

The reinstatement of St James Square, albeit in a different form, allows the historic buildings of James Craig Walk to be better understood and experienced. The changes in level here, which will more closely match the historic ground level, create a further improvement.

With its reconstituted (rather than natural) stone elevation, large number of service doors and comparatively fewer windows, the design of the building along St James Place has a more functional appearance than other parts of the design. St James Place is a lesser street within the development site however. It provides rear access to buildings along York Place and allows views to the backs of these buildings. The new design, being an improvement on the unattractive existing multi-storey car park that sits along the street, enhances the setting of the listed buildings in this vicinity.

The impact on the setting of listed buildings is acceptable.

d) Impact on the World Heritage Site

The Outstanding Universal Value (OUV) of the World Heritage Site (WHS) is expressed in the Statement of Significance adopted by the World Heritage Committee of UNESCO.

The New Town, and the high quality of its architecture, set standards for Scotland and beyond. Along with the Old Town, it forms a dramatic reflection of significant changes in European urban planning. The WHS has significant integrity. It encompasses significant town-planning components, including layout, buildings, open spaces and views, that demonstrate the distinctiveness between the organic growth of the Old Town and the planned terraces and squares of the New Town with the wide landscaped valley between. The level of authenticity in Edinburgh is high. Individually the high-quality buildings of all dates have been conserved to a high standard and the layout of streets and squares maintain their intactness.

The new development will integrate well with the planned New Town, reinforcing and improving Leith Street, connecting with Princes Street and Multrees Walk and allowing new and easier connections between the new St James Square and Little King Street.

The building, with its vertical windows and appearance that takes its cue from historic Edinburgh buildings, has a degree of architectural integrity - being clearly modern, and of its time, in its design.

With the exception of the proposed materials, which are assessed separately in section e) below, the proposal has an acceptable impact on the OUV of the World Heritage Site.

e) Materials

The applicant proposes a range of materials including limestone, reconstituted stone, metal cladding (PPC aluminium), zinc cladding, curtain walling and zinc roofing. With the exception of limestone, these materials are acceptable for the Conservation Area and have an acceptable impact on the setting of nearby listed buildings.

Limestone is not a material widely used in Edinburgh and in particular, the New Town. Both old and new buildings in the New Town typically use sandstone. The continued use of sandstone spans 250 years, from the inception of the New Town, with buildings like Register House, right through to recent developments like Multrees Walk and Harvey Nicols. While there are a variety of different architectural styles in the immediate location, it is the use of sandstone that provides a unifying effect.

The applicant makes a strong case for the use of limestone. Reports and other information have been submitted which set out this case in full. These are available online. The *Stone Finishes - Selection Report June 2015 Appendix 1* provides a useful summary of the different stone types that the applicant has examined the potential for. The applicant cites the durability of the material, its availability and visual quality as key factors in it being appropriate. There is no doubt that limestone is a high quality material. It is used extensively in locations throughout the UK and in certain buildings in Edinburgh.

While it is accepted that limestone can be selected so that it has a similar colour to freshly cut sandstone, it does have a different weathering characteristic and appearance to it. Typically limestone lightens whereas sandstone darkens with weathering. Depending on the finish, limestone can have a shinier appearance than sandstone which would be matt. There can also be evidence of fossils in limestone that would not normally be seen on building sandstones.

In Edinburgh there are two examples of limestone that are illustrative in this regard: the Council's office at Waverley Court and the recent Atria building on Morrison Street.

Waverley Court has weathered so that it is now a lighter colour than it was when installed. Technical information supplied with the St James application suggests that the lightening of the limestone will cease after an initial period. The Atria building is more recent and uses a darker/warmer coloured limestone than Waverley Court. When seen alongside nearby sandstone buildings, it does have a different character. This difference will increase over time as the neighbouring sandstone buildings darken down with weathering. Waverley Court is in the Old Town, where there is a much greater mix of materials than the New Town. The Atria building is in the West End Conservation Area but is not next to the World Heritage Site.

The existing building is finished in concrete. As is widely regarded, this material, that is alien to the New Town, has a detrimental impact upon it. It is important that the decision on the materials proposed at this time does not make the same mistake that was made in relation to materials used for the original St James Centre.

If approved, the building will be around for decades, perhaps hundreds of years. This means the decision on materials has long term consequences. The extent of the St James Centre and the sensitivity of the historic built environment it sits within mean that it is vital to ensure that the main external building material is chosen to preserve or enhance the characteristics of the building's surroundings. The extensive use of limestone would detract from that character, being alien in its appearance and weathering characteristics.

A condition is therefore recommended which states that limestone is not accepted. The reason for this is to ensure that the building integrates appropriately with the surrounding historic built environment.

This condition will allow the applicant a further opportunity to consider the external material and how it should be designed into the building's elevations. For example, it may be possible to use sandstones from different sources on different parts of the building.

If the building continues to be expressed architecturally as a masonry building, it is very important that sandstone is used on the facades along Leith Street, James Craig Walk, Elder Street and its corner with St James Place, at the top of Little King Street and at Register Square. The use of sandstone is not so important at external areas above the galleria. In other areas, reconstituted stone or limestone may be appropriate.

A more radical approach, would be to use materials that are wholly different to natural stone for some elements of the building. Such an approach is already evident on parts of the proposed building, for example the sections along Leith Street that are finished in metal. This could be progressed through a further AMC application for the design of the relevant elevations.

f) Amenity of Neighbouring Development

Daylight and sunlight

The building form determines the amount of daylight and sunlight that will reach neighbouring properties. The form of the development was established with the Outline Planning Permission. When the Outline Planning Permission was assessed it was found that in the context of the scale and location of the proposal, the development would not have an unacceptable impact on neighbouring daylight. Similar considerations apply to sunlight where it was found that the development would not have an unacceptable impact on neighbouring sunlight. The form of the proposal accords with the form approved at the outline stage. There has been no material change to planning guidance since that time. The impact on daylight and sunlight to neighbouring properties is therefore acceptable.

Privacy

The building comes closest to existing homes at James Craig Walk where it is around 12.5m from neighbouring windows at 23 and 24 St James Square. These windows are in the gables of the building.

The Edinburgh Design Guidance states that the pattern of development in an area will help to define appropriate distances between buildings and consequently privacy distances. The distance between the buildings is generally established by outline planning permission. It is the same as the existing St James Centre and follows the line of the tenement that stood at this location before the existing St James Centre was built. It is necessary to include windows in the new elevation to provide natural light to the building. While there may be some impact on the privacy of the existing dwellings, because the building is laid out to follow the historic alignment of buildings, the existing windows are limited in number and are on a gable, and because they are facing onto an existing street, the impact on the privacy of existing dwellings is acceptable.

g) Amenity of Future Occupiers

Daylight

The new flats are located on the top 3 levels of the building. Because of this, there is unobstructed skylight and the levels of daylight will be good.

Sunlight

Some of the flats face north and so will not obtain much direct sunlight. However, these flats will benefit from the ability to look out onto sunlit views across the north of the city and towards the Firth of Forth. This view will compensate for any shortcomings in relation to sunlight.

Privacy

Most of the windows for the new flats will be farther than 18m apart or farther than 18m from existing windows. These therefore have adequate levels of privacy. In some instances, windows are closer together. Typically, these windows are to secondary rooms within the flats such as bedrooms where it will be possible to put up blinds or curtains if privacy is required. The guidelines have a degree of flexibility in their application to allow for situations such as this.

The windows on the existing flats at James Craig Walk which are described above are lower down so any views from these windows to the new flats will be limited and would not adversely affect the privacy of the new development.

Housing mix

Of the 143 flats proposed, 57% are one bedroom, 29% are two bedroom, 13% are three bedroom and 1% are four bedroom. While the proportion of three and four bedroom dwellings falls short of the 20% of homes for growing families that the Edinburgh Design Guidance seeks, these flats are very large. In particular, the average size of two bedroom flats at 105 sq m is larger than the minimum sought by the Design Guidance for three bedroom flats which is 81 sq m. The average sizes of the three and four bedroom flats are 151 sq m and 202 sq m respectively. As the flats will all be accessible by lifts they would provide good levels of accessibility and would be more accessible than flats in traditional tenements.

The flats therefore meet the policy requirements of Hou 2 - Housing Mix.

Open Space

Policy Hou 3 - Private Open Space - requires 10 sq m of open space to be provided each flat. There are 50 flats that have their own terrace. The average size of these terraces is 59 sq m.

In addition there is private communal space. In block A, this is 980 sq m which equates to 21 sq m for each of 46 the flats without terraces. In block B, there is 235 sq m which equates to 5 sq m for each of the 47 flats without terraces. While this figure is below the 10 sq m required by policy, this has to be considered alongside the context of the development. Nearby there is Princes Street and St Andrew Square Gardens as well as Calton Hill. The flats will be well served by good quality public open space in the vicinity. This offsets any deficiency in open space within the development itself.

The level of open space proposed is therefore acceptable.

h) Environmental Impacts

Air quality

There are air quality impacts resulting from the car park and the proposed combined heat and power facility.

In its consideration of the 08/03361/OUT outline planning application, Environmental Assessment stated its *opinion that certain elements of these proposals will produce adverse impacts on Local Air Quality*. Environmental Assessment maintain this concern and would prefer the car park extracts are put at a higher level. Within the scope of the design proposed, such an approach is not possible. Taking into account that the decision on the outline planning permission took into account the air quality impacts, it is not reasonable to require further mitigation measures at this stage.

Noise

Provided the conditions for the outline planning permission (08/03361/OUT) are met, the noise impacts are acceptable. These conditions remain in place and so the development will be obliged to follow them.

Drainage

The proposals for drainage and SUDS are accepted. SUDS is incorporated into the level 5 roof and so some water from the development will be attenuated before it reaches the below ground drainage system. This is an improvement on the current situation and is therefore accepted.

Sustainability

Sustainability was assessed under the 08/03361OUT application and found to be acceptable. The development will need to meet the requirements of the Building (Scotland) Regulations. The requirements in relation to energy use have become more onerous since the development was granted outline planning permission. The development is acceptable in relation to sustainability.

Waste

Underground bins are proposed near 23 - 26 St James Square. In comparison with above ground bins, these will enhance the area, being more discrete and unobtrusive.

i) Transport

The level of car parking proposed (at 1800 spaces) is consistent with the outline planning permission and is therefore acceptable.

There have been objections about the proposals for cycling.

On Leith Street as far up as its junction with Calton Road, a segregated cycle route is proposed. Objectors would prefer this is continued to Princes Street. This is not possible at this time for three main reasons. Firstly, at its Princes Street junction, Leith Street is narrow. This restricts available space. Secondly, the needs of other modes of transport have to be met. The street is a major north/south route through the city centre. It accommodates buses as well as cars and other vehicles. Bus lanes are needed to ensure that the public transport network can move as freely as possible. Once bus lanes are included, additional lanes are needed for vehicles other than buses, cycles and taxis. Combined with the pavements, this means that there is not enough space overall to provide a segregated cycle route within this part of the street. Cyclists will be able to use bus lanes. Thirdly, the form of the building has planning permission as a result of the outline planning permission. Given this, and that it is appropriate to reinstate the building at this position on Leith Street from an historic environment perspective, it is not possible to make the street wider.

While it may be possible to implement further measures to improve cycle accessibility along Leith Street in future, it is not possible at this time. Such an approach would need to be implemented along with a strategy for the wider area including potentially Princes Street and North Bridge.

Elder Street provides access to Edinburgh Bus Station, existing development at James Craig Walk, and would provide both service access and car park access to the proposed development. The current proposals are not fully resolved and do not cater for the needs of pedestrians adequately. All works to the road network will require appropriate transport consent and orders. To ensure that these matters can be progressed satisfactorily a condition is recommended which makes clear that design at the Elder Street area is not approved. This will enable further design work to be carried out and will allow a further AMC application to be made for this specific area.

The routes through the development will be attractive for pedestrians. The Little King Street to St James Square route that both cyclists and pedestrians can use is also acceptable.

The general design of the hard and soft landscape to public spaces is acceptable, the design responding positively to the historic context with the extensive use of traditional materials.

Further design work is required for the proposed temporary access on Leith Street that would be used during construction works. To ensure that this is carried out, a condition is recommended.

The street furniture, including seating in the square, will enhance the usability of public spaces.

It is proposed cyclists can use routes such as James Craig Walk. The necessary orders and consents required via transport legislation will ensure that the needs of pedestrians and cyclists are balanced and that public safety is considered in appropriate detail.

Subject to recommended conditions and informatives, the transport impacts are acceptable.

j) Economy

The development will provide significant economic benefit to the city, through the creation of new jobs. The delivery of this retail floor space and associated uses is projected to significantly enhance the retail and hospitality offering of Edinburgh city centre, which currently underperforms relative to other European cities.

Additional economic benefits include: attracting additional retail expenditure to Edinburgh; bringing people with barriers to employment into employment and training; and, animating presently under-used spaces.

Economic Development expresses a desire that the development should not prejudice the ability to improve future connectivity between James Craig Walk and Register Lanes. The proposals do not show this. Such a connection, would be dependent on adjacent sites, under different ownership. Work is ongoing to secure future connections. If planning applications are required as a result of this, these can be progressed in the normal way. There is therefore no impediment to future connections being formed. An informative is recommended that highlights the issue of connectivity.

k) Equalities and Human Rights

In relation to equalities, the development will improve accessibility for disabled people. Entrances into the centre will be provided at grade throughout the development. There will be lifts, escalators and stairs to provide access internally. All people will be able to use the development and the environment created around it. This means there are no adverse impacts on equalities in relation to age, gender identity, marriage/civil partnership, pregnancy / maternity, race or religion/belief.

In relation to human rights, the development will promote health by being accessible to pedestrians and cyclists. There will be significant job opportunities which will help reduce poverty within the city. Physical security will be promoted through creating a development that provides passive supervision to the spaces and streets around it.

There are no adverse impacts in relation to legal security, education and learning, standard of living, productive and valued activities, individual, family and social life, identity, expression and respect, and participation, influence and voice.

l) Public Comments

Including from the Cockburn Association, Spokes, CTC Lothians Cycle Advocacy.

Material representations

Principle

- redevelopment of site supported.
- loss of office use not good - is most highly accessible location in S.E. Scotland City Region - addressed in section 3.3 j).
- lot of retail proposed when High Streets are declining (Fraser Review) - addressed in section 3.3 i).
- office use part of economic justification at outline stage and should be trialled until lack of demand is proven - addressed in section 3.3 j).
- extent of cinema use unclear, different areas referred to in different AMCs - addressed in section 3.3 a).
- already sufficient cinema provision in city, more would affect viability of Fountainpark - addressed in section 3.3 a).
- student housing opposite St James Square would increase vitality and safety - This use is not proposed. Uses are addressed in section 3.3a).

Historic Context

- change in ground level beside St James Square tenement (listed building) may adversely affect fabric of building - This is a structural issue. Structural issues will be addressed in application(s) for building warrant. The change in level is addressed in section 3.3 c).
- proposed trees on upper levels distort the reading of Calton Hill - addressed in section 3.3 b).

Design

- problems with existing St James Centre not fully addressed in this design - addressed in section 3.3 b) to e).
- aspects of the design are good - addressed in section 3.3 b) to e).
- pedestrians should have priority in the public realm - addressed in section 3.3 i).
- lighting should be part of design strategy for whole of St James site to avoid garishness - this is being assessed under the related application reference 15/01742/AMC.
- mixed views about rotunda - this is being assessed under related application reference 15/01858/AMC.
- entrance design flawed and will adversely affect views - addressed in section 3.3 c).

- removal of pedestrian bridge over Leith Street will improve views and street vitality - this was accepted through the 08/03361/CON conservation area consent.
- only buff sandstone should be used for cladding and the use of limestone cladding not justified - addressed in section 3.3 e).
- lack of active frontages onto neighbouring streets is very disappointing - addressed in section 3.3 b).
- inward focus of design is a flaw - the general arrangement of the design including the notion of a galleria was established by the outline planning permission reference 08/03361/OUT to which this AMC application relates.
- vehicle entrances off Leith Street are incompatible with street narrowing and creating active frontages - entrances here were accepted through the 08/03361/OUT outline planning permission.
- all vehicle entrances should be from Elder Street and St James Place - addressed in section 3.3 i).
- east façade - elevation treatment is disconnected from interior use - the design of this is addressed in section 3.3 b).
- blank shopping centre appearance and content opposite St James Place should be amended - addressed in section 3.3 c).
- exclusion of mall areas and link bridges from ancillary space total is 'creative accounting' - the uses are addressed in section 3.3 a).
- future adaptability - want evidence that buildings can adapt to change (e.g. - conversion from retail) - A building of this scale will undergo change during the course of its lifetime and so will be adaptable.
- cinema location results in unnecessary loss of view and daylighting opportunities - height and form addressed in section 3.3 b).
- no evidence gallery will meet the high aspirations suggested (including public space, breadth of walkways, views to other floors of retail, unclear detailing and finishes- addressed in section 3.3 i).
- design of mall appears to be a shopping mono-culture and not clearly integrated into other site aspirations - routes addressed in section 3.3 i), use addressed in section 3.3 a).
- building envelope, including underground boundaries, increased unduly from outline permission (including permitted deviation), particularly near St James Square - addressed in section 3.3 b).
- proposed public realm sett pattern will date quickly - design of this generally addressed in section 3.3 i).
- proposed street furniture will diminish formality of setting and hamper use of space - addressed in section 3.3 i).

Amenity

- car park vent near existing tenements would have adverse air quality and noise impacts for occupants - addressed in section 3.3 h).
- venting inconsistent and possibly misleading in plans. Beside St James Square, unclear whether intake or exhaust vents from car park - addressed in section 3.3 h).
- lack of detail about purpose and impact of underground waste bins at rear of 23-26 St James Square (recycling, noise, smell, drainage impacts) - addressed in section 3.3 h).

Transport and parking

Cycle

- general lack of consideration given to cyclists in application - addressed in section 3.3 i).
- consistent, high quality, segregated cycle routes essential, including for safety - addressed in section 3.3 i).
- cycle lane, cycle parking and cycle accessibility provision is insufficient and fragmented (particularly on Leith Street) - addressed in section 3.3 i).
- should be segregated cycle lanes on both sides of Leith Street for full length, continued to Princes Street and link with Leith Walk - addressed in section 3.3 i).
- if full cycle lanes not included now - opportunity lost - addressed in section 3.3 i).
- lack of high quality cycle provision here may undermine other cycle projects, would not benefit health and well-being - addressed in section 3.3 i).
- north-south cycle route positive, but should clarify connections with roads- addressed in section 3.3 i).
- proposed cycle route along James Craig Walk should be segregated and not impede pedestrians- addressed in section 3.3 i).
- no direct cycle route from St Andrew Square to Leith Walk(losing opportunity to join George St pilot cycle track)- addressed in section 3.3 i).
- Multrees Walk should be opened to cyclists - addressed in section 3.3 i).
- east-west cycle route through galleries positive, should be carefully designed, clearly signed- addressed in section 3.3 i).
- cycle parking needed outside shops and other destinations and storage in line with CEC Guidelines - addressed in separate application 15/01742/AMC.
- cycle hub needed, discussed with developers, not shown on plans, should be a requirement of permission - addressed in section 3.3 i).

Resident parking

- loss of residents parking at St James Square inequitable, especially given access and parking for new hotel - a condition is applied recommending that the arrangements at Elder Street are not approved. Appropriate transport orders and consents will be required for on street parking.
- insufficient access and parking proposed at St James Square for existing residents, visitors, emergency services and the infirm and disabled - addressed in sections 3.3i)and 3.3k).
- parking provision for existing residents at St James Square is unclear, especially as boundary of square is not clear on the application - a condition is applied recommending that the arrangements at Elder Street are not approved. Appropriate transport orders and consents will be required for on street parking.

St James Square bus stop

- bus stop at St James Square unnecessary and would have adverse impact on neighbours as well as detracting from character of new square and having impacts on emergency and other access - any requirement for bus parking would require an appropriate transport order.

Other

- top of Leith Street should be free of private motor traffic, with few exceptions - addressed in section 3.3 i).

- removal of Leith Street Central barrier positive.
- public transport should be prioritised over private cars in public interest - addressed in section 3.3 i).
- amount of vehicle parking proposed is far too high and contrary to planning policy, including active travel - addressed in section 3.3 i).

Environmental impacts

- flooding and drainage - addressed in section 3.3 h).
- details of surface water management plans differ from architect's plans of same period - surface water addressed in section 3.3 h).
- ground height adjacent to St James Square inconsistently referred to in plans (and other application (14/05147/FUL) and could have flooding impacts - drainage addressed in section 3.3 h).
- development may alter water table and water flow, to detriment of adjacent property - drainage addressed in section 3.3 h).
- poor air quality already a big problem - cycling and walking should be prioritised over cars- addressed in section 3.3 h).
- whether intake or exhaust vent, need an assessment of the noise or environmental impact of having a vent in the location beside St James Square - environmental impacts addressed in section 3.3 h).
- Supplementary Environmental Report (Appendix C) does not mention vents on James Craig Walk or St James Square (or Elder St) - addressed in section 3.3 h).
- Supplementary Environmental Report Appendix C, table A1.1 inconsistent with application plans regarding venting details - addressed in section 3.3 h).
- basis of Waterman's Environmental Report queried, especially regarding venting and air quality - addressed in section 3.3 h).

Equalities and human rights

- loss of parking for disabled at St James Square - addressed in section 3.3 i).
- insufficient access and parking proposed at St James Square for parents of young children, the infirm and disabled - addressed in sections 3.3i) and 3.3k).
- ground levels beside St James Square may alter or need a step, which would disadvantage the disabled - addressed in section 3.3 b) and k).

Application documents

- inconsistent and incorrect naming of places (e.g. St James Square also called 'James Craig House' and 'St James House; reference to unknown 'James Craig Court') on plans is unnecessarily confusing and misleading – The plans are sufficiently accurate to assess and determine the planning application.
- submitted plans inconsistent with each other and with related applications - The plans are sufficiently accurate to assess and determine the planning application.
- submitted plans do not clearly show cycle routes through the development - The plans are sufficiently accurate to assess and determine the planning application.

- boundaries of Elder Street, St James Square and James Craig Walk are not clear on submitted plans, leading to difficulties in interpreting the application - The plans are sufficiently accurate to assess and determine the planning application.
- venting details inconsistent with outline application, this not addressed by applicant - The plans are sufficiently accurate to assess and determine the planning application.
- car park levels appear deeper than shown in consultation for outline (08/-3361/OUT) - The plans are sufficiently accurate to assess and determine the planning application.
- scaling of documents inconsistent and unreliable - The plans are sufficiently accurate to assess and determine the planning application.
- paper plans not available at CEC offices on 9 January 2015 (available when next visited). The plans were available on line on that date.

Consultation

- community consultation on application poor quality and insufficient - Public representations are considered. There is no statutory requirement for further public consultation on this type of application.

Notice and access

- notice from CEC on 8 January 2015 did not specify final date for representations (in contravention of Regulation 18 (3) (g) of the Town and Country (Development Management Procedure) (Scotland) Regulations 2013) - The Council is satisfied that the notice was appropriate.
- newspaper notice in Edinburgh Evening News on 9 January 2013 did not have a date by which representations to be made, in contravention of Regulation 20(1) and Schedule 4, at Note 5 of the 2013 regulations - The Council is satisfied that the notice was appropriate.
- no street notices on 12 January 2015 - These were installed in accordance with the requirements.

Waste

- southern sewer route preferred – waste addressed in section 3.3h) sewer routes not a planning matter.
- waste collection details from James Craig Walk tenement unclear - addressed in section 3.3h).
- swept path analysis for refuse vehicles imprecise - addressed in section 3.3h).
- details of underground waste bins insufficiently precise (including amenity impacts) - addressed in section 3.3h).

Other

- phasing scheme needed to address risks to public and the city - how the development is constructed will be considered by the developer.
- partial closure of mall at night is contrary to CEC 2007 design brief - route is assessed as acceptable as addressed in section 3.3i).

- undue cumulative adverse impact on St James Square (including impacts relating to access, parking, vents, waste storage, bus stop and flooding).

Non material representations

- construction may damage neighbouring buildings - addressed by other legislation.
- adverse effect on property value.
- emergency access may be impeded if automatic bollards not reliable - this is maintenance issue for bollard proprietors.
- CPO'd (Compulsory Purchase Order) land not necessary to complete development. Extra-large vent opposite listed tenements may have been used to justify CPO - The CPO is being progressed separately from this application. There has been an opportunity for objection to that CPO.
- air quality in basement carpark - not within planning remit.
- scheme finances not transparent and may involve payment of substantial monies to developer, which casts doubt on CEC impartiality in dealing with application.

Community Council Comments

The New Town and Broughton Community Council broadly supported redevelopment of the site, while setting out a number of concerns about the proposal. The issues raised are:

Design

- gallery design and public realm improvements planned for Little King Street are positive.

Traffic and pedestrian

- high level of new parking and traffic on Leith Street seem contrary to improving streetscape and pedestrian amenity - addressed in section 3.3i).
- traffic volume accessing/ exiting development from Leith Street should be restricted - addressed in section 3.3 i).
- service vehicle route through to Leith Street pragmatic but should be left turn exit only onto Leith Street - addressed in section 3.3 i).
- exclusive vehicular access/ egress for (approximately 175) residential units through Little King Street is inconsistent with primary key pedestrian use of street - addressed in section 3.3 i).
- support maximum connections between new St James Square and West Register Square - addressed in section 3.3 i).

Leith Street character

- welcome desire to create active frontages on Leith Street, disappointed not more being done to address this - addressed in section 3.3 b).

Use

- loss of office space not supported (there is strong demand; potential loss of vibrancy and diversity; contrary to initial economic justification at outline stage). Office use should be trialled until lack of demand is evidenced. - addressed in section 3.3a and 3.3j).
- given retail volume proposed, future adaptability of use should be provided for - A building of this scale will be adapted during the course of its lifetime.

Materials

- have concerns about concrete panels on secondary facades - addressed in section 3.3 e).

Phasing

- Outline phasing approach for construction should be developed to address economic risks - how a building is constructed is not relevant to planning.

The Community Council also commented on demolition and construction phasing in relation to impacts on residents. This is not a planning matter.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Notwithstanding the approved drawings show the use of limestone as a treatment on certain external facades, this material is not approved as an external finish for the building on the elevations to Leith Street, the top of Little Kings Street, St James Place at its corner with Elder Street, Elder Street, James Craig Walk and the proposed Register Square.
2. Notwithstanding the approved drawings show a road layout at Elder Street and its junctions with York Place and St James Place, the road layout at this location is not approved.
3. The proposed temporary access from Leith Street is not approved.

Reasons:-

1. In order to ensure the development integrates satisfactorily into the surrounding context of the built environment.
2. In order to ensure the road layout is acceptable in relation to design and safety.
3. In order to ensure there is no undue impact on general traffic and safety on Leith Street.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
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. A further application for approval of matters specified in condition shall be required for the road layout at Elder Street and its junctions with York Place and St James Place.
5. Notwithstanding the treatment (including the information shown on landscape drawings) to roads and footways is approved, appropriate consents and orders as necessary in relation to transport and roads legislation. Should any design changes occur which mean that the design of the roads and footways is materially different to the approved drawings, a further application or applications for approval of matters specified in condition will be required in respect of those changes.
6. Prior to the commencement of works on site, in accordance with condition 15 of the outline planning permission to which this application relates (reference 08/03361/OUT) the design and full specification of all traffic controlled junctions and crossings require to be approved by the Council;
7. Details of surface water and drainage arrangements related to roads will require to be submitted in an application or applications for Roads Construction Consent (RCC) as necessary.
8. Details of the access arrangements of the hotel require to be submitted in an application or applications for Roads Construction Consent (RCC) and Traffic Regulation Order as necessary.
9. Details of street furniture, including lighting design, will require to be submitted in an application or applications for RCC, as necessary.
10. TRAMS - Important Note: The proposed site is on or adjacent to the Edinburgh Tram which is now operational. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway.

However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:

- Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;
 - Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;
 - Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;
 - Any excavation within 3m of any pole supporting overhead lines;
 - Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use;
 - The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line; and
 - See our full guidance on how to get permission to work near a tram way.
11. Pedestrian connectivity between the St James Quarter and the Register Lanes area should be further explored between the applicant and neighbouring landowners.
 12. Notwithstanding the condition regarding the external building material, limestone may be used in the interior of the development including the galleria that connects Register Square (near Princes Street) to Multrees Walk.
 13. Condition 12 of the outline planning permission 08/03361/AMC remains in place and proposals for sandstone and other materials will be subject to this condition.
 14. A further application approval of matters specified in condition will be required for alternative materials to limestone for the elevations where limestone has not been approved.

Financial impact

4.1 The financial impact has been assessed as follows:

The application site is subject of the St James Quarter Edinburgh (Number Two) Compulsory Purchase Order. The financial implications have been reported to the appropriate Council Committees separately.

There are no other financial implications to the Council resulting from this application.

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:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application meets 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 9 January 2015. Forty three representations were received of which 39 objected to the proposal. The remainder were broadly supportive.

Material Representations related to:

- Principle and use;
- Design and materials;
- Amenity and environmental impacts;
- Parking, traffic, emergency access, cycling provision;
- Leith Street character;
- CEC partiality;
- Application content, consultation and notification; and
- Equalities.

Non-Material Representations related to:

- Construction impacts;
- Maintenance;
- Property value; and
- Compulsory Purchase Order.

The New Town and Broughton Community Council broadly supported redevelopment of the site, while setting out a number of concerns about the proposal. The issues raised are detailed in the assessment and include:

- Design;
- Traffic;
- Leith Street character;
- Use; and,
- Materials.

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

Background reading/external references

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

**Statutory Development
Plan Provision**

The application site is identified in the Edinburgh City Local Plan as being within the Central Area. The site forms part of an identified Central Area Development Proposal (CA 1- St James Quarter). The site is also included in the St James Quarter Development Brief.

Date registered

19 December 2014

Drawing numbers/Scheme

01 - 109,

David R. Leslie

Acting Head of Planning and Building Standards

Contact: David Givan, Team Manager

E-mail:david.givan@edinburgh.gov.uk Tel:0131 529 3679

Links - Policies

Relevant Policies:

Relevant policies of the Proposed Local Development Plan.

Relevant Non-Statutory Guidelines

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings and landscape, in Edinburgh.

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

Non-statutory guidelines on 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

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

Relevant policies of the Edinburgh City Local Plan.

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

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

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

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

Policy Des 6 (Sustainable Design & Construction) sets criteria for assessing the sustainable design and construction elements of development.

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

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

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

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

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

Policy Env 11 (Landscape Quality) establishes a presumption against development which would adversely affect important landscapes and landscape features.

Policy Env 12 (Trees) sets out tree protection requirements for new development.

Policy Env 17 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

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

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

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

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

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

Policy Env 7 (Historic Gardens & Designed Landscapes) establishes a presumption against development that would be detrimental to Historic Gardens and Designed Landscapes.

Policy Hou 8 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

Policy Emp 5 (Hotel Development) sets criteria for assessing sites for hotel development.

Policy Ret 1 (City Centre Retail Core) sets criteria for assessing retail development in or on the edge of the City Centre Retail Core.

Policy Ret 6 (Entertainment and Leisure Developments – Preferred Locations) identifies the Central Area, Leith & Granton Waterfronts and town centres as the preferred locations for entertainment and leisure developments.

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

Policy Tra 4 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in supplementary planning guidance, and sets criteria for assessing lower provision.

Policy Tra 5 (Private Cycle Parking) requires cycle parking provision in accordance with levels set out in supplementary guidance.

Policy Tra 6 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

Policy Tra 7 (Tram) prevents development which would prejudice tram safeguards or identified tram routes.

Policy Tra 14 (City Centre Public Parking) outlines the circumstances in which car parks in the Central Area will be supported.

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

Appendix 1

Application for Approval of Matters Specified in Conds 14/05263/AMC

At St James Centre, Edinburgh, EH1 3SS

**Approval of matters specified in condition 23 (i), (iii), (vii),
(ix), (x), (xi), (xvi) and (xvii) of Planning Permission**

**08/03361/OUT relating to number of
residential/commercial/business units, design of external
features and materials, pedestrian and cycle access
arrangements, treatment to adopted roads or footways, car
parking venting, servicing, surface water and drainage, and
hard and soft landscaping details**

Consultations

Transport - response dated 10/06/2015

I have no objection to the proposed application subject to the following being included as conditions or informatives as appropriate:

1. *No works to be commenced until:*
 - a. *the design and full specification of all traffic controlled junctions, crossings and road layouts (Conditions 23(ix), 23(xi)) have been approved by the Head of Transport. Notwithstanding the submitted drawings showing the amended Elder Street / York Place and Elder Street / St James Place junctions, and the temporary service access on Leith Street, the road layouts at these location are not approved at this stage. Further applications for approval of matters specified in conditions will be required. Condition 15 is relevant;*
 - b. *the details of the surface water and drainage (Condition 23(xvi)) have been approved by the Head of Transport, including in relation to road construction consent;*
 - c. *the details of hard and soft landscaping including street furniture (Condition 23(xvii)), as they relate to roads, have been approved by the Head of Transport, including in relation to road construction consent;*
 - d. *appropriate road opening permits have been applied for and secured;*
2. *In accordance with Condition 15 of the outline planning permission (Ref.08/03361/OUT), the design and specification of all traffic signal controlled junctions and crossings require to be approved by the Head of Transport prior to commencement of works on site;*
3. *All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. Details of materials, layout, lighting, drainage, adoptable areas, barriers, bollards etc. to be provided;*

4. *Contributions: it is understood that agreement has already been reached on contributions in relation to the Edinburgh Tram. The applicant should note that a contribution of £2,000 for each of any required orders relating to stopping up, redetermination, waiting and loading restrictions, controlled parking, traffic manoeuvres, prohibitions etc. will be required;*

5. *Any further stopping up orders are to be progressed under Section 207 of the Town and Country Planning (Scotland) Act 1997 as required;*

6. *TRAMS - Important Note: The proposed site is on or adjacent to the Edinburgh Tram which is now operational. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:*

o Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;

o Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;

o Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;

o Any excavation within 3m of any pole supporting overhead lines;

o Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use;

o The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line;

See our full guidance on how to get permission to work near a tram way

<http://edinburghtrams.com/community/working-around-trams>

Reasons:

1. *In order to ensure that the design and safety of the proposed road layouts is acceptable. Note that Condition 15 states: the signalised junctions are to be designed in accordance with the relevant guidance and to be to the satisfaction of the Director of City Development. All works associated with the signalisation (including works such as lane markings, re-surfacing etc) shall be carried out at no cost to the Council;*

2. *In order to ensure that the design and safety of the proposed road layout is acceptable;*

3. *In order to ensure that the design and safety of the proposed road layout is acceptable;*

4. *----- [sic]*

5. *In order to enable the development to be carried out;*

6. *For the safety and convenience of road users.*

Natural Heritage - response dated 08/01/2015

The following comments have been prepared by the streetscape officer in relation to public realm and street design and also draw together comments on landscaping and natural heritage (provided by the specialists in the natural environment team).

The following comments are divided into street areas:

1] Elder Street and the entrance to St James from York Place. The impact of the roads design and arrangements to facilitate servicing and access to the carparks and bus station result in little improvement to the public realm from the current street scene. In particular there is little improvement for the pedestrian environment. From York Place, the connection with the street link through to Princes Street is not clear and welcoming with little sense of arrival. Further detailing of the proposals should consider opportunities to improve the environment in this location, providing an improvement in the materials used, to reinforce the boundaries and generally bring a greater sense of pedestrian priority.

2] Leith street- main entrance and link to West Register Street. The entrance space at the top of Leith Street should be as open and obstacle free as possible to allow people to move around more easily. The current design opens up the boundaries and this approach should be supported and maintained in the development of the detailed design.

The longer term opportunity to provide a connection/ link from this space through between the buildings that form the Register House complex is an important component of any future masterplan for the area, providing additional connections west into the city centre and providing greater permeability and options that are sadly lacking at the moment. The levels of the space and the proposed ramp alongside this space should be future- proofed (to ensure there are no service routes or underground impediments) to allow this connection to be considered and delivered in the future.

3] Little King Street. Access via Little King Street to the rear entrance to the centre is very steep and as currently proposed maintains the priority and dominance of the road space. Further detailing of the proposals should consider opportunities to reduce the gradient where this may be possible, but more importantly to make a stronger connection between the new square and the entrance to the centre. The quality of floor and boundary treatments of the road as it passes around the rear of the St James centre, past the listed building and entrance to cathedral Lane and behind the rear of the properties on York Place are not as high as the rest of the development. This is a key interface for the development and further consideration and details should be provided to ensure improvements and made, especially to the quality of materials and space to the setting of the listed buildings.

4] Roof Gardens- the proposals to introduce roof gardens as a concept is supported. The impact of the design of the roof gardens is significant as an integral part of the roofscape, and visible in the key views. The current geometric layout of green spaces will create a very fragmented pattern in these key views. Further detail should be provided on the arrangements, focussing on making the relationship of green to garden surface simpler, creating a stronger green infrastructure around which individual garden areas can develop. The use of sedum species and simpler palette of infrastructure planting species will be required.

5] Materials. The materials proposed for the public realm, granite, sandstone and whin, and the protection of original materials are suitable for the site. Further details/ samples of the materials and sizes of elements will be essential. Further details of how junctions will be resolved with existing materials and boundaries, such as existing setted streets, footways, thresholds and boundary walls and where materials will be retained.

6] Roads Design- Details of the TRO and RCC requirements must be provided in the context of the public realm drawings.

7] Delivery of the off-site connections and improvements to public realm outside the application boundary. The linkages through to West Register Street are essential to the success of the St James scheme. Consideration should be given to how these connections can be secured. Improvements to Cathedral Lane at the side of the Cathedral should also be considered as an integral part of the public realm plan.

8] Swift guidance. The guidance for swifts should be applied to this development (see enclosed details).

Affordable Housing - response dated 13/02/2015

1. Introduction

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

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

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

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

2. Affordable Housing Requirement

This AMC application relates to the outline application 08/0337/OUT for which there is a Section 75 Legal Agreement in place which assures that the affordable housing requirement is met. This agrees that the affordable requirement of 25% (41) homes of approved affordable tenures may be provided off-site.

The Section 75 requires that prior to the date of first demolition at St James, the developer acquire a site at a location to be agreed by the Council. Such site should be in an area where there is an affordable housing need and that this should be provided not later than twelve months prior to the first occupation at the principal site. The Section 75 also states that these affordable homes should be provided in perpetuity.

Therefore, this department confirms that providing the terms of the existing Section 75 are met, we are satisfied that the AHP requirement for St James will be met off-site at a suitable location as agreed by the Council .

Culture + Sport-Corporate Governance - response dated 29/01/2015

Please consider this as a contribution to the consultation on The StJames Quarter and improvements in the area of Picardy Place roundabout etc.

I've kept it brief for you.

- a) I welcome the forward thinking proposals for walking and possibly safely cycling through this 'hub' area.*
- b) I ask that full consideration should be given to meshing this proposal in with a complete, and safe walking and cycling corridor the full length of Leith Walk/Elm Row/Leith St, directly linking the communities on the north/north east quadrant of Edinburgh to the City Centre.*
- c) I note a disproportionately large car parking capacity is proposed, contrary to ATAP and other Council led initiatives to encourage people to a modal shift in travel methods.*
- d) More detailed proposals on how people will traverse and interact, through what will be a large and complex public space and transport node, would be welcomed.*

Flood Prevention - response dated 04/06/2015

On receipt of a technical note from Arup reference 232758-000 REP 0003, dated 20 May 2015, the Flood Prevention Unit has the following comments.

For a large development within a prestigious area of the City Centre it is disappointing to see that no significant SUDS features have been incorporated within the development. It is noted that cellular drainage will be utilised, with possible permeable paving, and the use of grey water to irrigate the soft landscape. However the use of green roofs, raingardens and extensive permeable paving would have been encouraged. Under SPP all new developments will require a level of SUDS treatment. It is recommended that the planner consult with SEPA to obtain their view on the level of treatment provided.

No plans have been submitted to this Unit with regards to the drainage system given that it is entirely enveloped within the structure of the building. Therefore the developer will be relying upon approval from building control. There is no capacity with this proposal for this Unit to assess the development in terms of flood risk.

Arup notes that the additional attenuation and proposed limited SUDS structures will bring some betterment to the site in comparison to the present situation. This is welcomed.

Economic Development - response dated 05/06/2015

The following are comments from the City of Edinburgh Council's Economic Development service which relate to the planning application 14/05263/AMC for the development of 50,728m² of retail space; 12,897m² of food and drink space; 3,189m² of assembly and leisure space; a 210-bedroom hotel (partially covered by a separate application); a 52-bedroom apart-hotel; 143 residential units; 59,911m² of parking; and ancillary elements at the St James Quarter, Edinburgh.

Edinburgh's economic strategy, A Strategy for Jobs 2012-17 aims to achieve sustainable economic growth through supporting the creation and safeguarding of jobs in Edinburgh. A key element of delivering jobs-driven economic growth is the provision of an adequate supply of workplaces.

The St James Quarter is recognised by Economic Development as one of the most strategically important developments in Edinburgh. It is one of the Edinburgh 12 12 flagship projects with the potential to support large increases in employment and economic output. Economic Development has worked with the developer over a matter of years to help bring the development to fruition.

Commentary on existing uses

The site in question is currently occupied by the St James Shopping Centre (a 41,800m² shopping mall), the King James Hotel (a 143-bedroom three star hotel), New St Andrew's House (a 22,300m² derelict office building), St Andrew's Hall (a church hall), James Craig Court (a 65-flat student housing complex) and two multi-storey car parks providing a total of 547 places.

The existing St James Quarter is widely regarded as aesthetically unappealing, with its brutalist design jarring with the Georgian character of the New Town and detracting from both the surrounding World Heritage Site and the city skyline. The vacant New St Andrew's House sits immediately opposite the exit to Edinburgh Bus Station, giving a highly negative first impression of the city, while the lack of an active frontage on Leith Street detracts from that street.

The existing St James Shopping Centre is the primary shopping mall in Edinburgh city centre. As such, there is a clear role for the St James Shopping Centre in providing the modern, flexible retail space sought by retailers, complementing the historic units on Princes Street and George Street that, while occupying prime locations, are in many cases of a size and/or layout that makes them unsuitable for some retailers (in the same way as, for example, the Bull Ring in Birmingham interfaces with the traditional shopping thoroughfare of New Street). The St James Shopping Centre is currently failing in this role. Rather than complementing the retail offering elsewhere in the retail core, the St James Shopping Centre is mainly used by lower value retailers (with the key exception of John Lewis) as a less costly alternative (the St James Shopping Centre is unusual for a UK shopping mall in that rents are lower than rents on high street units elsewhere in the retail core). The redevelopment of the St James Quarter would enable it to fulfil the role its strategic location demands. The John Lewis annex of the St James Shopping Centre would be retained and would trade throughout the demolition and construction period.

New St Andrew's House is among the largest office buildings in Edinburgh. If fully let, a building of this scale could be expected to directly support approximately 1,858 full-time equivalent jobs. The building was completed in 1975 to serve as the headquarters of the Scottish Office, which vacated it in 1995 due to asbestos within the structure. The fabric of the building has since heavily deteriorated. The design and layout of the building do not meet the specifications typically sought by modern occupiers, which include open floor-plates and high energy efficiency. It is therefore considered highly unlikely that the building could be refurbished to grade 'A' standards.

The building could potentially be used to provide low-cost, flexible business space for small companies in the same manner as St Margaret's House on London Road and Argyll House on Lady Lawson Street, but it is unlikely that the rents and covenants this would command would be sufficient to make the large up-front investment needed to bring the building back to even minimal lettable condition attractive to a landlord. The design of the building is widely considered to be aesthetically unappealing and to make a poor contribution to the cityscape. It is therefore considered that the removal of New St Andrew's House for redevelopment is pragmatic in light of both the limited prospects for bringing the building back into productive use and the potential to replace the building with a more aesthetically appealing use.

The King James Hotel provides visitor accommodation in a strategic location proximate to Edinburgh's main retail and leisure offering and major public transport hubs. The hotel also offers conferencing facilities including a 250-guest function room and a restaurant and café. The main entrance and frontage of the hotel is on Leith Street, however the restaurant and café are located on the third floor of the hotel, reducing their visibility and accessibility to passers-by.

An economic impact assessment of the proposed St James Quarter redevelopment conducted by SQW in 2013 calculated that the existing St James Quarter directly supports approximately 1,054 full-time equivalent jobs and £36.9 million of gross value added per annum (2013 prices).

Commentary on proposed uses

Class 1 Shops / Class 3 Food and drink / Class 11 Assembly and leisure

The proposed development would deliver 50,728m² of retail space, 12,897m² of food and drink, and 3,189m² of leisure space. This represents a significant increase on the existing St James Shopping Centre. The retail and food and drink units are designed to meet the needs of modern retailers, some of who have hitherto been unable to find suitable accommodation within Edinburgh city centre. The delivery of this space is projected to significantly enhance the retail and hospitality offering of Edinburgh city centre, which currently underperforms relative to other European cities.

Class 4 Business

Economic Development expresses concern at the reduction of office space from the previously proposed 2,307m² to 0m² (in the context of a maximum permissible quantum of 15,000m²), particularly given the demolition of the 22,300m² New St Andrew's House. Office space is among the most efficient property classes in terms of employment density; a 2,307m² office development could be expected to directly support approximately 192 full-time equivalent jobs if full-let. An economic impact assessment of the proposed St James Quarter redevelopment conducted by SQW in 2013 indicated that the office space could be expected to support an increase in gross value added of £14 million from 2023 onwards. As reported to the Economy Committee in December 2014, there is a growing shortage of office space in Edinburgh, with the pipeline of new developments inadequate to meet projected demand. This is compounded by the loss of existing office accommodation for conversion to other uses. The provision of office space within the development would complement the existing office space available within properties such as The Cube on Leith Street, The Stamp Office and Waverleygate on Waterloo Place, and Venue Studios on Calton Road, bolstering the status of the east end as a business location.

The existing office provision houses the headquarters of blue-chip companies such as Bowleven, Microsoft Scotland, and Glenmorangie, supporting high value jobs. While it is recognised that the available space on the site is constrained and the focus on the developer is on customer-facing use classes, the complete elimination of office space from the development is disappointing.

Class 7 Hotels and Hostels

The proposed development would deliver a 210-bedroom hotel and a 52-bedroom apart-hotel. This represents a net increase in bedrooms of 119 on the existing scheme. The 210-bedroom hotel will be designed to five star standard. This can be expected to help attract additional high-spending visitors to Edinburgh city centre.

Class 9 Houses

The proposed development would deliver 143 residential units. Given average household sizes in Edinburgh (2.08 as of 2013); this is projected to represent approximately 297 residents. The introduction of numerous additional residents into an area where at present there are relatively few will help animate the area outside of trading hours.

Overall impact

An economic impact assessment of the proposed St James Quarter redevelopment conducted by SQW in 2013 calculated that the redeveloped St James Quarter (excluding the since removed office elements) was expected to directly support approximately 2,556 full-time equivalent jobs and, from 2022, £92.1 million of gross value added per annum (2013 prices). This does not take into consideration multiplier effects (the impact of supply chain expenditure, etc) or displacement from elsewhere in Scotland.

In addition to the impact of the centre once operational, the development can be expected to support a large number of temporary jobs over the four year construction period.

Sundry

The public realm works associated with the St James Quarter redevelopment include a reconfiguration of the Picardy Place junction. These works will be designed to accommodate a future tram line delivering cost and time savings in the event that the tram line is extended up Leith Walk and to create new development land that has been tentatively earmarked for a new hotel.

The expanded shopping centre is projected to enhance Edinburgh's performance as a retail centre, which is currently weak on a European scale. In 2015, Edinburgh was ranked 52nd out of 57 European cities in the Cross Border Retailer Attractiveness Index compiled by JLL based on the number of global retail brands represented in the city. The city fares poorly in similar indices produced by CBRE and the Economist Intelligence Unit. The city's weak retail offering is reflected in average daily expenditure by overseas visitors to Edinburgh, which in 2014 was 18% below that of London, representing a difference of £162 million. A redeveloped shopping centre has the potential to deliver a step change in the quality of Edinburgh's retail offering, raising the city's international profile and helping attract increased visitor expenditure.

The Growth Accelerator Model developed to fund the scheme includes a commitment by the City of Edinburgh Council to bring 1,200 people with barriers to employment into training and 600 into employment over the first two years of the model. A training and recruitment centre will be provided within the rebuilt shopping centre. The development will therefore enhance the employment prospects of large numbers of people with barriers to employment in Edinburgh.

The development would include a sympathetic restoration of the 'B'-listed 18th century tenement building at 27-31 James Craig Walk.

The development would deliver new public spaces and animate presently under-utilised roads such as James Craig Walk.

An element of the affordable housing contribution associated with the development is to be delivered at Beaverbank Place in the Bonnington neighbourhood of the city. This will regenerate a derelict site outwith the city centre.

The development has the potential to complement the adjacent Registers Lanes development, which aims to animate the presently under-utilised roads between South St Andrew Street and James Craig Walk. Permeability between the two developments will be key to the success of the Registers Lanes project. Economic Development therefore considers that the St James development should not prejudice any future works to enhance connectivity between James Craig Walk and the Registers Lanes area.

Summary response to consultation

An independent economic impact assessment of the proposed redevelopment of the St James Quarter carried out in 2013 using a methodology approved by Economic Development calculated that the proposed development excluding the since-removed office elements was expected to deliver an increase in direct employment of 1,500 full-time equivalent jobs and, from 2022, an increase in gross value added of £55 million per annum (2013 prices). These figures do not take into consideration multipliers (further increases in jobs/GVA associated with supply chain expenditure and expenditure by employees) or displacement (the potential loss of jobs/GVA elsewhere in Edinburgh/Scotland). The full report is available on request.

In addition to these economic benefits, the development is anticipated to deliver a large number of additional benefits, including: releasing further development land at Picardy Place; attracting additional retail expenditure to Edinburgh; bringing people with barriers to employment into employment and training; animating presently under-used spaces; and regenerating a brownfield site on Beaverbank Place.

Economic Development expresses concern at the removal of the office elements of the development. The previously proposed 2,307m² of office space was projected to (if fully let) support 192 full-time equivalent jobs and, from 2022, an increase in GVA of £14 million per annum (2013 prices), as well as addressing the growing shortage of grade 'A' office space in Edinburgh city centre and enhancing the east end as a business location. It is recognised, however, that the site is constrained.

Economic Development expresses a desire that the St James development should not prejudice any future works to improve connectivity between James Craig Walk and the Registers Lanes area to the west.

This response is made on behalf of Economic Development.

Scottish Natural Heritage - response dated 27/01/2015

Thank you for your consultation (attached) on the approval of various matters for the proposed new St James Centre.

We have no comment to make on this application.

Historic Scotland - response dated 26/01/2015

Thank you for your consultation which we received on 08 January asking for our views on the above proposal.

We have considered the proposed development for our statutory historic environment interests. In this case our interest is category A listed buildings and their setting and the Outstanding Universal Value of Edinburgh's World Heritage Site.

The application is for reserved matters in connection with the redevelopment of the St James Centre. The description of works covers a range of details; including, the number of units (residential, commercial and business), design of external features, materials and landscaping details. The potential for the individual reserved matters to impact on our statutory interest does vary and some areas will require more scrutiny in terms of the historic environment than others.

Background

In our consultation response to the original outline application (letter dated 24 December

2008) we recognised that redevelopment of the St James Centre has the potential to bring benefits to the immediate surroundings, the wider city and its World Heritage Site. The existing complex is widely considered to be a negative feature. The approved outline application also establishes certain parameters, i.e. maximum building heights, that these details need to be seen against.

In arriving at an acceptable solution, we stated in 2008 that great attention must be paid to design quality, diversity and materials, while respecting the city's skyline and setting of the surrounding buildings. We then did provide some brief comments on these aspects of the proposals and have taken the same approach here as these will remain important for your continued consideration of the application.

We would also take this opportunity to welcome our more recent engagement with the design process and recognise improvements have been made from what was originally tabled at pre-application stage.

Detailed Design and Materials

The repetitive use of pre-cast concrete cladding in the existing St James Centre is alien to the general historical character and appearance of its city centre location. A lot of the emphasis in pre-application discussions has been to secure a design that responds more positively to its location. Due to the size of the development, some areas are going to be more sensitive (such as Leith Street and adjacent to Register House) and will require closer scrutiny than others. The Leith Street block will restrict views of Register House (opened up by development in the 1960/70's) and the quality of architecture here will be a critical factor in your consideration of the application.

In considering the finishing materials, negotiations have taken place over the use of limestone and how this will impact on the Outstanding Universal Value of the World Heritage Site. We note the comments made by Edinburgh World Heritage Trust on the matter and would expect your authority to take these comments on board when considering the merits of the proposals.

Skyline

The design of the current St James Centre means it has a particularly adverse impact on the city's skyline. In order to soften the impact, the approach being taken is to better articulate the external appearance of the redevelopment. We have highlighted previously that your authority should give full weight to your Skyline Study, and we would stress this again in order to give a more full assessment of potential impacts, both positive and negative, on the skyline in order to come to a considered conclusion.

We are aware that a further reserved matters application will come forward for the Central Hotel and we look forward to having the opportunity to review the proposal once submitted given the potential to impact on key views.

A-Listed Buildings

Development in this location will inevitably have an impact on adjacent A-listed buildings. The significance of impacts will again vary (we mentioned the impact on Register House in the context of detailed design and architectural quality), however in most cases this will not be a major departure from the existing situation. In considering this application your authority will be mindful that two B-listed buildings (St Andrew's Hall and the Unite Building) are also part of the wider development.

Conclusion

Having reviewed the development and given consideration to the potential impacts, both positive and potentially negative in places, I can confirm we have reached the conclusion that overall these impacts are not so adverse as to raise issues of national significance such that we would object to the proposal in terms of impact on the Outstanding Universal Value of Edinburgh's World Heritage Site and the setting of A-listed buildings. We appreciate that while there are some outstanding matters, i.e. the use of the limestone, we consider these can be resolved through continued negotiations by all parties.

If you require any further information on the contents of this letter, please contact me. We would also be happy to engage in any further discussion with your Council on aspects of the proposals should this be beneficial to your own consideration of the proposals.

SEPA - response dated 21/01/2015

Thank you for your consultation letter which SEPA received on 08 January 2015.

We offer no objection to the above approval of matters specified in condition application.

As stated within the Surface Water Management Plan, prepared by Arup, dated December 2014, the applicant is proposing to discharge surface water drainage arising from the development to the combined sewerage system, vested by Scottish Water (SW).

It is SEPA's preference that surface water is returned to the water environment rather than the combined sewer. However, as the applicant has proposed to discharge to the combined sewer then this would be a matter for SW rather than SEPA.

It should be noted that SW only accepts surface water into a combined sewer in exceptional circumstances. Removing surface water from the combined sewer is beneficial as it increases capacity in infrastructure for future development and reduces the risk of pollution events. We would advise the applicant to contact SW to ensure that a connection is possible prior to the determination of this planning application.

Details of regulatory requirements and good practice advice for the applicant can be found on our website.

If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office.

If you have any queries relating to this letter, please contact me.

New Town + Broughton Community Council - response dated 09/02/2015

Representation on behalf of the New Town & Broughton Community Council.

NTBCC attended the public consultation event on 27th October for the Edinburgh St James master plan at the Glasshouse in Greenside Row. We have also had the opportunity to meet with the developer's team and discuss various aspects of the proposals in more detail.

NTBCC has studied this application in detail and were invited to the Cockburn Association Case Studies panel which provided further insight. We are generally supportive of the redevelopment of this site which will see the removal of an uninspiring 1970's structure which, whilst seen as being somewhat functional from a community standpoint, does not provide any architectural statement, is unsympathetic to its surroundings and does not contribute to the Edinburgh landscape in any shape or form.

The introduction of a crescent gallery design linking Multrees Walk to Waterloo Place is welcome as is the new emphasis given to the approach from Little King Street, although we believe that this could be further improved as discussed later. We are also encouraged by the expressed desire to potentially develop improved connectivity from Register Place.

More specifically, NTBCC have the following comments :

1) NTBCC are supportive of stated aspirations to improve and develop Leith Street into a more vibrant space although we are aware that there are several design constraints which could prevent this being wholly successful. The proposed design improvement of narrowing Leith Street by reinstating something resembling its original building line and removing the pedestrian barriers and traffic island down the centre of the street are also welcomed. We do not take exception to the removal of the pedestrian bridge to/from the Greenside car park which should encourage (or more correctly relocate) more pedestrians to street level thereby contributing in part to an increased vitality at street level, although we believe that further steps could be taken to further improve in this regard.

However, NTBCC have some concerns over the volume of vehicular traffic predicted to either access or egress the new development from Leith Street. This is due to the high number of parking spaces (~1750 - 1800 planned vs. 600 currently) planned for the new development (although we realise that this has been already consented under 08/03361/OUT), coupled with the predicted proportion of traffic that will exit (~65%) and access the St James development (~35%) from Leith Street. It is also unclear as to traffic management to the development for vehicles entering Leith Street from Leith Walk and whether access to the St James development is permitted. This increased traffic in Leith Street seems contrary to the desire to improve the Leith Street streetscape and amenity for pedestrians. There is also a concern, perhaps outwith this application, on the impact of these increased traffic volumes on the traffic flows around Picardy Place. We would encourage the developer, in conjunction with City of Edinburgh Council to further model these impacts and ensure that they are available in the public domain for consideration by key stakeholders. We believe that there should be some form of restriction on the volume of traffic permitted to access/exit the development from Leith Street.

However, we would also support from a pragmatic standpoint, the through route for service deliveries from Queen Street/York Place through the St James development and exiting on Leith Street. The practicalities of attempting to route these exclusively via Elder Street for both access and egress would impose an undue constraint. We would however, expect the exit onto Leith Street to be a "left turn only". This clearly would necessitate an exit from the parking facilities from Leith Street to permit this.

2) Proposed Leith Street improvements : we welcome as stated previously the desire to create an active frontage on Leith Street. This street, although an important north/south traffic connection from Edinburgh city centre and the New Town to the south side, it should have significance in its own right.

We understand that, as the subject of a separate application, there will be additional store access/ accesses from Leith Street to the current John Lewis store which will in part encourage shoppers to traverse at least the lower stretches of Leith Street.

However, it is disappointing that in a major redevelopment project that more is not being done to address the lack of active frontages facing onto neighbouring streets. Although there are additional small retail units fronting Leith Street, we believe that more could be done to re-instate more retail units on Leith Street.

The existing arrangement at Leith Street is completely 'dead' and exacerbated by the gaping vehicular entrances for trucks and cars which broadly remain unchanged in the new proposals. There is potential blight to existing businesses and improvements needs to be made to create increased footfall on the street, and act as another connector to the Omni cinema complex and shops. By creating more active uses, pedestrian activity would increase - consistent with the objective of increasing the street vitality.

3) *NTBCC's final concern concerning traffic management is the proposal, as we understand it, for vehicular access/egress for the residential units (~175), to be through exclusive use of Little King Street from Leith Street.*

We support the public realm improvements planned for Little King Street and believe that once the plan for relocation of the York Place tram stop to Picardy Place is completed, this route will become a major access point for pedestrian flows to the new development. This key pedestrian link is being strengthened by shop frontage improvements, as we understand it, on the current John Lewis store as well as various food and drink developments nearby, including St Andrews House. It therefore seems to NTBCC that allowing routine vehicular traffic through this route solely for the perceived convenience of the residents and perhaps as an added selling point for the residential units is inconsistent with primary use of this street.

We understand that this proposal is consistent with current thinking regarding "shared" spaces but give such an important pedestrian route which should become busier in the future, that this route should be fully pedestrianised.

4) *Regarding the number of residential / commercial / business units under Condition 23 (i), we were disappointed to note no Class 2 or Class 4 units are now included. The quantum would appear to have changed from that put forward last year in application 14/02070/AMC. NTBCC notes that office uses have been dropped entirely from the scheme yet this would seem to be a convenient and accessible location and other nearby developments have indicated a strong demand for premium office space in the city centre. Offices especially those falling under Class 2 use could be seen as beneficial to this development as the principal users would be members of the public. This would contribute more significantly to the expected vibrancy of the area through increased footfall and more importantly, would also be more consistent with City of Edinburgh Council's planning policies for the city centre which seek to create a diverse, thriving welcoming and successful place. We understood from initial consultations at the outline stage that offices were significant in terms of the economic justification for the redevelopment, not least in terms of permanent job creation.*

5) *Secondly, regarding proposed Class uses, a large amount of retail use is proposed against the backdrop of declining High Streets generally and the concern over the impact of this development on the current premium shopping areas e.g. George Street. NTBCC would therefore encourage the developers to consider future adaptability, as highlighted by the Cockburn Association in their representation.*

It would seem beneficial to both the City of Edinburgh and the key commercial stakeholders that, during the design stage, "different permutations of users have been considered and that, on the valid planning grounds of sustainability the new quarter is future-proof." "The issue is not about whether the present consultants have assessed the market correctly in what they propose to build now, but how the building as built can cope with the situation if they have not, or if circumstances change. We also note that a significant increase in retail floor space is proposed. Whilst this could boost Edinburgh's retail offering in line with City of Edinburgh's vision ; if demand continues to decline as witnessed elsewhere across the UK, it could displace shopping from existing locations due to a competitive "race to the bottom" and cause decline elsewhere, particularly if the mall owner offers incentives. Therefore some degree of future-proofing in the design at this stage would seem both necessary and appropriate if demand does not materialise to allow full occupancy of all four floors of retail. One possible future-proofing option would be a contingency plan to allow perhaps the top level (where footfall may be challenged) to be converted to offices, for example. NTBCC therefore support the Cockburn Association's position regarding "a strategy in the quantum of development that sees an element of office use retained in the mix of uses until it has been trialled that no demand exists".

6) *NTBCC are supportive of maximising future connections between the new St James Square and West Register Square. Although this was included in NTBCC's representation on the 27 - 31*

James Craig Walk (14/05147/FUL), we reiterate our strong desire for these associated developments to be planned holistically. We believe that ensuring maximum connectivity and permeability is vital to ensure this. We would strongly suggest that CEC Planning Department urge the interested parties to liaise appropriately to ensure that this is achieved.

7) *NTBCC note that this is a significant development and the planned timeline coincides, wholly or in part, with several other large developments within the city centre. In addition, there are incomplete plans regarding the Picardy Place junction improvements, the extension of the tram towards either the foot of Leith Walk or further to Granton and finally, the current Leith Walk public realm improvements. Whilst the developer has outlined initial considerations to manage the significant disruption that this development may cause, NTBCC has concerns that the local infrastructure will be severely compromised by the sheer tonnage of materials that need to be removed from the development site, and to a lesser extent, the volume of materials that would need to be transported from Leith Docks for the construction. From initial discussions with the development team, they indicate that until the contracts for demolition and construction are*

placed, it may be premature to develop these plans further. NTBCC would urge City of Edinburgh Planning department to ensure that this impact to the local community is minimised and also more generally on Edinburgh residents through appropriate conditions to ensure detailed review of the demolition and construction plans are required prior to granting full consent. This would include any lessons learned from the extended tramworks disruption that was inflicted on Edinburgh residents.

8) *We share the concern raised by the Cockburn Association concerning the phased construction of this project and the concern that the commercial viability may be impacted through cost overruns in the initial phases or a change in the economic cycle, especially as the benefits of the development mostly accrue at completion. We would encourage an outline approach for phasing to be developed to address the risks to both to the city of Edinburgh and its residents.*

9) *Regarding Condition 23, item (iii), covering "The design of all external features and glazing specifications (including acoustic capabilities), all external materials and finishes, including their colour"; whilst we would defer to higher architectural bodies on the choice of limestone vs. sandstone for the specified primary facades, we do have concerns over the use of concrete panels for the secondary facades which includes the majority if not all of the higher elevations. There are numerous examples in Edinburgh and in other cities of pre-fabricated concrete panels clad in an appropriate natural stone being used - we would therefore question the proposal for the use of concrete panels for these facades.*

We hope that you find our comments useful in considering the details of this application.

Police Scotland - response dated 30/01/2015

Thank you for the opportunity to pass comment in relation to these initial proposals for the new St James Centre on behalf of Police Scotland.

Can I refer you to the police response to the same site, 14/02070/AMC, rather than reiterate a number of the points I will simply state that at the current time the terrorist threat level has increased.

I will bullet point a number of issues/considerations, some of which will not be purely planning department based: -

- o Ability to totally lock down the site - it is appreciated that there is a route through the site that is a 24 hour access route, measures will have to be in place to ensure a secure lockdown if required.*
- o Vehicle movements on and off the site, vehicle interaction with the building, site servicing and ensuring vehicle movement remains in Leith Street, a limited section of St James Place and Elder Street.*
- o Lighting levels meet the requirement for public use, please to refer to 'Lighting Against Crime' - A Guide for Crime Reduction Professionals, in tandem with City of Edinburgh Council lighting requirements.*
- o What is the Operational Requirement stating in terms of CCTV provision for public spaces? Where will be the hub for the system be? With the ongoing development to the west of the site around Register House, will this be a joint venture to capitalise standards and control in the area?*
- o Ensure that public space amenities give the public a useable space, with consideration to some key height levels for planters and planting to ensure clear sightlines.*
- o Proposed bollards meet the PAS 68/69 standard.*

- o *In depth consultation in relation to car parking areas (this can be facilitated through consultation with Police Scotland).*
- o *The development is a diverse community from commercial to residential, site management and communication will be an important aspect, in addition to the roles and responsibilities of any security presence.*
- o *Liaison by the developments partners in relation to the proposed licensed premises. Police Scotland is looking forward to consulting on this project with the development team.*

Thank you for your attention to this.

Edinburgh World Heritage - response dated 10/06/2015

St James Centre- Reserved matters

Edinburgh World Heritage writes to offer its view as to the impact of the demolition and replacement of the St James Centre on the outstanding universal value of the World Heritage Site.

Background

The St James Centre was initially included in the World Heritage Site after much debate as a means of securing a replacement that would be sympathetic to the values for which the site was inscribed on the World Heritage list.

In EWH's 2008 letter in relation to the outline masterplan we noted:

"The existing development fails to respect or give reference to, the surrounding historic character scale or urban grain. The massing of the existing St James Centre; a monolithic horizontal slab dominates views looking into and across the WHS, particularly from the north (and as far as Fife. In addition it intrudes upon key views within the WHS, degrading in particular the terminating vistas of Register House and Dundas House which are important set pieces within the New Town Conservation Area. Its impact on the significance/outstanding universal values of the site is therefore detrimental"

Particular concern was expressed in relation to views:

"Unless the development markedly steps down from the 'characteristic general height' particularly towards York Place, it would continue to be an unwelcome intrusion on the skyline, particularly the key view from the north"

"The proposed development should look to restore the skyspace around the dome of the category A-listed Register House. We recognise that although ideal. this may not be possible with the lower dome of Dundas House."

In terms of relating the detail of the development to outstanding universal value, the focus is on the attributes for which the WHS was inscribed, and its authenticity and integrity. In this context, the original fabric of the site is long gone. Authenticity is a moot point. As for integrity, the 1960s development represents a clear intrusion in the architectural and townscape integrity of the New Town, and so the measure here is whether the development proposals restore integrity, and to what degree.

Main aspects of the proposals

The 2008 consent set the absolute maximum heights and volumes within which the detailed designs should work. The proposals push to the limits of these, seeking to maximise the economic return from the site. The replacement buildings are going to be very deep, in a way that the current buildings on the site are not. This will impact how the site is perceived.

Within the overall form of the scheme, a degree of layering has been created, reflecting a building up of mass and following the underlying topography. This reflects our earlier concerns, and can be regarded to be in the spirit of the New Town, as best understood in view from the north. In this respect, the scheme supports the integrity of the World Heritage Site. The massing of the building behind the Cathedral is broken up in an attempt to reducing visual impact. Consequently, the impact on the World Heritage Site is likely to be neutral to mildly positive.

The proposals repeat the layering of the site along Leith Street and seek to undo the dual carriageway nature of Leith Street. This is to be welcomed. However, the development continues to turn its back, to an extent, to Leith Street. The impact on integrity of the World Heritage Site is at this point neither positive nor negative.

The development seeks to create a plaza to the east of Adam's Register House. While this is an improvement on the current situation, it is also the point that the hardest question about the development as a whole is raised – yes, it is clearly an improvement on what is there now, but is it really the best it could possibly be? The opportunity at this point is for a square, defined by its surrounding buildings and architecture, of a quality equal to or surpassing the Lincoln Centre in New York. This is not what the proposals will deliver. While the scheme supports the integrity of the World Heritage Site at this point, its impact on the outstanding universal value of the World Heritage Site here is at best mildly positive.

Materials

EWH has previously offered the City of Edinburgh advice on the relationship between materials and outstanding universal value. Edinburgh is built largely of sandstone, and in the New Town this is from the Craighleith quarry. The buildings are consequently the colour of the land on which they are built- this is real *genus loci*. The proposals seek to use limestone. Limestone is the stone from with our sister World Heritage city of Bath of constructed. It has a different character, appearance and weathering properties, and so demands different architectural detailing and treatment to that used across the New Town. The proposed extensive use of limestone across the development is inauthentic, and will be negative in terms of outstanding universal value.

Hotel proposal

Early iterations of the hotel proposal were extremely positive in terms of the outstanding universal value of the site, clearly understanding the way in which the skyline of the city works: as noted in our 2008 letter

"Successful intrusions into the City's skyline have been elegant slender and generally unoccupied"

Alterations to the proposals since that early stage have resulted in the upper levels of the hotel proposal being broadened out. and the elegant spiral element in the skyline being reduced, with the overall effect of increasing bulk on the skyline, in particular in views from the east. We were surprised and disappointed- whereas earlier versions would have garnered our strong support, the version that has ended up in this proposals. We would urge further consideration of this design in order to create a positive impact on outstanding universal value,

Conclusions

Overall, the proposals must be regarded as an improvement on what is currently on the site: they will have less impact on outstanding universal value than the existing buildings and will bring many people to the city centre. Elements of the proposals support the integrity of the World Heritage Site and elements support outstanding universal value. Others do not.

While the proposals address the concerns raised in our 2008 letter. the opportunity to go a step further has not been taken- the opportunity to produce a series of truly stunning buildings within the classical context of the New Town, and set an exemplar to other cities of what can be achieved with a major redevelopment site in an historic city centre. This opportunity is unlikely to arise again for 40-50 years.

Environmental Assessment - response dated 10/06/2015

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 ST JAMES CENTRE REDEVELOPMENT, EDINBURGH

REFERENCE NO. Approval of matters specified in condition 23 (i), (iii), (vii), (ix), (x), (xi), (xvi) and (xvii) of Planning Permission 08/03361/OUT relating to number of residential/commercial/business units, design of external features and materials, pedestrian and cycle access arrangements, treatment to adopted roads or footways, car parking venting, servicing, surface water and drainage, and hard and soft landscaping details (14/05263/AMC)

Condition relevant to Environmental Assessment to be discharged

23) Before development starts, further applications shall be submitted to and approved in writing by the Planning Authority in respect of the following reserved matters:

(i) Number of residential/commercial/business units to be developed;

(iii) The design of all external features and glazing specifications (including acoustic capabilities), all external materials and finishes, including their colour;

(ix) Amendments or any treatment to adopted roads or footways;

(x) Location of car park venting/exhaust termination;

(xi) Details of the servicing of the development;

Environmental Assessment had originally recommended this application be continued as there was insufficient information available to confidently discharge the conditions. Environmental Assessment has been involved in detailed discussions regarding the surrounding location of the car parking vents, and Combine Heat & Power flue which is the main cause of concern for Environmental Assessment. It is the "location of car park venting/exhaust termination" which is the primary concern for Environmental Assessment.

The number of the other uses, glazing specifications and servicing details have also been discussed mainly in regards to noise and odour impacts. However, Environmental Assessment is of the opinion that these issues may be better addressed under the other parts of condition 23.

It is also noted that there are also a number of relevant compliance conditions addressing noise and odours which will be assessed once the development is complete (Conditions 17, 18, 19 20 and 21,) these conditions will be enforced. All these conditions will ensure that amenity is protected in regards to noise pollution and cooking odours.

Car Park Ventilation

The development site is located within the City Central Air Quality Management Area (AQMA) which was initially declared in 2000. The City Centre AQMA covers a wide area and includes the main arterial routes leading into the city centre. Exceedences mostly in locations where there are street canyons, high percentage of bus movements and congested traffic. Residential properties are commonly located at basement, ground, first, second, third, and fourth level, 2 - 4 metres from road edge. It also includes busy shopping areas including Princes Street, George Street, Leith Walk, North Bridge, London Road and Easter Road. It was extended in 2013 to cover further streets including London Road and Easter Road which are in close proximity to the development site.

Ongoing air quality monitoring in the City Centre and at other locations shows that nitrogen dioxide (NO₂) concentrations and particulate matter (PM₁₀) have increased and fail to meet the health-based objectives. Edinburgh (as with many other urban centres) is not experiencing the UK Government's predicted decreases in air pollution levels associated with improvements in vehicle engine technology.

Regarding the proposals which have outline consent for an increase in car parking capacity more than three times that contained within the current St James Centre, to a maximum of 1800 basement spaces.

A standard requirement for a basement car park is to have day to day ventilation. The applicant has advised that this will involve partially venting car park fumes onto Leith Street. The applicant will install Carbon Monoxide (CO) sensors in the car park to monitor the CO levels continually and based on the CO levels detected this will in turn control fans. It is anticipated that the fans will operate mainly at a low velocity however this is mainly to reduce the energy consumption of fans. It has been highlighted to the applicant that this is a cause of concern to Environmental Assessment due to the existing air quality concerns on Leith Street.

The applicant has not been able to relocate this extract but has advised that in order to minimise ventilation discharge onto Leith Street it will run the extract fans on St James Place and Little King Street with slightly increased volume flows and to proportionately reduce the extract rate at Leith Street during various conditions thereby reducing the emissions at Leith Street. It should be noted that during busy periods all fans may need to be run at the higher rate, including those discharging onto Leith Street.

Environmental Assessment would highlight that high level extracts were what the planners report for the consented 2008 application had mentioned (08/03361/OUT);

The development would also generate vehicle emissions from within the underground parking levels and emissions from plant and machinery associated with energy generation within the complex. The use of four vents, located at heights exceeding 20 metres above ground level would disperse emissions effectively, thereby ensuring they would have a negligible impact on local air quality."

Leith Street is where the consented outline proposals will result in the creation of a new street canyon. This type of street layout does not allow for good dispersal of air pollutants. Many of the identified air quality concerns in Edinburgh are in locations where such canyons already exist. It therefore seems inappropriate to now consider the introduction of a car parking extract into an existing AQMA which will soon see the creation of a new street canyon where people live.

Furthermore, a new road junction has outline consent for Leith Street; this will create a southbound right-turn out of the development. It is anticipated that the introduction of more traffic controls and associated pedestrian crossings (the existing pedestrian footbridge across Leith Street is to be removed) will slow vehicle movement and increase congestion. This in turn is likely to lead to further increases levels of air pollution.

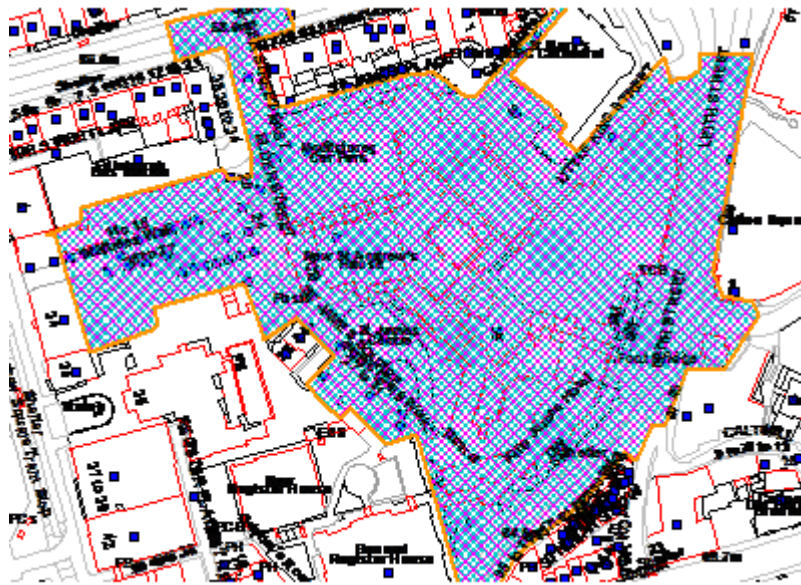
Many of these issues were highlighted by Environmental Assessment who did not support the outline planning consent (08/03361/OUT) mainly on the grounds of adverse impact on local air quality. Environmental Assessment's consultation response for the outline application (08/03361/OUT) concluded that;

It is the professional opinion of Environmental Assessment that the submitted Air Quality Impact Assessment underestimates the true impacts on Local Air Quality of the development, and that full consideration has not been given to the range of mitigating measures available to the applicant to reduce these impacts. The development proposals do little to assist CEC in its endeavours to improve Local Air Quality and contradict the spirit and purpose of the Air Quality Action Plan, and also of associated elements of the Local Transport Strategy. As they stand, the proposals will weaken CEC's endeavour to promote partnership arrangements and agreements with other developers, to evolve a low emissions strategy for the city. Their implementation will also add to the air quality monitoring load and costs to CEC.

In conclusion, it is SfC Environmental Assessment's opinion that certain elements of these proposals will produce adverse impacts on Local Air Quality. The level of car parking provision is excessive within this location, the creation of a new street canyon and the introduction of a new road junction, removal of the pedestrian footbridge; coupled with concerns about increased congestion and queuing, lead to the conclusion that Environmental Assessment cannot support this application in its current form given its impact on local air quality.

Environmental Assessment maintains the above mentioned concerns regarding the overall development and its impacts on local air quality. Environmental Assessment also believe that high level extraction for the car parking vents is more desirable. However having assessed the other specific amenity matters in regards to the specific conditions on the number of the other uses, glazing specifications and servicing details Environmental Assessment are satisfied that noise and odour impacts will be acceptable only if the conditions 17, 18, 19 20 and 21 are carried forward from the consented outline application (08/03361/OUT).

Location Plan



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