

## **APPENDIX 1**

### **TYNECASTLE DEVELOPMENT BRIEF**

#### **1.0 Introduction**

- 1.1 A number of significant redevelopment opportunities exist in the Gorgie area as a result of the possible reorganisation and relocation of various activities. The Council is exploring the possible development of a replacement Tynecastle High School on the site of the McLeod Street roads depot and the reorganisation of other council facilities and services presently located in the area. While, Heart of Midlothian Football Club is considering its future at Tynecastle Park and may decide to locate elsewhere. **Land to the west of the stadium, in the ownership of North British Distillery Company (NBDC), is also considered by the brief, however, the distillery has no plans to close or relocate its principal activities from Wheatfield Road.**
- 1.2 The brief considers a number of redevelopment options. Firstly, the development of a new school on the site of the McLeod Street roads depot and the reorganisation of other Council facilities and services, with Heart of Midlothian FC remaining at Tynecastle Park (figure 5). Secondly, the brief considers the development of Tynecastle Park, with all Council facilities and services remaining in their present location (figure 6). Finally, the brief considers the comprehensive redevelopment of the area with a new school on the site of the roads depot, the reorganisation of other Council facilities and services in the area, and land at Tynecastle Park and NBDC available for development (figure 4).
- 1.3 The purpose of the development brief is to set out the main planning and design principles on which future development in the area will be based.

## 2.0 Description of surroundings

- 2.1 Gorgie lies to the west of the city centre and is a densely developed area of mainly tenemental houses and commercial uses, fragmented by busy roads and operational railway lines. The significance of the area for manufacturing has diminished in recent years and there has been a steady loss of industrial and commercial land to other uses, principally housing.
- 2.2 The area covered by the development brief is dominated by the industrial buildings of NBDC and the Macfarlan Smith chemical works, the stands of Tynecastle Park football stadium and a variety of storage sheds and plant associated with the Council's road depot. Among these lie Tynecastle High School, a collection of community facilities, including a day centre for pupils with learning difficulties, a school nursery, a community centre and a health clinic, all managed by the Council or Lothian Primary Care Trust. **Immediately to the west of the football stadium lies a playing field, in the ownership of NBDC, and which is used on an infrequent basis by the high school.** The shopping centre that forms the southern boundary of the area is characterised by small shop units under tenement housing that largely hide the industrial operations and bonds described above from general view. By contrast, all sites are clearly visible from the elevated West Approach Road to the north. Operational railway lines and embankments provide the boundaries to the east and west.
- 2.3 The area covered by the development brief extends to approximately 17.5 hectares (figures 1 & 2).

### 3.0 Policy Context

- 3.1 The Council's planning policies for the area are contained in the Central Edinburgh Local Plan (Adopted 1997 / Reviewed 2000). The Local Plan Proposals Map shows most of the area covered by this brief within a broad 'housing and compatible uses' land use designation. The Plan's policies generally support new housing on sites suitable for redevelopment and covered by this designation, as well as business uses, compatible with a housing area, and other uses that would contribute to community life. The Plan encourages a reasonable mix of house types and sizes on large sites, including housing to meet the needs of special groups such as the elderly.
- 3.2 The shopping uses that front Gorgie Road in this location form part of the Gorgie District Shopping Centre - **defined as a 'town centre' by the Edinburgh & the Lothian's Structure Plan**. The Local Plan seeks to maintain, support and enhance a satisfactory level of shops and services to meet the daily needs of the resident and working population.
- 3.3 The remaining area, that occupied by NBDC, is covered by an 'existing industry/business' designation. In general, proposals for development incompatible with the primary industrial/business uses of the land will be resisted.

3.4 The Plan supports the further development of institutional service functions within Central Edinburgh provided they are compatible with environmental and other objectives of the Plan. It also supports the provision or improvement of primary health care, educational, social and other community services required to meet the needs of the resident population.

3.5 The Plan sets out broad objectives for the quality of new development covering such matters as design, landscaping, access, resource use, protection of key views, relationship to context and the need to master plan for certain sites. More detailed guidance is set out Council's Development Quality Handbook. The following guidelines are relevant to new development in this area:

- *Affordable Housing*
- *Biodiversity*
- *Community safety*
- *Developer Contributions for Investment in Schools*
- *High Buildings and Roofscape*
- *Quality of landscaping in new developments*
- *Open Space Requirements in New Development (under review)*
- *Site Planning for Sustainable Development*

3.6 Recent national planning policy has set a new emphasis on raising the design quality of new development. The Council's Edinburgh Standards for Urban Design reinforce this emphasis at the local level. Planning applications for the development of sites within the area should be accompanied by a design statement prepared in accordance with Planning Advice Note 68: Design Statements.

## 4.0 Constraints

### Architectural Interest

#### 4.1 The statutorily listed buildings in the development brief area are:

- Tynecastle High School, including workshops, gates, gatepiers and railings – John Alexander Carfrae, 1910-11. Extensive L-plan Free Renaissance school. Detached workshop ranges complete quadrangle. Listed Category B.
- 16-20 McLeod Street – former public works office 1897. Symmetrical 4-storey 8 bay H-plan tenement with deck access to floors. Listed Category B.
- Gorgie Road Railway Bridge (at Tynecastle Lane). Caldonian Railway Co. Donald Matheson, Chief Engineer, 1909. Listed Category B.
- Gorgie Parish Church, originally known as Cairns Memorial Church. Robert Macfarlane Cameron, 1900-1902, church. David Robertson, 1896, hall. Early continental gothic church with tower and octagonal spire at SE corner in re-entrant angle formed with aisle. Listed Category B.

#### 4.2 Proposals for the area should take full account of the special architectural or historic interest of these buildings and how this may be protected. They should give consideration also to how an appropriate setting can be retained or created. The notable non-listed feature of the area that should also be retained and incorporated suitably into the overall development of area is the 'L' shaped stone warehouse to the north of Wheatfield Place.

## Archaeology

- 4.3 While there is considered to be little of archaeological interest in the area, prospective developers should undertake a desk-based evaluation and walkover survey of possible industrial archaeological interests prior to the preparation of detailed proposals. This should be undertaken in consultation with the Council's Archaeological Service.

## Contaminated Land

- 4.4 **Past and existing industrial land uses in the area and both former and operational railway lines are all potential sources of land contamination. Prior to development taking place in the area an intrusive site investigation and risk assessment will be required to be undertaken in accordance with guidance contained in Planning Advice Note 33: Development of Contaminated Land and BS 10175:2001 Investigation of Potentially Contaminated Sites, and other current best practice guidance. Further information on this issue is available from the Council's Environmental Health (Air Quality/Contaminated Land) Service.**

## Control of Major Accident Hazards (COMAH)

- 4.5 **New development within the area, including changes of use, is constrained by the industrial operations of NBDC and Macfarlan Smith Ltd. Both sites are Health & Safety Executive (HSE) COMAH registered 'lower tier' sites and regulated under the Environmental Protection Act 1990 as prescribed processes. The address and relevant COMAH details of each operation are set out below:**

North British Distillery Co Ltd  
Wheatfield Road  
Edinburgh EH11 2PX

Macfarlan Smith Ltd  
Wheatfield Road  
Edinburgh EH11 2QA

Site Grid Ref: NT 228 725  
HSE Ref: CD/365/1008/03  
Location ID: 8805  
Approved: 19 June 2003

Site Grid Ref: NT 227 725  
HSE Ref: HL 3746  
Location ID: 6262  
Approved: 23 July 2002

- 4.6 The constrained area is identified in figure 7 and is created by an accumulation of consultation distances (CDs) associated with the 5 hazardous installations at NBDC and Macfarlan Smith. Each CD consists of an outer, middle and inner zone, which, depending on the development type proposed and its location within the CD, imposes progressively more severe restrictions on acceptable uses and forms of development. **More detailed guidance on land use and development form is contained in the HSE PADHI guidelines (Planning Advice for Developments near Hazardous Installations) – a land use planning methodology (published 2003). A summary of the guidelines as they relate to the development brief area is set out in the following paragraphs.**
- 4.7 **The first consideration that informs the recommendation of the HSE to the planning authority relates to the zone in which the proposed development is to be located within the CD around the hazard site. The second relates to the ‘sensitivity level’ of the proposed development relevant to its location within the CD. The PADHI guidelines categorize uses into 4 sensitivity levels based on development type and population levels associated with the proposed development.**

- 4.8 The CDs associated with the operations of Macfarlan Smith **presently** extend 440m around each of the 3 installations located within their site. The effect of which is to impose constraints on new development on sites within the distillery, on part of the football stadium and most of Tynecastle High School, should any of these sites become available for development.
- 4.9 The hazardous installations at the distillery give rise to a second set of CDs, **presently** extending 200m around 2 installations. While most of this CD is contained within the CD set for Macfarlan Smith, the effect is to limit further the range of alternative uses and forms of development on land at the distillery, particularly land immediately to the north of Wheatfield Place (inner zone), the existing high school (inner zone), the majority of the football stadium (inner, middle and outer zones), and part of the McLeod Street Roads Depot (outer zone).
- 4.10 A summary of uses considered acceptable to the HSE in principle within each zone, and those that are not, is set out below.

- **Inner Zone**

Acceptable uses: offices and business uses of an appropriate scale and character (Use Classes 4, 5 & 6)

Presumption against: developments for use by the general public, vulnerable people (hospitals, nursing homes, crèches and schools) and large and sensitive developments, including large sports stadia.

- **Middle Zone**

Acceptable uses: as inner zone, plus developments for use by the general public: including houses/flats – of up to and including 30 dwelling units and at a density of no more than 40 per hectare. Retail, community & adult education and assembly and leisure use.



Presumption against: development for use by vulnerable people  
institutional accommodation & education and large and sensitive  
developments

- **Outer Zone**

Acceptable uses: as inner and middle zones, plus qualified support  
for institutional accommodation and education

Presumption against: large and sensitive developments

**4.11 Finally, where the PADHI guidelines indicate that the HSE should advise against planning permission being granted to a particular development, each result is required to be considered against Rule 4 of the guidelines. Specifically, Rule 4(c) which states “if the proposed redevelopment or change of use is at the same sensitivity level or less than the existing permitted use, then it should not be advised against”. This consideration is pertinent to the future development of a number of sites in the development brief area, notably sites A, C, F and G (Tynecastle Stadium). It is the application of this rule that introduces the prospect of housing development on the site of the stadium, as large housing developments i.e. proposals of more than 30 dwellings and more than 40 dwellings per hectare, are classed as Sensitivity Level 3 which is less than the existing stadium, which is classed as Sensitivity Level 4. On this basis the HSE would not advise against planning permission being granted to a large housing development in principle on land currently occupied by the football stadium.**

**4.12 Notwithstanding the position of the HSE, the Council in determining an appropriate density of development on sites within each zone of**

the two CDs will consider whether it is appropriate to accept high population levels within new development or to seek reductions around the hazardous installations of the area.

#### Other Environment Considerations

- 4.13 **The nature of NBDC's operations at Wheatfield Road are such that these may result in noise and/or odour emissions**, particularly from plant located close to the West Approach Road. **Although the NBDC continues to work with the relevant authorities to reduce the potential impact of these on neighbouring sites, these issues may constrain development in certain parts of the development brief area.** In order to establish the full extent of this area, proposals will be required to be accompanied by an assessment of the prevailing winds over a 12 month period, including details of their direction, intensity and an indication of the potential travelling distance of odours emanating from the distillery. Up-to-date information and historical data on this matter is available from the Met. Office.

#### Education

- 4.14 The development brief is located within the catchment areas of Dalry Primary School, Tynecastle High School, St. Cuthberts' Roman Catholic Primary School and St Augustines' Roman Catholic High School. Within the non-denominational primary sector, Dalry Primary School is currently operating well below its full capacity. A developer contribution towards educational infrastructure in this sector will not be required.
- 4.15 St. Cuthberts' Roman Catholic Primary School is presently operating above capacity and has been so since 1997. Depending on the scale, mix of house types and the phasing of new development, an expansion to the

school may be required. Developer(s) will be required to fund or contribute to the cost of such measures.

- 4.16 In the secondary sector, there is capacity at Tynecastle High School and St Augustines' Roman Catholic schools to accommodate the anticipated level of development.
- 4.17 The above assessments are based on the 2002 Start of Session School Rolls and the Housing Land Audit 2001.

#### Transportation

- 4.18 The potential scale of development across the area is such that a Transportation Assessment may be required to be prepared by prospective developer(s) before any individual planning applications can be considered. Development proposals for the area generally should comply with the Council's transportation policies and objectives which seek to discourage private car dependency, especially journeys to work, and encourage more sustainable alternatives, principally the use of public transport, walking and cycling. A Transportation Assessment would determine the impacts of development proposals on the surrounding road network, including Gorgie Road/Dalry Road and McLeod Street/Russell Road junctions, and the measures that should be taken to alleviate any consequent worsening of conditions. Developer(s) will be required to fund the cost of such measures.
- 4.19 **The Council has prepared draft supplementary planning guidance that seeks to secure developer contributions towards the tram project where new development will obtain some benefit from its proximity to proposed lines. Tram Line 2 passes within 500m of the area covered by the development brief. The level of contribution is**

dependent upon the scale of development and its proximity to the proposed line – where development is within 250m of a line, within 500m of a line and 750m of proposed tram stops. The contribution sought will not necessarily replace other local transport infrastructure requirements, where these are justified. Development proposals will not normally be required to contribute to other public transport provision where a contribution to the tram project is required. Copies of the draft guideline and map identifying proposed tram stops and developer contribution zones are available on request from the City Development Department (0131 529 3596).

### Potential Uses

- 4.20 The attached plans show the area divided into 7 sites (A – G). Within the constraints identified above a range of uses will be acceptable on these sites. Sites A, B, C and land in the ownership of the Council in G, are the subject of proposals for a replacement Tynecastle High School and the reorganisation of other Council facilities and services within the wider area. Development for such purposes is in principle acceptable. **In the event that land within Site C is no longer required to meet these needs, business uses of an appropriate scale and character may be considered acceptable.**
- 4.21 Where new housing development is indicated as being acceptable (sites B, F & G), the Council will **strongly** encourage the provision of a diversity of housing types, including housing **suitable for older people and** family occupation (**i.e. 3 or more bedrooms**) that adopt **barrier free standards of internal and external design**. A proportion of all **new** housing **development** will also be required to make provision for an element of affordable housing (e.g. social rented housing) in association with proposals for private development, the requirement in this location being

15% of units in developments of 40 dwellings or more. The DQ guideline *Affordable Housing* provides detailed guidance on the Councils requirements and how this **may** be delivered. **More detailed guidance on appropriate social rented tenures and New Build Target Standards are available from the Council's Housing Service.**

4.22 While Macfarlan Smith and/or the distillery continue to operate at Wheatfield Road only business uses compatible with the HSE land use planning guidelines will be acceptable on sites D and E.

**4.23 The sporting and community facilities currently provided by the McLeod Street Community Centre (Site B) should be retained in the area in suitable alternative accommodation.**

## **5.0 Contextual Analysis** (Figure 1 & 2)

5.1 The elevated West Approach Road and railway embankments create a sense of physical containment to the area. Four storey tenement blocks reinforce this containment and create a clear street definition. Tenement back greens provide external amenity space, however, the area is disadvantaged by a low level of open space and the opportunity to secure additional open space for recreation, amenity and other social needs exists through the redevelopment of the area. All proposals should therefore be directed towards ensuring that the area's full potential is realised and that the constraints of the area are fully taken into account.

## 6.0 Development Principles

### General

- 6.1 The principal concern of this brief is to set out the main planning and design principles on which development of a replacement Tynecastle High School should be based. It also identifies infrastructure requirements and opportunities for public realm improvements in the event that additional land comes forward for development e.g. Tynecastle Park (figure 4). The brief recognises that Tynecastle Park may be developed in advance of the school and *vice versa*, accordingly figures 5 and 6 are intended to demonstrate how either of these sites could be developed without prejudice to the other and enabling the overall objectives set out this brief to be achieved. Figure 3 illustrates the approach towards the redevelopment of the area in diagrammatic form.

### Objectives

- creation of civic and public open space
  - retention of existing historic fabric
  - creation of a focal points for community use and other activities
- 6.2 The key components required to fulfil these objectives are identified in figure 4 and include:
- creation of a civic space and public boulevard on the southern half of McLeod Street;
  - creation of buildings that positively address and define the boulevard and civic space;
  - formation of a new vehicular route from Gorgie Road to Russell Road to facilitate the creation of the public boulevard;

- creation of major green space in a central location;
- to ensure the continued use of historic buildings and to enhance their setting;
- creation of a boulevard adjacent to West Approach Road and western railway line;
- creation of an attractive vehicular / pedestrian / cycle route along the area's northern boundary through the greening of the area and setting back of the building line;
- use of a limited palette of materials and boundary treatments, which can be used throughout the public realm to create cohesion and a sense of place;
- incorporating traffic calming measures, safe routes to school and cycle routes as an integral part of the area's redevelopment;
- creation of a townscape that reflects the character of the neighbourhood through a planned development pattern and townscape, that is consistent in height with the 4 storey traditional tenements of the area - although opportunities to vary building heights exist, including higher buildings where appropriate, that contribute to the creation of a legible townscape.

### **Housing Density**

**6.3 Where the brief indicates the acceptability of housing development in principle an appropriate density of development will be established in the context of the constraints of the area, as set out in this brief, most notably the proximity of sites B, F and G to the hazardous installations of NBDC and Macfarlan Smith. The Council will also take into account the need, in the long term, to maintain appropriate distances between COMAH sites and residential areas and areas of public use so as not to increase the risks to people. This will be an important consideration in determining an appropriate density of**

**development around the major hazard sites of the area. Notwithstanding these constraints, development will be expected to achieve an appropriate urban form and mix of dwelling type.**

#### Public Realm

- 6.4 An urban design framework is presented in figure 3 that proposes the creation of a new civic space intended to serve as an arrival point, a setting for a major new public building and a punctuation point on Gorgie Road. It is proposed that this space will lead into a pedestrian/cycle route terminating at the existing Tynecastle High School building.
- 6.5 The framework also proposes the creation of a public green space, considered essential to the regeneration of the area. New development around this space will offer a high level of natural surveillance and is well placed to create good physical connections with the surrounding sites. A visual link to Gorgie Road is also considered important and will serve to tie the heart of the area with the existing primary pedestrian route. Figure 3 illustrates the preferred location for this space.

#### Transport

- 6.6 The A71 Gorgie Road is a main arterial route into the city centre. It provides excellent access to public transport and is designated a 'Greenway'. It also provides access to the Tynecastle area via several side streets from which new development should primarily be served. The urban design framework (figure 3) envisages the creation of a new civic space at the junction of Gorgie Road with McLeod Street. McLeod Street may be realigned and its status reduced if Tynecastle Terrace is extended to serve new development beyond and suitable traffic calming measures introduced. This should not lead to any increase in traffic flows on



Murieston Crescent, to the east beyond the railway lines, a narrow residential street with on - street parking on both sides.

- 6.7 The Council proposes significant public transport improvements immediately to the north of the development brief area: WEBS followed by Tram Line 2. Developers will be encouraged to take advantage of the improved accessibility to the area offered by these improvements.
- 6.8 To address the expected increase in pedestrian activity on Gorgie Road existing pedestrian crossings will require upgrading to enable the installation of bus detection equipment, improvements to public transport, and pedestrian detection at signalised junctions
- 6.9 The McLeod St/Russell Rd junction is poorly aligned and improvements and pavement widening along McLeod Street will be required as part of the school development. A pedestrian crossing may also be required, but this will be dependent on the location of the entrances to the new school.
- 6.10 Provision for pedestrians, cyclists and children should be safe, secure, direct and designed to encourage walking and cycling to school in particular. It should be a comprehensive and dominant feature of the overall layout, providing for routes through the site and connecting where possible with the existing and proposed network. Where routes are shared, these should be provided at a minimum width of 4m. All routes should be appropriately signed within and around the development. Particular consideration should be given to improving cycling facilities around the proposed high school and to the provision of secure cycle parking.
- 6.11 The Council proposes to extend the controlled parking zone to include the Gorgie area and will encourage the provision of car-free housing where

acceptable. In car-free housing schemes, a provision of 0.1 space per dwelling should be incorporated into new development and be made available for visitors and City Car Club members. Car parking for mainstream housing should be provided at a rate of 1 space per dwelling and be available on a communal basis. The ratio for charitable housing associations is a minimum of 25%. In all cases, the Council will encourage car parking to be located underground.

- 6.12 Access to all new housing developments is required to be via roads built to an adoptable standard and designed to 'Home Zone' principles. Access to properties by footway only may be permissible within 25m of a road suitable for service vehicles.

#### Safer Routes to School

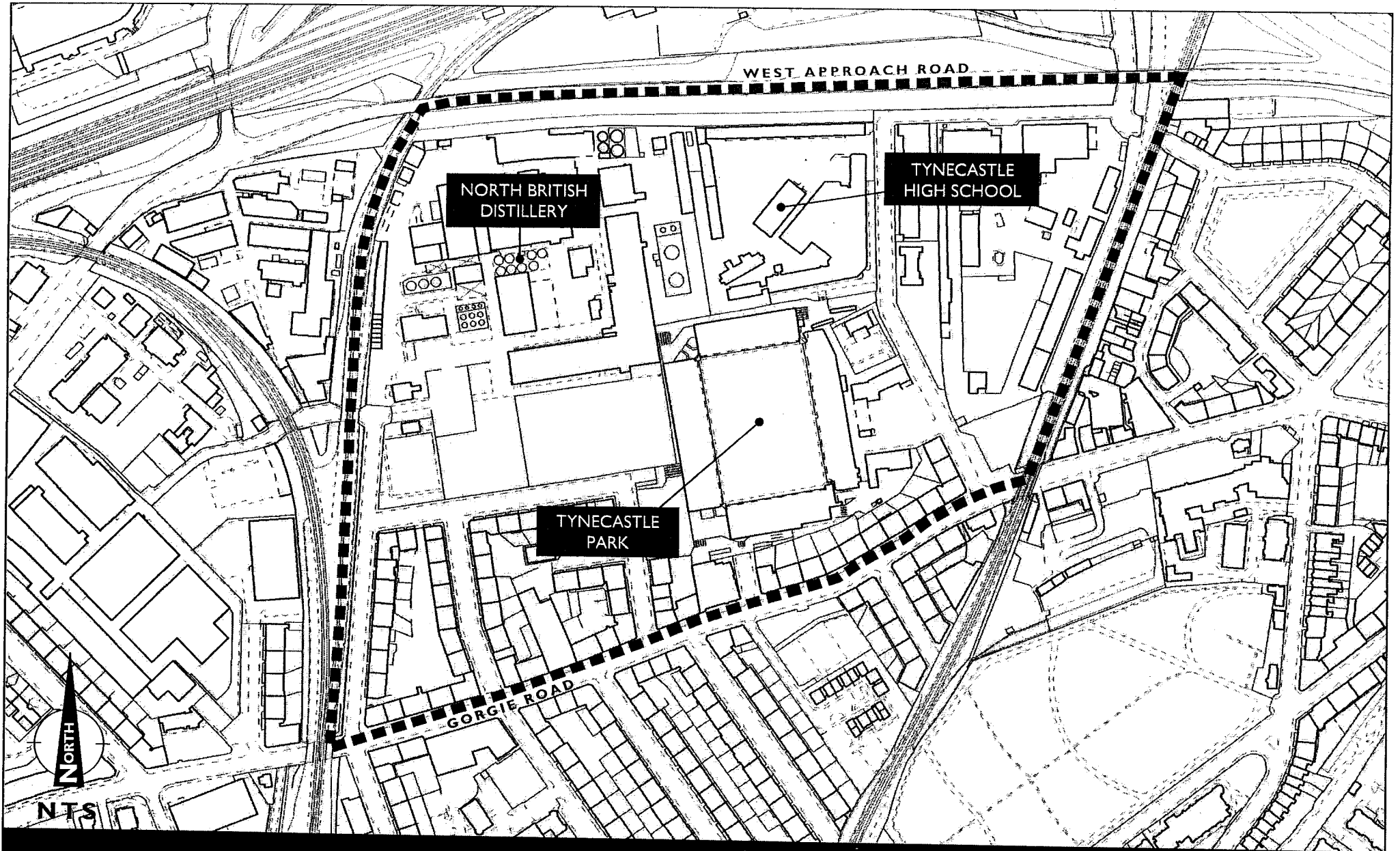
- 6.13 The Council operates a Safe Routes to School programme with the aim of making it safe and easy for children to travel to and from school by walking, cycling and public transport. This is achieved by developing proposals in partnership with school staff, pupils, and their parents, and local residents to identify locations that are perceived to be dangerous and to identify measures that might be employed to make them safe.

#### Drainage

- 6.14 The Council encourages the use of design features and materials intended to conserve and treat surface water on site as far as practical and to minimise run-off whenever possible. This approach to drainage is termed Sustainable Urban Drainage Systems (SUDS) and should be an integral part of the development design process. New development within the brief area will be expected to follow best practice in this regard. The Scottish Environment Protection Agency**

**(SEPA) has an important consultative role in this process and has published best practice guidance.**

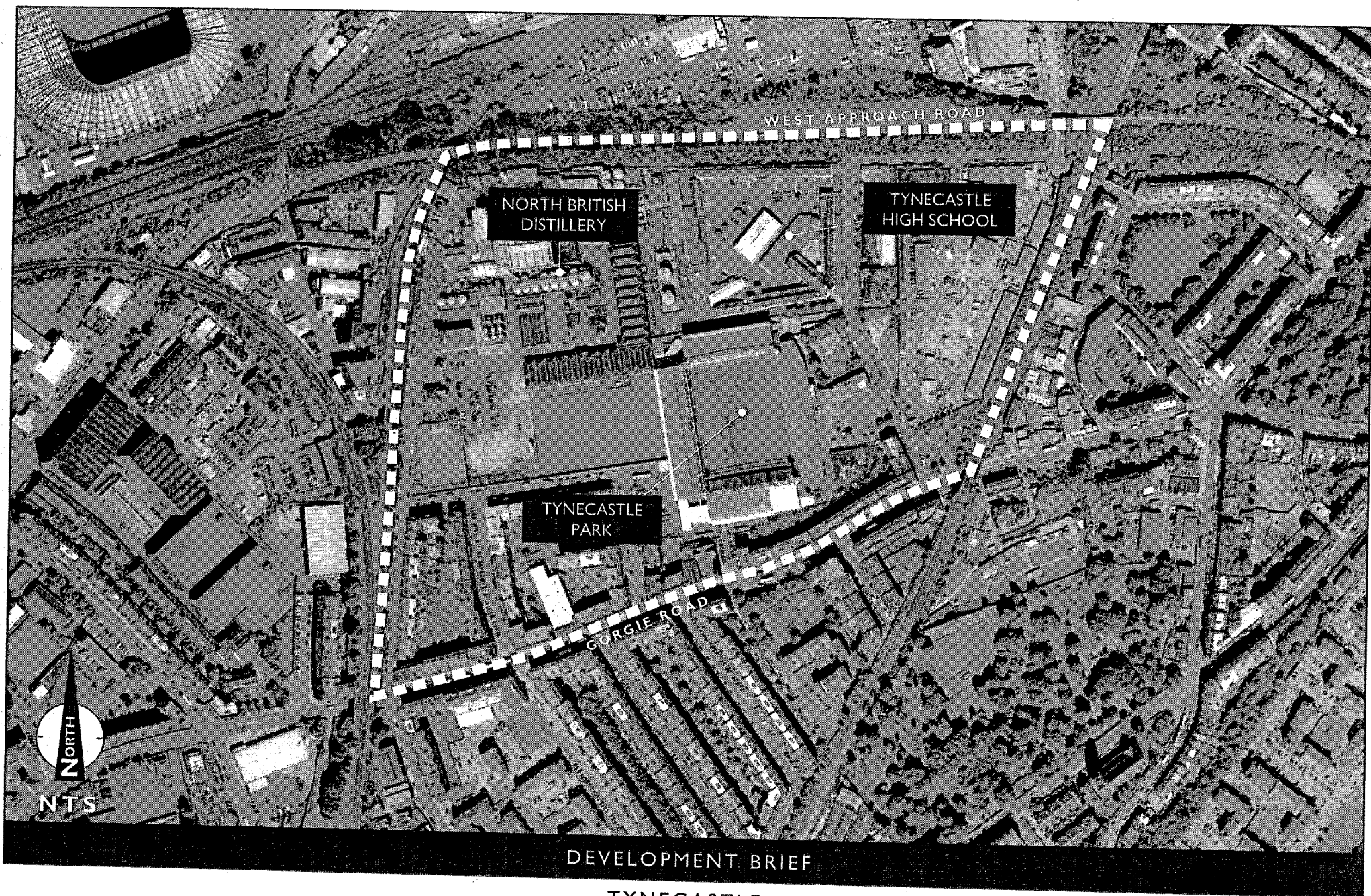
**6.15 In the event that the comprehensive redevelopment of the Tynecastle area is pursued a broader approach to the provision of water and drainage facilities may be required, including consideration of a combined on-site treatment facility to serve the wider area prior to discharge to combined sewers.**



DEVELOPMENT BRIEF

TYNECASTLE

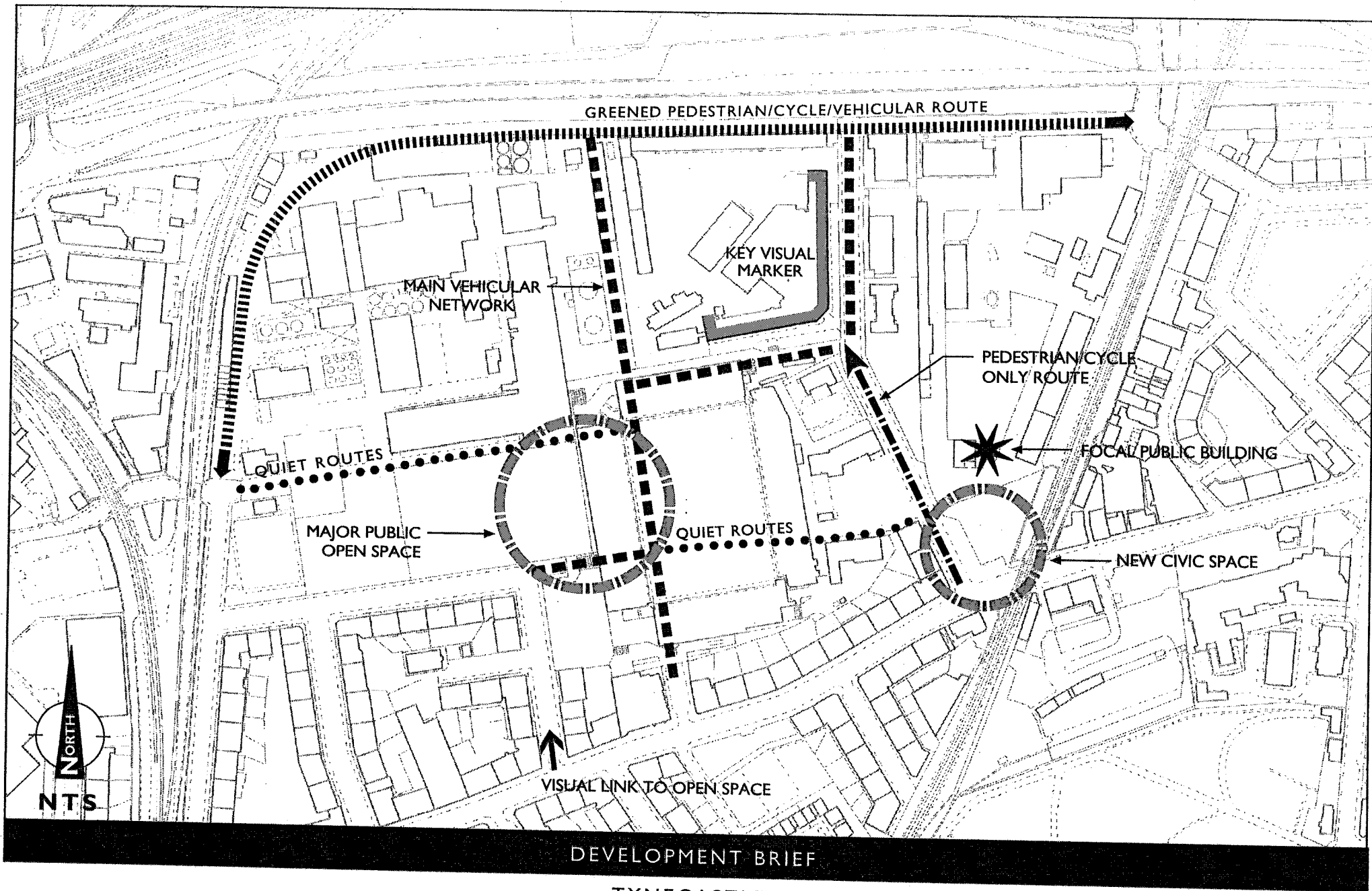
FIGURE I : SITEPLAN



DEVELOPMENT BRIEF

TYNECASTLE

FIGURE 2 : AERIAL VIEW

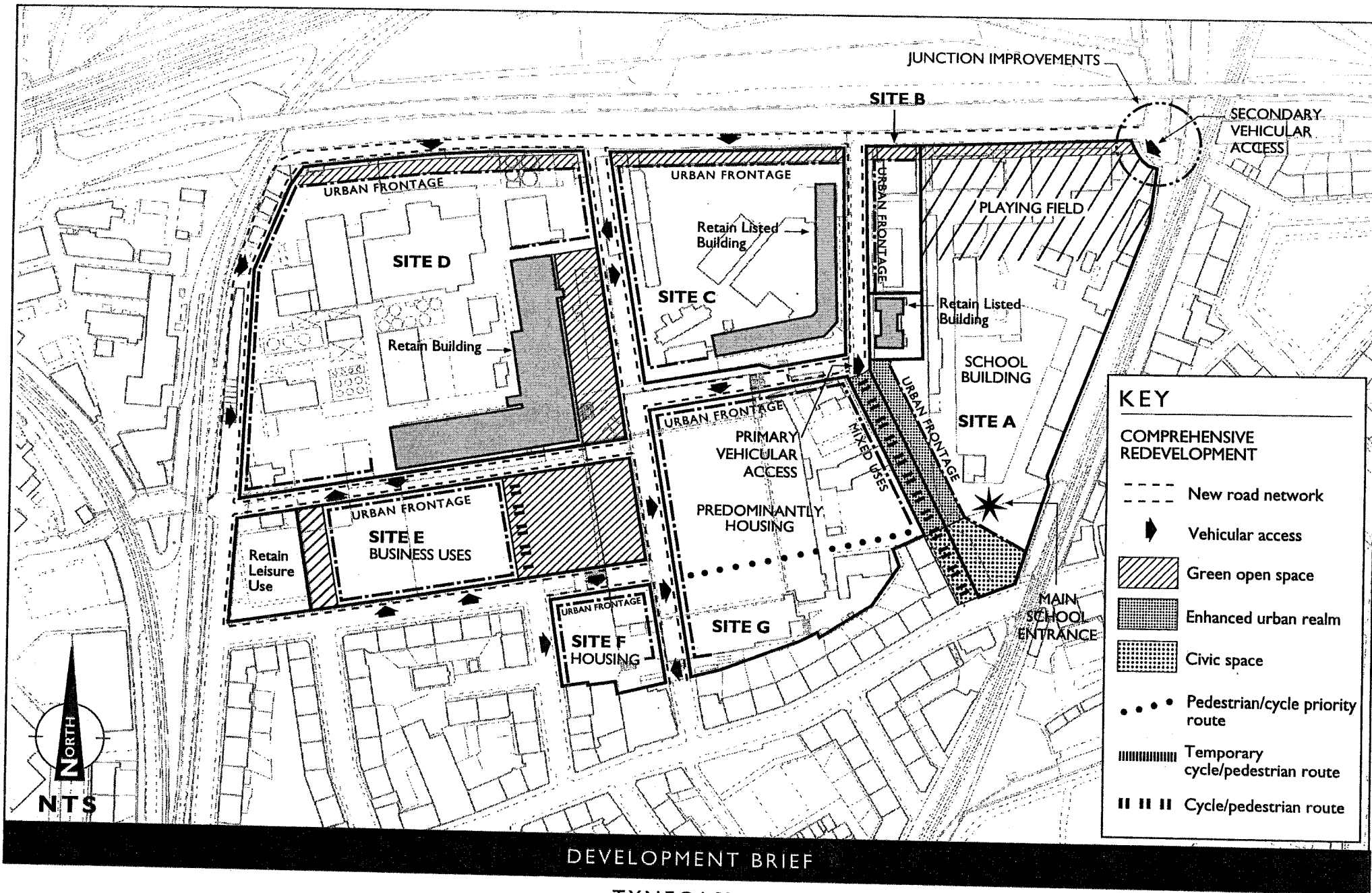


DEVELOPMENT BRIEF

TYNECASTLE

FIGURE 3 : URBAN FRAMEWORK STRATEGY

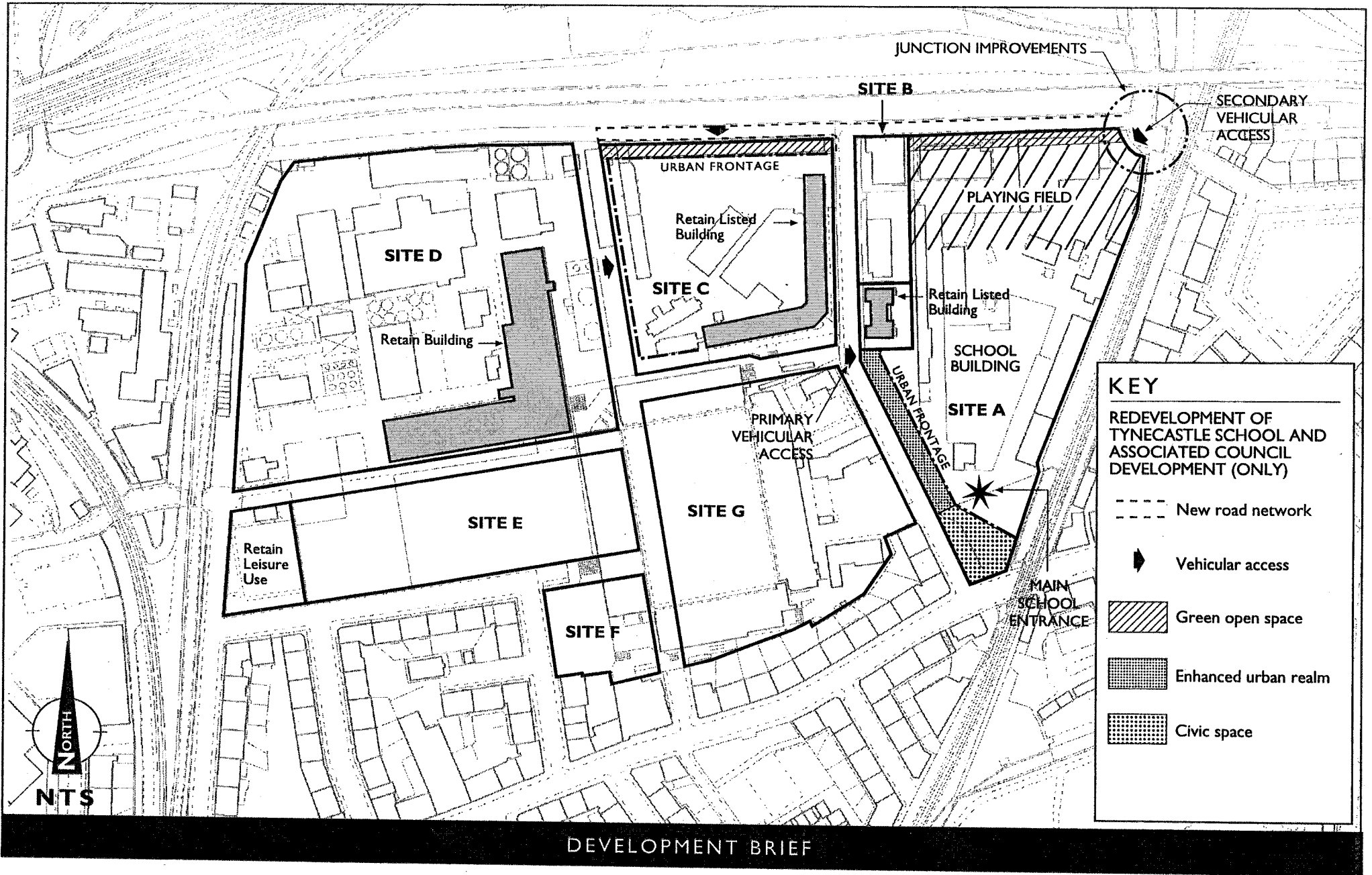




DEVELOPMENT BRIEF

TYNECASTLE

FIGURE 4 : URBAN FRAMEWORK STRATEGY



DEVELOPMENT BRIEF

TYNECASTLE

FIGURE 5 : TYNECASTLE HIGH SCHOOL DEVELOPMENT



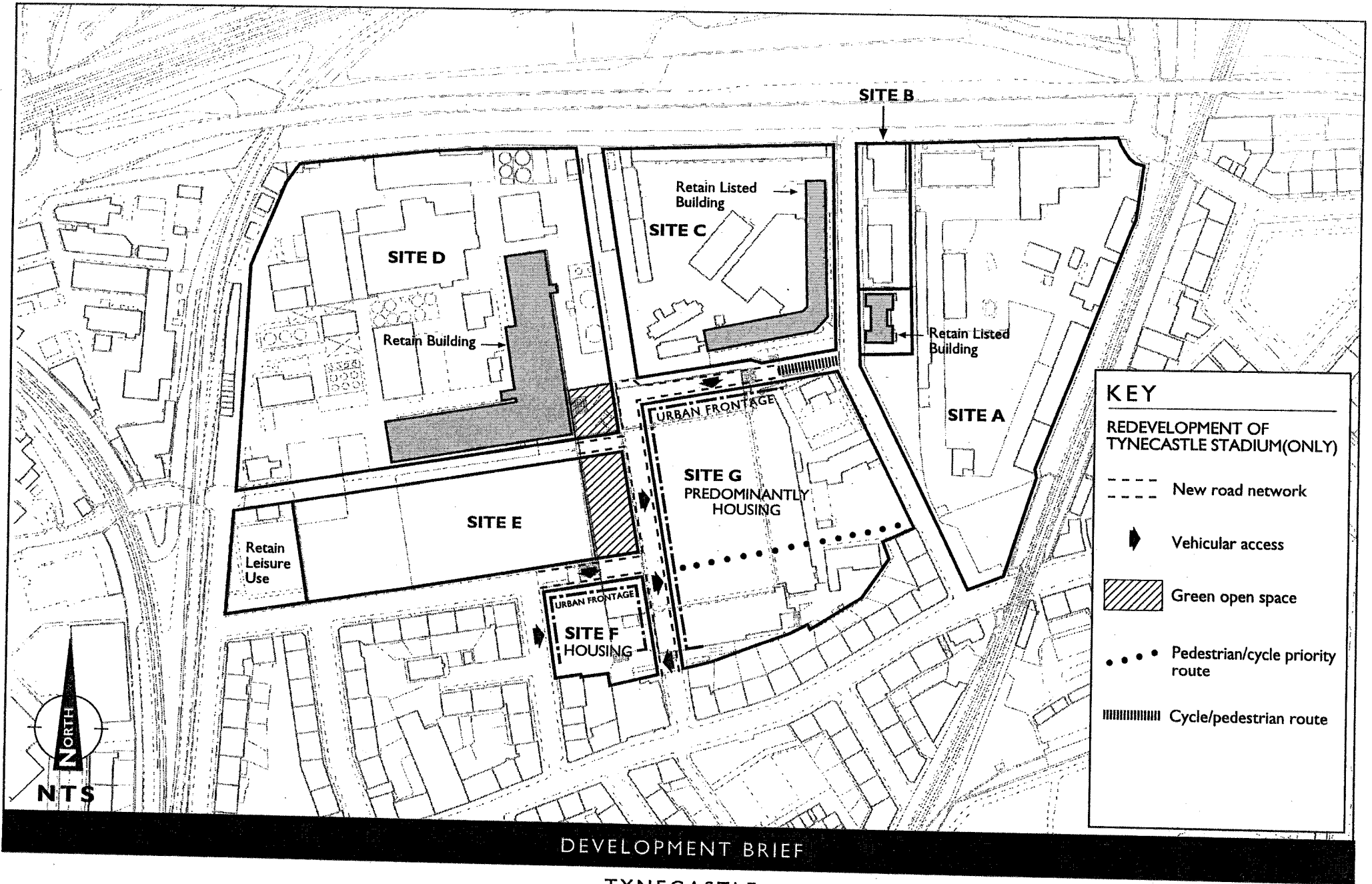


FIGURE 6 : TYNECASTLE PARK REDEVELOPMENT

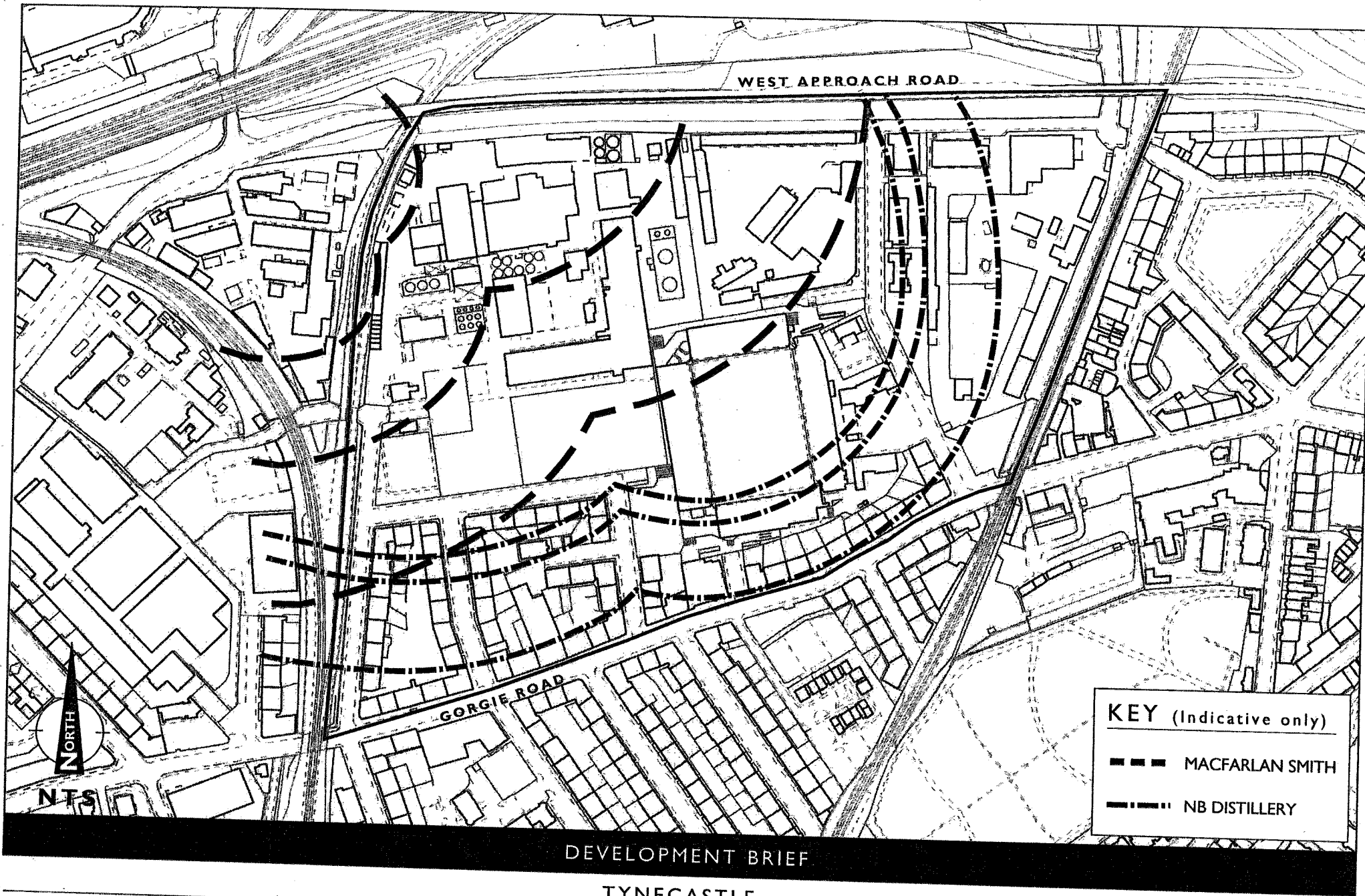


FIGURE 7 : HSE COMAH CONSULTATION DISTANCES

## Appendix 2

### **Draft Tynecastle Development Brief : Schedule of Responses**

<b>Individual/Organisation</b>	<b>Comment</b>	<b>CEC Response</b>
<b>Darling, Rt Hon Alistair MP</b>	Agree with strategy of the brief. Comments that there is a continuing need for affordable housing in the area and that sufficient land should be set aside for this purpose. Adequate provision should also be made for family housing and adequate off-site car parking.	<b>Accepted.</b> Para. 4.18 amended to encourage the provision of a diversity of housing types, including housing suitable for older people and family occupation. Requirements for affordable housing also set out.
<b>Edinburgh Road Services</b>	No objection in principle to the relocation of the depot provided that a suitable alternative facility is provided.	<b>Noted.</b> Provision for a replacement facility identified on land surplus to Education needs at St Augustine's/Forrester high schools.
<b>Health &amp; Safety Executive</b>	Advice based on consultation distances previously notified to the council. However, the council is consulting HSE on a revised hazardous substance consent application for Macfarlan Smith which may change the overall consultation distance and affect the advice given in the brief. The consultation distance for North British Distillery is unlikely to be altered.	<b>Noted.</b> Paragraphs 4.8 and 4.9 have been amended to add the word 'presently' to the relevant sentences.

Although housing may be acceptable because of the existing land use being of a higher or equal sensitivity level, the brief should make it clear that HSE advice would be different if there was a lower sensitivity level e.g. greenfield site. This is considered important as Article 12 of the Seveso II Directive makes it clear that the council needs to take into account the need, in the long term, to maintain appropriate distances between COMAH sites and residential areas and areas of public use so as not to increase risk to people. This means that although the existing land use would permit housing is it actually appropriate to build housing in this location bearing in mind that there will be a residual risk of a major accident occurring?

The proposed relocation of Tynecastle HS to the roads depot site: site lies in the outer zone of North British Distillery CD. If the school area is more than 1.4 ha, the sensitivity level rises to 4, which would preclude the depot from consideration, unless the entire site falls outwith the CD.

Site F is suggested as being suitable for housing without mention of existing use. The site straddles 3 zones of the CD and could lead to the HSE advising against such development.

**Accepted.** The relevant paragraphs under section 4 of the brief have been reworded to explain more fully the main considerations for the HSE in arriving at a recommendation to the planning authority. An additional paragraph has been added stating that the Council will arrive at its own view on an appropriate density of development within a CD, taking into consideration the advice of the HSE

**Noted.** Notwithstanding the advice of the HSE the brief continues to identify the preferred option for the new school development. It is proposed to discuss this matter further with the HSE, given that the brief promotes a solution that is considered to present a considerable improvement over the current situation i.e. relocating the school from a position affected by two CDs to one that lies for the most part beyond the outer zone of one CD. In light of the HSE advice an option of locating the main school buildings beyond the outer zone of the NBDC CD will be investigated.

Site F is part of Tynecastle Stadium (West Stand and circulation space). As such the PADHI guidelines suggest that the HSE would not advise against planning permission being granted to housing development on this site.

With regard to housing in the inner zone of a CD the advice of the HSE in general terms would be to advise against such development unless the existing use is higher or equal sensitivity level. Tynecastle Park is likely to contain more than 30 dwellings and will result in a sensitivity level of 3, irrespective of the density of development. In such circumstances CEC should be aware of the requirements of EU Directives and consider whether it is appropriate to continue high population levels or make reductions around these major hazard sites.

**Heart of Midlothian Football Club**  
per Jones Lang LaSalle

**Policy Context:** Tynecastle Stadium lies within a 'housing and compatible Uses' policy designation within the adopted local plan. This is a positive factor for the development of the site and should be highlighted as such - there should be a 'presumption in favour' of housing on the stadium site.

**Shopping Centre:** Brief should refer to large number of vacancies that exist within the shopping centre and the slow progress in attracting appropriate occupiers/investment. Brief should include a statement to demonstrate support for commercial occupiers within the existing centre and that additional floor space may be appropriate within the area. HoMFC consider that this could be accommodated on the McLeod Street frontage, where there would be footfall and be visible from Gorgie Road.

**Noted.** Paragraphs 4.12 and 6.3 have been amended in this context.

**Not Accepted.** The Housing and Compatible Uses' allocation is a broad designation covering many land uses, including open spaces. The presumption in favour of housing only applies to those sites suitable for redevelopment. These sites are identified by the brief and the acceptability of housing where appropriate recognised.

**Not Accepted.** The brief adequately describes the Gorgie shopping centre. Reference to its status as a 'town centre' has been added (para 3.4). The reference to 'mixed uses' on McLeod Street (fig. 4) has been clarified.

**Affordable Housing:** AHP requires affordable housing provision at 15% for proposals in excess of 40 units. HoMFC recommend that in the analysis of affordable housing provision, CEC assess the brief area as a whole, to identify the most appropriate location.

**Open Space:** careful consideration needs to be given to how the comprehensive redevelopment of the area would complement and interact with the open space at this particular location. Although Fig. 3 is indicative there is a concern that it may be considered prescriptive - suggest that the indicative nature of the figure be emphasised.

**COMAH Regs:** HoMFC are of the opinion that the restrictions on development and residential density highlighted within the brief are not based on an accurate interpretation of the PADHI guidelines and present a misrepresentation of the likely position of the HSE. Accordingly, the brief unnecessarily restricts the density of potential development. HoMFC recommend that the proposed restrictions on development on Tynecastle Stadium be removed. HoMFC believe that a more flexible approach to the potential housing densities should be taken, taking into account the existing use of the site and the associated sensitivity levels as per the HSE guidelines.

**Not Accepted.** References to affordable housing requirement are correct. The brief does not promote housing on all sites, for example, while the PADHI guidelines may consider the existing high school the same as the stadium, the brief does not promote housing on this site.

**Noted.**

**Partly Accepted.** Relevant paragraphs under Section 4 amended to address the concerns identified, in particular reference to the sensitivity levels set out in the PADHI guidelines. Accordingly, reference to density limits in this regard have been removed from the brief. The brief notes that an appropriate density of development will be determined by having regard to the constraints of the area and the Council's responsibilities to ensure that appropriate distances are maintained between COMAH sites and residential areas and areas of public use so as not to increase risks to people.

**Residential Density:** Statements on density and height of new development within the middle and outer zones of the defined COMAH CDs are contradictory. The density of the surrounding properties is relatively high, therefore, equally high density of development should be appropriate on the stadium site to maintain the strong urban form of the area. Were a low density approach adopted within both the stadium site and the rest of the area it would not be possible to achieve the 4 storey tenemental scale advocated by the brief at para 6.2.

**Environmental Considerations:** With reference to NBDC and 'obnoxious odours', request that the terminology be amended. Also recommend that data be included within the brief to assist developers in addressing the direction, intensity and potential travelling distances of odours emanating from NBDC.

**Education Contributions:** Request that further clarity be provided with respect to CEC's aspirations for educational contributions from the development of both the brief area generally and Tynecastle stadium specifically.

**Not Accepted.** An acceptable urban form for new development is considered achievable with lower densities than those that prevail in the surrounding area. Notwithstanding this position, specific reference to development density has been removed from the brief.

**Accepted.** Reference to 'obnoxious odours' removed from the brief and replaced with wording acceptable to NBDC. The brief now refers to 'noise and odour emissions'.

**Not Accepted.** The brief addresses Education issues at par's 4.12 - 4.15 and directs readers to the DQ Guideline: Developer Contributions for Investment in Schools at para 3.5.

**Transportation:** Request inclusion of a statement that sets out parking standards applicable in the brief area. If the brief area were to be brought in to the CPZ, further investigation should be undertaken into developing better transport links with the TIE proposed developments (Tram Line 2/WEBS) as areas within the CPZ should have highly developed public transport provision to enable modal shift choice. Brief should promote transport links from the brief area into these routes which would improve the accessibility of the area.

**Development Principles:** Support urban design principles but question the need for new vehicular access route from Gorgie Road to Russell Road and would suggest that accessibility and road layouts be deferred until a detailed access and transportation study of the brief area can be undertaken. Also consider that the level difference to the south of the WAR and the sites of the study area would create significant difficulties in achieving a 'boulevard' as indicated in the brief.

**Land Availability:** Three redevelopment options are highlighted but these are not addressed as such in the brief as a whole. Reference to NBDC land becoming available for redevelopment as part of the wider brief area is premature. It is understood that NBDC have no intention of moving site in at least the short to medium term and if possible this should be clarified in the brief.

**Accepted.** Car parking requirements are set out in para 6.9. An additional paragraph referring to WEBS and Tram Line 2 have been added to brief and the opportunity they public transport improvements offer to accessibility to the area.

**Not Accepted.** It is considered important to maintain vehicular access between Gorgie Road and Russell Road so that new development does not impact on road conditions in the surrounding area. The brief proposes a re-alignment of McLeod Street rather than a new road, as suggested. The greened pedestrian/cycle route along the northern boundary of the area is considered to be one way that the change in level between the area and the elevated WAR can be dealt with.

**Partly Accepted.** NBDC position has been clarified in para 1.1 of the brief. Para 6.1 sets out the rationale of the approach taken by the brief and demonstrates how sites could be developed without prejudice to each other and enabling the overall objectives set out in the brief to be achieved.



**McGrail, Peter**

**Response promotes an alternative solution to the development of the area:** Main elements include: a sports/stadium/commercial complex that will provide a landmark building acting as a focal point for the community and the area, a new Tynecastle School located on the football stadium site and new housing to the existing school site. The proposals envisage the demolition of two listed buildings: Tynecastle High School and 16 - 20 McLeod Street - Tynecastle Buildings (a tenement in residential use). Mr McGrail emphasises the gain to the community offered by his proposals.

Response offers no comment on the CEC's draft proposals for the area. Mr McGrail has developed his own proposals that are at odds with the draft brief. CEC has responded directly to Mr McGrail setting out its concerns, principally the need to progress proposals for the new school during the second half of this year in order to meet Education PPP2 timescales, the proposed alternative location for the school close to the distillery/chemical plant operations (the brief promotes a sites that seeks to minimise the risk from these operations) and the demolition of two listed buildings.

**North British Distillery Co. Ltd per  
Jones Lang LaSalle**

**NBDC status:** NBDC have no plans to close or relocate from their existing plant at Wheatfield Road and ask that a statement to this effect is contained within the brief - suggested text provided.

**Playing Field:** Para 2.2 should include reference to the playing field in the ownership of NBDC and that it is subject to a Section 75 Agreement that allows for the land to be returned to industrial/business.

**Obnoxious Odours:** NBDC strongly object to the statement in para 4.11 that *'the distillery operations frequently produce obnoxious odours'* and *'the distillery operations also give rise to noise nuisance'* - replacement text suggested.

**Accepted.** Last sentence of para 1.1 amended to confirm the position of NBDC.

**Accepted.** Para 2.2 amended to make reference to the playing field.

**Accepted.** Para 4.4 amended to remove reference to 'obnoxious odours' and 'noise nuisance'. First sentence now reads 'The nature of NBDC's operations at Wheatfield Road are such that these may result in noise and/or odour emissions, particularly from plant located close to the West Approach Road. This text is acceptable to NBDC.'

**COMAH:** Note reference in para 4.10 to the HSE planning assessment methodology and trust that the brief and any future planning application is assessed in accordance with the HSE advice and full consideration is taken of the installations located within NBDC's site.

**Urban Framework Strategy:** NBDC believe that the 'quiet routes' and 'green pedestrian/cycleways' are an unrealistic proposal given that they will pass through operational land of the distillery.

**Set-Back of Residential Development:** NBDC's principal concern is to ensure that their existing business activities are protected and that no planning decision is taken on the redevelopment of adjacent sites which would have an impact on the NBDC carrying out their existing business activities. Accordingly, the NBDC would like to ensure that the proposed development of Site G (Tynecastle Park) within the brief for predominantly housing, is set-back sufficiently from within its own boundary to respect the existing industrial use which takes within NBDC's site.

**Figure 3:** Note the imbalance of the open space allocation within NBDC's site compared to both CEC's land and HoMFC. Brief such specify acceptable levels of open space within each party's ownership.

**Noted.** Brief amended to address the concerns of NBDC and to apply an upper limit on housing density on sites close to the distillery operations.

**Not Accepted.** The brief provides a framework for future development in the area that will be realised over time as individual development proposals come forward.

**Noted.** An appropriate distance between NBDC operations and new development will be determined as detailed proposals come forward. The brief considers 'environmental considerations' at para 4.11 and sets out the necessary assessments that will be required to support planning applications.

**Not Accepted.** The brief illustrates open space requirements at Figure 3 and the rationale for these spaces at par's 6.3 and 6.4. CECs open policies are set out in the Central Edinburgh Local Plan and DQ Guideline: Open Space Requirements in New Development..

**Scottish Environment Protection Agency**

SEPA reinforce the comments of para 4.5 that there should be restriction placed on development due to COMAH regulations while Macfarlan Smith and NBDC remain in their current position - both sites are also regulated under the EPA 90 as prescribed processes. Encroachment of development of higher amenity use could give rise to complaint, which would have implications for emission standards set by SEPA. Reference to the requirement for the provision of appropriate sustainable urban drainage systems (SUDS) would be welcomed

**Noted.** Para 4.5 amended to add reference to Environmental Protection Act 1990. Additional paragraphs 6.13 and 6.14 to address drainage issues with particular reference to SUDS.

**Scottish Water**

**Water:** Scottish Water assets in the area may require to be diverted to the revised road layout.

**Sewerage:** There is currently considerable loading on the public sewer system from the proposed development zone, therefore it is expected that any redevelopment would produce a reduced flow. In the event of a comprehensive development of the Tynecastle area SW would encourage a strategic approach to water and drainage provision. This applies especially to the SUDS measures to be introduced, a regional treatment facility would be preferred. Sewers within the development may also require to be diverted to accommodate the revised layout. developers would also be required to submit a full soil investigation to SW for assessment.

**Noted.**

**Noted.** Additional paragraphs 6.13 and 6.14 to address drainage issues with particular reference to SUDS.

**sportscotland**

Welcome the proposal to develop a replacement Tynecastle High School, provided the opportunity is taken to include sports facilities of an appropriate standard in the new school. The relocation of the roads depot to St Augustine's/Forrester schools has implications for the playing fields at these schools.

**Noted.** Statement of Design Principles prepared for St Augustine's/Forrester high schools identifies land for a replacement roads depot. The statement addresses open space and recreational needs of the schools and the wider community as they are understood but will be discussed in greater detail with sportscotland and other interested parties as the PPP project progresses.

McLeod Street Community Centre provides hall facilities for sport and physical activity. The brief should refer to the need to retain such facilities to serve the local community or ensure that such facilities are included for community use in the proposed new school.

**Noted.** Additional para (4.23) added to require the re-provision of sporting and community facilities presently accommodated in the McLeod Street Community Centre.

The redevelopment of Tynecastle Park without the provision of a replacement stadium would be regrettable.

**Noted.**

**sportscotland** welcomes the development brief's recognition of the importance of creating attractive pedestrian and cycle routes through the area, including the promotion of safe routes to school. Along with proposals for new open spaces in the area this should encourage more physically active lifestyles among those who live and work in the area.

**Noted.**

**Transco**

Standard reply identifying pipelines located in the area.

**Noted.**

**The following individuals /  
organisations also consulted but  
did not respond.**

Scottish Civic Trust

L&B Police

Canmore Housing Association

Architectural Heritage Society

Cyclists Touring Club

SPOKES

Network Rail

Gorgie/Dalry Community Council

Lothian Primary Care NHS Trust

AAS 26 May 2004