

Development Management Sub Committee

Wednesday 7 March 2018

Application for Planning Permission 17/02477/FUL At Land 80 Metres West And East Of, Saltire Street, Edinburgh Proposed residential development and associated infrastructure (as amended).

Item number	7.4
Report number	
Wards	B04 - Forth

Summary

This proposal is the third phase of a four phase master planned development at Waterfront Avenue. It will contribute to the wider regeneration of Granton waterfront through the provision of new housing on a vacant urban gap site. The proposal is of an acceptable scale, layout and design and will not have an unreasonable impact on the amenity of the surrounding area. A minor infringement to the Edinburgh Design Guidance in terms of daylight and sunlight is acceptable. The proposal provides acceptable levels of car and cycle parking and provides the opportunity to make good a shortfall in car parking spaces in Phase 1. The level of affordable housing meets the requirement for 25% provision across Phases 2 and 3.

The proposal does not meet the requirements of LDP policy Del 1 and the Developer Contributions and Infrastructure Delivery Guidance in terms of developer contributions towards education, transport and healthcare. An open book assessment has been undertaken but this alone does not justify the acceptance of the reduced level of developer contribution proposed by the applicant. However, given the particular circumstances of this proposal which forms an integral part of a wider development, the regeneration benefits for Granton Waterfront and the delivery of the affordable housing shortfall from Phase 2, an exception is justified in this instance.

In all other aspects the proposal accords with the Development Plan and generally complies with the relevant Non-Statutory Guidance.

There are no material considerations that outweigh this conclusion and approval is recommended.

Links

<u>Policies and guidance for this application</u>	LDPP, LDEL01, LDEL03, LDES01, LDES02, LDES04, LDES05, LDES06, LDES07, LDES08, LEN09, LEN20, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, LTRA08, LRS06, SDP, NSG, NSGD02, NSDCAH, OTH,
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Report

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Recommendations

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

Background

2.1 Site description

The site has an area of approximately 1.15 hectares. The topography of the site is relatively flat, gently sloping towards the north. Most of the site is vacant with the exception of an electricity substation located to the west at the end of Saltire Street.

To the north of the site, the land falls steeply. This area comprises vacant land leading to West Shore Road and associated industrial uses. Directly to the east is the public footpath/cycleway 'The Walk', which provides access from Saltire Square, and beyond, down to West Harbour Road.

This application is for the third phase of a four phase development. The first phase to the west and south of the site at Saltire Street comprises four storey apartment blocks and an 11 storey tower building and was completed in 2006. Phase two, which is currently under construction to the east, is a mix of three to four storey townhouses and two seven storey apartment buildings. Phase four will be developed at a later date and lies to the west, beyond phase one.

The site is accessed via Saltire Street. Pedestrian access is also provided along The Walk which runs along the south east site boundary.

2.2 Site History

24 April 2002 - outline planning permission was granted for a mixed use development at West Granton Road and West Shore Road/ West Harbour Road, east of Caroline Park Avenue together with land to the north west of the junction between Caroline Park Avenue and West Granton Road (application reference: 01/02109/OUT).

Adjacent Site

24 March 2004 - approval of reserved matters for the erection of residential/ commercial development referring to height, massing, number and parking (application reference: 03/04608/REM).

14 April 2004 - approval of reserved matters for erection of residential/ commercial development comprising 130 flats, associated roads and temporary car parking on land at Waterfront Avenue (application reference: 03/03665/REM).

30 March 2017 - planning permission was granted for 100 residential units on land west of 14 Kingsburgh Crescent (application reference: 16/00155/FUL).

Main report

3.1 Description Of The Proposal

The proposal is for the development of 89 residential units in three blocks. The proposal comprises 19 one bedroom units, 64 two bedroom units, and six three bedroom units. The proposal forms the third phase of housing within a four phase masterplanned development. A total of 33 units of affordable housing would be provided in Block A.

Block A is located in the south east corner of the site and fronts "The Walk". It is five storeys high and accommodates 33 apartments, comprising six one bedroom units, 25 two bedroom units and two three bedroom units. Block B is located at the north east corner of the site and is seven storeys high. It accommodates 28 apartments comprising of 10 one bedroom units, 15 two bedroom units and three, three bedroom units. Block C is also seven storeys high and located at the north of the site. It comprises one three bedroom unit, 19 two bedroom units and eight one bedroom units.

Across the three blocks, the floor area of the one bedroom units ranges from 52 to 58 sq metres; the two bedroom units range from 66 to 73 sq metres; and the three bedroom units range from 89 to 117 sq metres in floor area. Within Block A, 1 of the 3 bed unit is on the ground floor and the other on the second floor. Within block B there is a three bedroom unit on levels one, two and three and block C contains one three bedroom unit on level 1. The three bedroom units in blocks B and C have access to a private balcony or terrace.

The proposal is a contemporary design reflecting the development in the other two phases. Each of the three blocks is dual aspect. Block A has a brick base storey with warm grey fibre cement panels cladding the upper levels. Blocks B and C will be constructed in multi coloured facing brick (buff, red and grey). The roofs of the blocks would comprise of grey single ply membrane. The windows have a dark grey frame. The balustrades to windows and balconies are galvanised mild steel or powder coated aluminium in silver.

The proposal includes three bikes stores, capable of accommodating 103 bikes, and three bin stores. The cycle stores for blocks B and C, are located on the landscaped deck between the two blocks and have a sedum roof. The cycle store for Block A is provided in the basement storage area of the block.

Vehicular access to the site is provided from the north end of Saltire Street. This provides access to a lower and upper parking area. A total of 126 car parking spaces are proposed. There are two areas of car parking within the site; a lower level area along the northern edge of the site accessed from the continuation of Saltire Street, which provides 74 car parking spaces; and upper level parking located off the new road which runs east/west through the development providing 50 spaces. Two uncontrolled spaces are proposed at the top of Saltire Street.

A full landscaping scheme has been submitted for the development.

Scheme 1

Changes were made to incorporate four motorcycle spaces, alterations to the detailed landscape design, introduction of a concrete retaining wall between the upper and lower levels of car parking at the access to the undercroft parking area, replacement of access steps between blocks A and B and The Walk with an accessible ramp and brick colour changes.

Supporting Statements

- Pre- Application Consultation Report;
- Planning Statement;
- Townscape Assessment;
- Design and Access Statement;
- Transport Assessment;
- Flood Risk Assessment and Drainage Strategy Report;
- Drainage Layout;
- Site Investigation Report;
- Ecology Report;
- Sustainability Statement;
- Environmental Noise Impact Assessment; and
- Air Quality Assessment.

These are available to view on the Planning and Building Standards on-line service.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of development is acceptable;
- b) the design, scale and layout are acceptable to the site;
- c) the proposal has an impact on the amenity of the area;
- d) parking, access and road safety arrangements are acceptable;
- e) the proposal meets the sustainability criteria;
- f) the proposals have any equalities or human rights impacts;
- g) impact on infrastructure can be mitigated;
- h) there are any other material planning considerations; and
- i) the representations raised have been addressed.

a) Principle of Development

The site is within the Central Development Area at Granton Waterfront as identified in the Edinburgh Local Development Plan (LDP). It is covered by Proposal EW2b and identified for housing led mixed use development across the wider Central Development area site.

LDP Policy Del 3 - Edinburgh Waterfront is relevant as it supports development that will contribute towards the creation of new urban quarters at Granton Waterfront. Policy Del 3 stipulates the requirements for development proposal which include, the provision of a series of mixed use sustainable neighbourhoods that connect with the waterfront and proposals for a mix of house types, sizes and affordability.

LDP Policy Hou 1 Housing Development supports residential development that contributes towards meeting Edinburgh's housing need. The estimated housing capacity of Granton Central Development Area is 2050 with 1747 still to be developed. The proposal would provide 89 units which will contribute towards meeting the identified housing need in Edinburgh.

Based on the above, the principle of the proposal accords within LDP Policies Del 3 and Hou 1. Residential development in this location is supported.

b) Scale, Layout and Design

LDP Policy Des 4 - Development Design requires that new development has a positive impact on its surroundings having regards to height and form; scale and proportions; and, materials and detailing.

The three apartment blocks have been sited to align with the other phases of development and complete the perimeter of a triangular courtyard that was promoted in the original masterplan for the site. The two 7 storey blocks stand on the edge of the escarpment between the upper and lower terraces (formerly Upper Strand and Lower Strand in the previously consented masterplan) overlooking the foreshore. They provide definition to the edge of the upper terrace when looking towards the site from West Shore Road and the bottom of The Walk.

In terms of height and form, Blocks B and C will be seven storeys in height and Block A will be five storeys high. The proposed building heights will sit comfortably within the context of the surrounding area. The blocks sit below the eleven storey tower at Saltire Square and will not appear visually intrusive within the context of the existing development in the surrounding area.

The proposed finish of the buildings will complement the other phases of development. A simple palette of materials has been proposed including multi-facing brick in a mix of white/buff, red and grey and light grey cement panels. The windows on all three blocks will have grey frames which will match the windows in the other phases of the overall development. The proposed materials are acceptable, subject to a condition requiring the submission and approval of specifications.

Concerns have been raised regarding the design of the elevations facing The Walk, namely that balconies have not been included in the design. While not in the form of balconies, there will be windows in the apartments in Phase 2 and 3 providing surveillance to the area. Furthermore, the townhouses in Phase 2 front onto The Walk. As discussed above, the mix of materials and design of the proposal is consistent within the context of the development as a whole and is acceptable in this instance.

LDP Policy Hou 2 - Housing Mix seeks to ensure a mix of housing types and sizes are provided to meet a range of housing needs. The proposal provides a mix of sizes including one, two and three bedroom apartments. The Edinburgh Design Guidance recommends that development proposals provide at least 20% family accommodation. This proposal provides 7% family accommodation. However, in phase two 34% family housing was provided. It is noted that phase 1 did not meet this requirement however, this was approved prior to this current policy requirement for family housing. Therefore, considering phases 2 and 3, there is an overall provision of 21% which meets the requirements of Policy Hou 2 and the Edinburgh Design Guidance.

In terms of housing mix for the affordable units, only two of the units would be family homes of 3 bedrooms. While the provision of family housing within the affordable units is below the level recommended in the guidance, in this instance the applicant has advised that the units are intended to be available for mid-market rent and the breakdown of units responds to demand in this area. In considering the mix of housing across the three phases of development, the proposal is acceptable.

LDP Policy Hou 3 - Private Green Space in Housing Development requires that development makes adequate provision for green space to meet the needs of future residents. Flatted developments should have 10 square metres per flat and a minimum 20% of the overall site area should be useable. This proposal includes a communal green space in the centre of the courtyard. The overall useable greenspace within the site boundary, including The Walk, would be 2,358 square metres. The site would provide 25.4 % of useable green space in accordance with Policy Hou 3.

A landscape plan was submitted with the application. The proposed planting is of a simple design with appropriate planting choices. The plan was amended during the assessment to provide additional detailing. It is acknowledged that given the extent of car parking required to be accommodated within the site that the landscaping opportunities have been limited. Within this context and taking account of the character of the wider area, the extent of landscaping is acceptable and appropriate. A schedule of planting implementation was not included in the application, therefore a condition has been attached requiring that the landscape scheme is implemented prior to the completion of the 75th unit.

Overall, the scale, layout and design of the proposal is acceptable and accords with LPD policies Des 4, Hou 2, Hou 3 and the Edinburgh Design Guidance.

c) Amenity of occupiers and neighbours

LDP Policy Des 5 Development Design - Amenity seeks to ensure that development does not adversely impact on the amenity of existing neighbours and that future occupiers' will have an acceptable level of amenity.

Noise

A Noise Impact Assessment was submitted with the application. That assessment considered the potential noise impact of road traffic and neighbouring commercial and industrial uses. It recommends that mitigating measures, including acoustic glazing and ventilators for the most traffic exposed facades, are carried out to the proposed building to deal with potential traffic noise to occupiers of the development.

Based on the above, Environmental Protection has no objection to the proposal and considers the conclusions of the Noise Impact Assessment reasonable, subject to the inclusion of a condition to ensure the amenity of future residents is protected.

Air Quality

The applicant also submitted an Air Quality Impact Assessment with the application. The air quality impact assessment did not identify any adverse impacts on local air quality associated with the development. Environmental Protection has reviewed the assessment and has raised no objections to the proposal on the grounds of air quality.

Internal Space Standards

In terms of internal space standards, all 89 flats comply with the minimum standards set out in the Edinburgh Design Guidance.

Privacy, Daylight and Sunlight

The Edinburgh Design Guidance sets out the requirements for new development in terms of impact on privacy, daylight and sunlight. The applicant submitted a Daylight, Sunlight and Privacy Statement. The statement assessed the proposal against the recommendations of the BRE "Site Layout Planning for Daylight and Sunlight: a good guide to Good Practice".

Daylight

In terms of daylight to existing buildings, consideration must be given to the impact on the existing east facing windows on the flatted dwellings on the east side of Saltire Street (Phase 1) and the north west facing windows on the town houses located on the south east side of The Walk (Phase 2). Council guidance requires that the amount of daylight reaching an external wall must have a Vertical Sky Component (VSC) value more than 27% or 0.8 of its former value.

Firstly, in terms of the east elevation of Phase 1, the impact on 24 windows was assessed. The proposal would result in two ground floor rooms, a kitchen and living room, in phase one not achieving this standard. They would have a VSC value of 24.4% and 23.9%. The impact on the remainder of the windows would accord with the guidance. The BRE Guidance indicates that maintaining light levels to kitchens are less important than other habitable rooms. However, it is acknowledged that a living room would have a higher importance in terms of impact on amenity. That being said, the loss of light is only marginally outside the guidance. Therefore, in this instance, a minor infringement of the guidance is acceptable.

With regard to the impact on the north west elevation of Phase 2, the proposal would result in six ground floor bedrooms breaching the standards in the guidance with values ranging from 23% to 26.5 %. This is considered acceptable because these are bedrooms and the breach of the guidance is marginal. Five first floor windows of living rooms are also affected with values of between 25.9% and 26.9%. Again this breach is marginal and the rooms in question are open plan living/dining rooms with windows to front and rear.

In conclusion, the impacts of the proposal do not meet the daylighting standards set out in the Edinburgh Design Guidance. However, given the shape of the site, the proposed layout is appropriate and fits well with the development on the neighbouring sites. The infringement is a result of the site shape and therefore an exception to the guidance is justified.

In terms of daylight to the new buildings, the Daylight, Sunlight and Privacy Statement found that the proposal would comply with the standard.

Sunlight

In terms of sunlight, the report considers the impact on phase 1 and phase 2 of the development. Guidance requires that habitable rooms receive at least 5% of annual probable sunlight hours during the winter month. With regard to Phase 1, four of the 45 windows on the rear elevation would not meet the BRE recommendations. The front elevation of phase 2 is north west facing and therefore does not currently meet the standard. Overall with regard to the existing buildings the additional impact on sunlight would be minor and will not have a significant adverse impact on amenity.

With regard to the proposed development, given the orientation of apartment block A, the north west facing windows do not comply with standard. However, the living areas are dual aspect and will receive sunlight. All windows in Blocks B and C meet the BRE standards.

In terms of the impact of sunlight on amenity space, the Edinburgh Design Guidance requires that at least half of garden or amenity space receive at least 3 hours of sunlight on 21st March. The proposal would comply with this requirement.

Privacy

Privacy is afforded to all occupiers of the new development and to neighbouring property at the adjacent sites. Guidance requires that new windows are located at least 18m from an existing window to prevent any unreasonable overlooking. The proposal would comply with this requirement.

Amenities

The proposal includes three bin stores within the courtyard. The proposal has been reviewed by the Council Waste Services Team and an agreed Waste Strategy is in place.

Overall, the proposal is acceptable with regards to residential amenity.

d) Parking, Access and Road Safety

Transport information has been submitted as part of the application which provides a detailed assessment of the transport considerations associated with the proposal.

Access

Vehicular access to the site will be provided from Saltire Street. Pedestrian and cycle links are provided from The Walk. The pedestrian link between the north east corner of the application site and The Walk currently includes steps. It has not been possible to provide alternative access at this stage. However, it is expected that agreement between the adjoining land owners can be reached at the Road Construction Consent process.

The applicant's submitted transport report states that the predicted increased vehicle movements associated with the development would not impact upon the satisfactory operation of the existing junctions serving the application site. The Roads Authority has raised no concern with the findings of this report.

Parking

In terms of parking provision, LDP Policy Tra 2 - Private Parking requires that developments make provision for car parking levels that comply with and do not exceed the parking levels set out in the Non-statutory Guidance.

This site is within parking zone two and the current parking standards support a maximum of 89 spaces. The proposal has two areas of parking proposed; a lower area of parking providing 74 spaces and an upper area of parking providing 52. The proposal includes 126 spaces appears to be in excess of the current parking standards.

However, in this instance, private parking provision for the entire development site (phases 1-4) has to be taken in to consideration. A shortfall of parking was provided in Phase 1 and the demand for parking from this phase is currently provided in a temporary compound within the site for Phase 4. When phase 4 is to be developed this site will no longer be available to provide parking for Phase 1. As such, Phase 3 is designed to provide a proportion of the replacement parking for Phase 1 and the remainder of the replacement parking will be provided in Phase 4.

In summary, the proposal for 126 car parking spaces under this application will provide 89 spaces for phase 3, and 37 spaces to be decanted from the temporary car park on the site of phase 4 to serve the shortfall in phase 1. This is within the maximum levels recommended in the Edinburgh Design Guidance and is acceptable.

This application was submitted prior to the 2017 Edinburgh Design Guidance being approved. Therefore is it reasonable in this instance to apply the standards in the 2009 guidance which was applicable when the application was submitted. Under the 2009 standards 5% of the total parking should be accessible. The proposal includes six spaces which complies with this requirement. Furthermore, the proposal accords with the motorcycle parking requirements.

In addition to the above, the current guidance recommends that one in every six parking spaces has an electric charging point. The 2009 guidance did not have requirement for electric charging points. This proposal does not include electric charging points at this stage. However, an informative has been included advising the applicant to make provision for electric charging points within the development.

Cycle Parking

LDP Policy Tra3 - Private Cycle Parking requires that cycle parking and storage within the development complies with Council guidance. The proposal includes three cycle stores. Two are proposed in the courtyard between blocks B and C providing 28 spaces in each and the third at basement level of Block A providing 35 spaces. Twelve external visitor spaces are also proposed. It is acknowledged that the level of cycle parking is below the spaces required in the Edinburgh Design Guidance. However, the Roads Authority has confirmed that given that at least one space has been provided per unit the extent of cycle parking provision is acceptable in this location. Notwithstanding the aforementioned, a condition is proposed requiring further details showing the design of each cycle store to ensure that they meet the required standards.

Concerns were raised regarding the location of the bike stores associated with Block A and limited opportunity for overlooking. The bike stores will be overlooked by Block B and lighting provided in line with building regulations to address these concerns.

Overall, the proposal is acceptable in terms of LDP Policies Tra 2 and Tra 3.

e) Sustainability

The applicant has submitted a sustainability statement as part of the application. The proposed development will meet the requirements of Section 6 (energy) of the 2010 Building Standards through the use of high performance building fabric. The proposal also includes a centralised heating system which will generate electricity and use the heat produced to store heated water for domestic heating needs. This system will be located adjacent to Phase 2.

The proposal is classed as a major development and has been assessed against Part B of the sustainability standards. The points achieved against the essential criteria are set out in the table below:

Essential Criteria	Available	Achieved
Section 1: Energy Needs	20	20
Section 2: Water conservation	10	10
Section 3: Surface water run off	10	10
Section 4: Recycling	10	10
Section 5: Materials	30	30
Total points	80	80

The proposal meets the essential criteria of the Edinburgh Standards for Sustainable Buildings.

f) Equalities and Human Rights Impacts

The application was assessed in terms of equalities and human rights. No adverse impacts were identified.

g) Infrastructure

LDP Policy Del 1 - Developer Contributions and Infrastructure Delivery requires that development proposals contribute towards infrastructure provision where relevant and necessary to mitigate any negative additional impact of the development. The Council approved new draft Supplementary Guidance on Developer Contributions and Infrastructure Delivery on 18 January 2018 which is currently out for consultation. The new draft guidance supersedes the previous version of the guidance approved in September 2017.

For applications determined after 18 January 2018, the contribution levels set out in the new guidance will apply. However, where an application was submitted prior to 18 January, the contribution levels set out in the previous guidance will be used where these are lower than the new levels. This is to ensure that the transition to the new guidance is implemented in a fair and transparent manner.

Education

Residential development is required to contribute towards the cost of the required education infrastructure to ensure that the cumulative impact of development can be mitigated. The site falls within Sub-Area CB-1 of the 'Craigroyston/Broughton Education Contribution Zone'. The Council assessed the impact of the growth on the area through Education Appraisal which took into account school roll projections. The Appraisal considered the impact of new housing sites allocated in the LDP, including this site and identified that contributions are required to mitigate the cumulative impact of development.

The following contributions are required towards education actions in the Craigroyston/Broughton Education Contribution Zone. The level of education infrastructure contribution has been taken from the September 2017 Guidance (£219,170 at Q1 2015). This equates to £241,087 at Quarter 4 2017 which is slightly less than £250,530 required under the January 2018 guidance. The total education contribution required is as follows:

- £241, 087 infrastructure contribution (Quarter 4 2017 value subject to indexation),
- £1,330 land contribution (no indexation).

Healthcare

The site is located within the Granton Waterfront Healthcare Contribution Zone as set out in the Draft Developer Contributions & Infrastructure Delivery Supplementary Guidance (January 2018). A healthcare contribution of £945 per residential unit which equates to £84,105 in total (subject to indexation) is required towards the cost of a new practice to help mitigate the impact of new residential development in Granton Waterfront. (The level of contribution required under the September 2017 guidance would have been £93,450).

Transport

The site is located within the Granton Transport Contribution Zone as set out in the Draft Developer Contributions & Infrastructure Delivery Supplementary Guidance (January 2018). A contribution of £70,292 (subject to indexation) is required for transport measures identified in the North Edinburgh. (The level of contribution required under the September 2017 guidance would have been £119,785).

Viability Considerations

The total projected level of contributions required for this development is £396,814 (at Quarter 4 2017) comprising Education £242,417, Transport £70,292 and Healthcare £84,105. The applicant has indicated that it is unable to meet the required level of contributions in full.

In accordance with Chapter 3 of the Developer Contributions and Infrastructure Delivery Supplementary Guidance, the applicant has undertaken an open book assessment for consideration by the Council's Property Service. This included information on land purchase and construction costs, professional and financial fees and predicted gross development value. These figures have been scrutinised by a Council surveyor and the confidential details of the financial viability appraisal will be shared with members of the Committee prior to the determination of the application.

This financial appraisal has been both lengthy and complex. The modelling calculations have been complicated by the fact that this application is not a standalone proposal. The need for 11 additional affordable housing units and 37 parking spaces to make up for shortfalls in Phases 1 and 2 has reduced the gross development value and increased the costs. Accurately predicting sales values for the site is also difficult given the limited private sector development activity in Granton in recent years. The Council surveyor has indicated that the costs associated with this proposal are higher than would normally be expected as a result of development choices made by the applicant. Whilst these include matters such as district heating which is supported by Council policy, different choices would have lowered the costs and as a result, increased profits.

In summary, the Council's Property Service is of the view that some of the assumptions made in the appraisal are not within the range of market norms. The applicant disagrees with this view. At the outset, the applicant stated that no contributions could be made. However during the appraisal process, the applicant offered to make a payment of £76,496 towards the overall developer contributions. This offer was made in order to demonstrate a willingness to work with the Council and is based on the level of contribution per unit agreed for phase 2, i.e. £1,366 per outright sale unit (Phase 3 has 56 units for sale).

A meeting took place with the applicant to discuss the implications of the financial viability appraisal for the planning application. The applicant has indicated that it would not be able to proceed with the development at this time if the application was approved subject to a legal agreement requiring full contributions.

In this instance, the outcome of the financial viability appraisal does not justify approval contrary to LDP policy Del 1. Consideration therefore needs to be given to the particular circumstances of this application, in particular the regeneration benefits associated with the development and the negative implications if the proposal does not go ahead.

The proposal represents the third phase of a four phase development. It is bound to the west by Phase 1 and to the east by Phase 2 and physically it is an integral part of the overall development. It will provide 89 homes including 33 affordable units in the heart of the Granton Central Development Area. The development includes the provision of additional car parking to replace that required for Phase 1 and currently being provided in a temporary car park on Phase 4. Phase 4 cannot therefore not go ahead until Phase 3 is implemented. If the applicant is unable to proceed with the development of Phase 3 at this time on viability grounds, it will delay not only the provision of 33 affordable units on this site but also an anticipated 25 affordable units on Phase 4. If the site was developed by another developer, it is unlikely that the 11 affordable units required to meet the shortfall in Phase 2 would be provided.

The proposal accords with LDP policy Del 3 which seeks to ensure that the regeneration of Edinburgh's waterfront comes forward in a planned manner within the context of a long term vision. It provides the opportunity to develop out the third phase of a site originally master planned in the early 2000s and where development stalled following the completion of Phase 1. This master plan was based on the concept of four inter-related phases focussed around a public square and The Walk, a pedestrian route which links Waterfront Avenue to West Shore Road. Phase 2 is now under construction and the development of Phase 3, which is in effect a gap site between Phases 1 and 2, will make a positive contribution to the regeneration of the wider area.

It should be noted that whilst the Council's Property Service anticipates a higher profit return than that predicted by the applicant, this is still below what would normally be expected by a private house builder. This applicant is in a position to work with lower profit margins as evidenced in Phase 2 when an anticipated 3% return was accepted. A scenario where an alternative developer takes over the site and pays the full developer contribution is considered unlikely.

In conclusion, the outcome of the financial viability appraisal alone does not justify the acceptance of a reduced developer contribution which would result in a funding shortfall. However given, the particular circumstances of this proposal which forms an integral part of a wider development, the regeneration benefits for Granton Waterfront and the delivery of the affordable housing shortfall from Phase 2, an exception is justified in this instance.

It is therefore recommended that the level of contribution offered by the applicant is accepted. The inclusion of a clawback clause in the legal agreement is not supported because in this instance, the main area of disagreement is the development costs which would be very difficult to monitor. A clawback arrangement would place an unacceptable burden on Council staff resources with limited likelihood of additional contributions.

The reduced contribution equates to £76,496 at Q4 2017 values. This will leave an infrastructure funding gap of £329,761. The financial implications of this are set out in section 6.1 of this report. With regard to meeting the tests set out in Circular 3/2012, the fact that there is currently no confirmed source of alternative funding to address this gap is not a sufficient reason to refuse planning permission in this case.

h) Other Material Planning Considerations

Affordable Housing:

LDP Policy Hou 6 - Affordable Housing stipulates that planning permission for residential development of 12 or more units should include provision for affordable housing of 25 percent of the total units proposed.

As previously stated this proposal is phase three of a four phase development. A staggered approach to the provision of affordable housing across the four phases has been accepted by the Council's Housing Service.

The below table sets out the requirement and provision of affordable housing across the first three phases of the development:

	Total Units	AHP Required	AHP Provided	AHP Balance
Phase 1	130	20 (15%)	34 (26%)	14 units carried
Phase 2	100	25 (25%)	0	11 unit under
Phase 3	89	22 (25%)	33 (37%)	Additional 11 units

As shown above, this proposal will provide an additional 11 affordable units than that required by Policy Hou 6. This overprovision makes up the balance of affordable housing required in Phase 2.

Overall, the Council's Housing Service is satisfied with this approach and an acceptable level of affordable housing will be provided across the three phases of development. The provision for 33 affordable units should be included within the legal agreement to this application.

Environmental Impacts:

Given the historic land use of the site it was necessary to submit a Site Investigation Report as part of the application. This Assessment is currently still being assessed by Environmental Assessment therefore, it is necessary to attach a condition to ensure that any issues relating to contaminated land that may arise are fully addressed.

Archaeology:

LDP Policy Env 8 - Protection of Important Remains seeks to protect archaeological remains from being adversely impacted from development. The Council's Archaeology Officer was consulted on the application and has confirmed that there are likely to be no archaeological remains on the site and therefore there are no known archaeological implications with regard to this proposal.

Ecology:

The application included an Ecology Assessment. The Assessment concluded that there was no evidence found of badger or bat habitat on the site. It was acknowledged that the site would be used by birds for nesting during the summer. However, no protected species were found. An informative is included reminding the applicant that should the site be cleared during nesting season a suitably qualified ecologist should be consulted.

i) Matters Raised in Representations

The application attracted 10 letters of representation; eight objections and two neither objecting nor supporting.

Material Considerations – Objections

- Lack of car parking within the development - addressed in Section 3.3 (d).
- Road safety concerns associated with the width of Saltire Street - addressed in Section 3.3 (d).
- In sufficient provision of open space- addressed in Section 3.3(b).
- Cycle store for Block A is not overlooked - addressed in Section 3.3 (c).
- Lack of animation on elevations fronting The Walk - addressed in Section 3.3 (b).
- Overprovision of carparking is unnecessary given proximity to public transport, cycle and pedestrian links - addressed in Section 3.3 (d).
- The integration of the site with the other phases of development - addressed in Section 3.3 (b).
- The height of the proposed apartment blocks - addressed in Section 3.3 (b).
- Lack of provision of community heating system - addressed in Section 3.3 (e).
- Lack of balconies along the elevation fronting The Walk - addressed in Section 3.3 (b).

Non Material Considerations

- Impact on views - not a planning issue.
- Impact on property values - not a planning issue.
- Concerns relating to the design of phase 4. This phase of the development does not form part of this planning application.
- Finish of the tower block- this does not form part of this application.

Material Considerations – Support

- Use of high quality building materials - considered in Section 3.3 (b).

Conclusion

This proposal is the third phase of a four phase master planned development at Waterfront Avenue. It will contribute to the wider regeneration of Granton waterfront through the provision of new housing on a vacant urban gap site. The proposal is of an acceptable scale, layout and design and will not have an unreasonable impact on the amenity of the surrounding area. A minor infringement to the Edinburgh Design Guidance in terms of daylight and sunlight is acceptable. The proposal provides acceptable levels of car and cycle parking and provides the opportunity to make good a shortfall in car parking spaces in phase 1. The level of affordable housing meets the requirement for 25% provision across phases 2 and 3.

The proposal does not meet the requirements of LDP policy Del 1 and the Draft Developer Contributions and Infrastructure Delivery Supplementary Guidance in terms of developer contributions towards education, transport and healthcare. An open book assessment has been undertaken but this alone does not justify the acceptance of the reduced level of developer contribution proposed by the applicant. However, given the particular circumstances of this proposal, which forms an integral part of a wider development, the regeneration benefits for Granton Waterfront and the delivery of the affordable housing shortfall from phase 2, an exception is justified in this instance.

In terms of developer contributions, the proposal represents a justifiable departure from the development plan and finalised supplementary guidance. In all other aspects the proposal accords with the Development Plan and generally complies with the relevant Non Statutory Guidance.

The proposal is acceptable. There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

2. The following noise protection measures to the proposed development, as defined in the RMP 'Environmental Noise Impact Assessment' Technical Report No. R-7297A-CL1-RGM 16 May 2017, shall be carried out in full and completed prior to the development being occupied. The glazing performance requirements are annotated on the site layout shown on Appendix C of the above report.
 - For the southern facade facing Waterfront Avenue, and side facade to the east; external glazing units with minimum insulation value of 10/12/6 should be installed: Rating Rw +Ctr, 32 dB with ventilators providing a minimum performance of Dne,wopen +Ctr, 38dB
 - For the western façade; external glazing units with a minimum insulation value of 8/12/6 should be installed: Rating Rw +Ctr 29 dB, with ventilators providing a minimum performance of Dne,wopen +Ctr, 35dB.
 - For the southern-eastern façade and nearest section of north-western façade; external glazing units with a minimum insulation value of 6/12/4 should be installed: Rating Rw +Ctr 27 dB, with ventilators providing a minimum performance of Dne,wopen +Ctr, 33dB.
3. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
4. The approved landscaping scheme shall be fully implemented within 6 months of the completion of the 75th unit in the development. Any trees or plants which within a period of five years from the occupation of this unit that die, are removed or become seriously damaged or diseased shall be replaced with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the Planning Authority.
5. Prior to commencement of the development, details of the proposed cycle stores to be submitted for approval by the Planning Authority regarding specification, design, security and location. Cycle stand products should meet the criteria of ease of use and provide secure locking points for wheels/frame. Once approved these shall be located on site prior to the occupation of the 75th unit.

Reasons:-

1. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
2. In order to protect the amenity of the occupiers of the development.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. In order to ensure that the approved landscaping works are properly established on site.

5. In order to ensure the adequacy of facilities for cyclists.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation to transport infrastructure. The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

The applicant will be required to contribute:

- a. The sum of £76,469 (based on £1366 per unit) toward the Granton Transport Contribution Zone, Granton Healthcare Contribution Zone and Craigmyle/Broughton Education Contribution Zone.

The above sum is to be indexed linked using the all-in tender price index from the last date of signing the Agreement until the date of payment. The use period for the contribution should be 10 years from the last payment.

- b. 25% of the units plus an additional 11 units are to be of an agreed affordable tenure.
2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. 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.
4. 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.
5. 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. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details.

6. The applicant should provide a suitable ramp to link to "The Walk" in addition or replacement of the proposed steps. Whilst it is acknowledged that the opportunity to provide such a ramp within the site is constrained by level differences and the extent of land ownership, a suitable ramp for wheel chair and pram use is required. It is expected that this matter can be addressed through discussion with the neighbouring land owner and through the Road Construction Consent process.
7. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent (a Quality Audit workshop took place on 22 August 2017);
8. Any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents.
9. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), car club space, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport. Provision of car club spaces will require a contribution of £1,500 per order plus £5,500 per car.
10. The applicant should note that new road names may be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity.
11. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.
12. Electric vehicle charging outlets should be provided for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.
13. Clearance of vegetation has the potential to disturb nesting birds; therefore clearance should take place outside the bird nesting season (March to August inclusive). Should it be necessary to clear ground during the bird nesting season, the land should be surveyed by a suitably qualified ecologist and declared clear of nesting birds before vegetation clearance starts.

Financial impact

4.1 The financial impact has been assessed as follows:

The reduced developer contribution of £76,496 at Q 4 2017 values will leave an infrastructure funding gap of £329,761.20 at Q4 2017 values, i.e. before taking into consideration the impact of future cost inflation.

The potential for funding gaps arising from viability assessments has been identified and reported through the LDP Action Programme governance arrangements, including reports to the Council's Finance and Resources Committee on 19 January 2017 and 23 January 2018.

There is as yet no confirmed source of alternative funding to address the cumulative gap arising from viability assessments. In addition there will also be significant additional revenue costs arising from the new education infrastructure for which no revenue budget currently exists. However, capital and revenue budget pressures arising from the infrastructure requirements in this area, and the Local Development Plan as a whole, are being considered as part of the ongoing budget consultation in February 2018.

From 1 April 2018/19, all aspects of section 75 developer contributions, including funding gaps arising from viability, will be reported annually as part of the performance management of the LDP Action Programme.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

A Proposal of Application Notice was submitted and registered on 8 June 2015. Copies of the notice were also sent to:

- West Pilton/West Granton Community Council;

- Granton and District Community Council;
- Local Ward Councillors (Forth);
- Forth Neighbourhood Partnership;
- Upper Strand Residents Association;
- Harbour Green Residents Association; and
- Cairn Housing Association.

Two public consultation events were held on 23 and 24 June 2015 in the Lighthouse Court commercial unit at 60 Waterfront Avenue.

Full details can be found in the Pre-Application Consultation report which sets out the findings from the community consultation. This is available to view on the Planning and Building Standards Online Services.

8.2 Publicity summary of representations and Community Council comments

Neighbour notification was carried out on the 23 June 2017. Ten representations were received; eight objections and two neither objecting nor supporting.

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

Background reading/external references

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

**Statutory Development
Plan Provision**

Local Development Plan

The site is within the Waterfront Area of Change. There is a safeguarded tram route to the south of the site along Waterfront Avenue, with a proposed tram stop adjacent to Saltire Square.

Date registered

31 May 2017

Drawing numbers/Scheme

01-03, 04A, 05B, 06, 07A-09A, 10, 11A, 12-15, 16A, 17C, 18, 19C, 20-22, 23A, 24-26, 27A, 28, 29, 30A,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Jane Iannarelli, Planning Officer

E-mail: jane.iannarelli@edinburgh.gov.uk Tel: 0131 469 3557

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Del 3 (Edinburgh Waterfront) sets criteria for assessing development in Granton Waterfront and Leith Waterfront.

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

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

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

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

LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

LDP Policy Tra 8 (Provision of Transport Infrastructure) sets out requirements for assessment and mitigation of transport impacts of new development.

LDP Policy RS 6 (Water and Drainage) sets a presumption against development where the water supply and sewerage is inadequate.

Relevant Policies of the Strategic 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, parking, streets and landscape, in Edinburgh.

Non-statutory guidelines on Developer Contributions and Affordable Housing gives guidance on the situations where developers will be required to provide affordable housing and/or will be required to make financial or other contributions towards the cost of, providing new facilities for schools, transport improvements, the tram project, public realm improvements and open space.

Other Relevant policy guidance

Appendix 1

Application for Planning Permission 17/02477/FUL At Land 80 Metres West And East Of, Saltire Street, Edinburgh Proposed residential development and associated infrastructure (as amended).

Consultations

Archaeology response - dated 15 June 2017

The site is located to the east of the historic site for Granton Castle and 18th century replacement Caroline House, occupying an area of raised ground overlooking the Forth. Forming part of the historic grounds for Caroline House in the 20th century the site was developed for industry relating to the nearby Gas Works, with post-war the site being occupied by a large Oil Depot.

The results of earlier (2002) archaeological assessment and evaluation has concluded that the construction and subsequent demolition of the industrial works on this site has had a significant adverse effect. Accordingly, it is considered that is unlikely that significant archaeological remains will have survived insitu and therefore there are no known archaeological implications in regards to this application.

Communities and Families response - Updated dated 08 February 2018

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (January 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2018).

Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the draft Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (January 2018).

Assessment and Contribution Requirements

Assessment based on:

70 Flats (19 one bedroom flats excluded)

This site falls within Sub-Area CB-1 of the 'Craigroyston / Broughton Education Contribution Zone'.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme, as set out in the Action Programme and Supplementary Guidance.

The Education Appraisal considered the impact of potential new housing sites allocated in the LDP, such as the application site. Appropriate education infrastructure actions to mitigate the cumulative impact of development are identified. The required contribution will therefore be based on the established 'per house' and 'per flat' rates for the appropriate part of the Zone.

If the appropriate infrastructure and land contribution is provided by the developer, as set out below, Communities and Families does not object to the application.

Total infrastructure contribution required: £250,530

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

Total land contribution required: £1,330

Note - no indexation to be applied to land contribution.

Communities and Families response - dated 30 June 2017

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (Updated March 2017), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

The Council's assessment has identified where additional infrastructure will be required to accommodate the cumulative number of additional pupils from development. Education infrastructure 'actions' are set out in the Action Programme and current Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery'.

Residential development is required to contribute towards the cost of the required education infrastructure to ensure that the cumulative impact of development can be mitigated. To ensure that the total cost of delivering the new education infrastructure is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established.

Assessment and Contribution Requirements

Assessment based on:

70 Flats (19 one bedroom flats excluded)

This site falls within Sub-Area CB-1 of the 'Craigroyston / Broughton Education Contribution Zone'.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme, as set out in the Action Programme and Supplementary Guidance.

The Education Appraisal considered the impact of potential new housing sites allocated in the LDP, such as the application site. Appropriate education infrastructure actions to mitigate the cumulative impact of development are identified. The required contribution will therefore be based on the established 'per house' and 'per flat' rates for the appropriate part of the Zone.

If the appropriate infrastructure and land contribution is provided by the developer, as set out below, Communities and Families does not object to the application.

Total infrastructure contribution required:

£219,170

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q1 2015 to the date of payment.

Total land contribution required:

£1,330

Note - no indexation to be applied to land contribution.

Police Scotland response - dated 10 August 2017

We would welcome the opportunity for one of our Police Architectural Liaison Officers to meet with the architect to discuss Secured by Design principles and crime prevention through environmental design in relation to this development.

Affordable Housing response - dated 11 August 2017

1. Introduction

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

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

* 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.

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

2. Affordable Housing Provision

The current affordable housing policy states that 25% affordable housing is required for all new applications. However, there are exceptions where masterplans have been agreed for some areas - this is one of those exceptions. The outline consent granted in May 2001 required a 15% affordable housing provision across the masterplan area. However, the applicant is providing in excess of 15% (22% across the phases and 37% in this phase).

The applicant is a recognised affordable housing provider and this application is for phase three of four within the masterplan area. The application is for 89 homes that form this phase. Of these, 33 homes will for be mid market rent and this welcomed. Below is a table that shows the AHP delivery across the four phases.

	Total	AHP Required	%	AHP actually delivered	%
Phase 1	131	20	15%	34	26%
Phase 2	100	25	25%	0	0%
Phase 3	89	22	25%	33	37%
Phase 4	100	25	25%	25*	25%
	420	92	22%	92	22%

*assumed AHP amount

The affordable housing will be fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.:

* 25% sought on all new developments except where an alternative level of provision has been secured through a S75 as part of a masterplan.

* The affordable housing will include an integrated variety of house sizes to reflect the provision across the wider site of approved affordable tenures

* The applicant enters into a Section 75 legal agreement to secure the affordable housing element of this proposal

3. Summary

The applicant has made a commitment to provide 33 (37%) on site affordable housing for this phase. This, when combined with the overall AHP allocation across the four phases, will be higher than the Masterplan provision for 15% and this is welcomed by the department.

These will be secured by a Section 75 Legal Agreement. This department welcomes this approach which will assist in the delivery of a mixed and integrated community

Environmental Assessment response - dated 24 August 2017

The application is for a residential development of 89 homes over 3 apartment blocks with a mix of 1,2 and 3 bedroom apartments. The site is on land 80 metres west and east of Saltire Street and north of Waterfront Avenue, Granton, Edinburgh. It is the third phase of a larger development of 300 homes. The first phase has already been completed and construction of the second phase is ongoing.

The site is of former industrial use and is included within the Waterfront Granton Master Plan produced in December 2000. Outline planning consent (01/02109/OUT) granted mixed use development for an area including Land lying between West Granton Road and West Shore Road/West Harbour Road, east of Caroline Park Avenue together with land to the north west of the junction between Caroline Park Avenue and West Granton Road.

In March 2004, approval of reserved matters was granted for the erection of residential / commercial development referring to height, massing, number and parking (03/04608/REM). In April 2004, approval of reserved matters obtained for erection of residential /commercial development encompassing 130 flatted units, associated roads and car parking on land at Waterfront Avenue (03/03665/REM). (Phase 1)

In March 2017, planning permission was granted in full for 100 residential units, comprising a mix of 3 to 4 storey townhouses and two 7 storey apartment buildings at Land 40 Metres West Of 14 Kingsburgh Crescent (off Waterfront Avenue) Edinburgh (16/00155/FUL). (Phase 2)

Waterfront Avenue forms the Southern boundary of the development site, the land immediately to the south of this road is currently vacant. There are existing residential buildings and some open spaces to the west and east of the development site. However, the site is potentially affected by noise from industrial and commercial activity to the north and north-east.

The applicant had submitted a supporting noise and local air quality impact assessment with the application. The air quality impact assessment identified that there should be no adverse impacts on local air quality if consent is granted. Environmental Protection is satisfied with this assessment and offers no objections on air quality grounds.

The noise impact assessment (NIA) has investigated the potential noise impacts from road traffic noise as well as the neighbouring industrial and commercial uses. In respect of road traffic noise, mitigation measures are recommended in the NIA and therefore recommended in this consultation response. In terms of the commercial and industrial noise sources assessed, there is the potential for an adverse noise impact from night operation of the bus tour operator and a significant impact from night operation of the concrete batching plant. However, it is understood that other bus tour operators in the area generally operate in the evening time rather than into the night. Therefore, at worst it is considered that any night time activity would be infrequent. In terms of the concrete batching plant, it is currently dormant and is very rarely used. Therefore, it is unlikely to be used at night. On balance, it is considered reasonable to accept the conclusions of the NIA.

The applicant has submitted a Site Investigation Report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed.

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

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

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

Grants are also available for the installation of EV charge points more information can be found at;

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

Environmental Protection offers no objection to this application, subject to the following conditions being attached to any consent;

Conditions

1. The following noise protection measures to the proposed development, as defined in the RMP 'Environmental Noise Impact Assessment' Technical Report No. R-7297A-CL1-RGM 16 May 2017, shall be carried out in full and completed prior to the development being occupied.

The glazing performance requirements are annotated on the site layout shown in Appendix C of the above report.

- For the southern facade facing Waterfront Avenue, and side facade to the east; external glazing units with minimum insulation value of 10/12/6 should be installed: Rating Rw +Ctr, 32 dB with ventilators providing a minimum performance of Dne,wopen +Ctr, 38dB

- For the western façade; external glazing units with a minimum insulation value of 8/12/6 should be installed: Rating Rw +Ctr 29 dB, with ventilators providing a minimum performance of Dne,wopen +Ctr, 35dB.

- For the southern-eastern façade and nearest section of birth-western façade; external glazing units with a minimum insulation value of 6/12/4 should be installed: Rating Rw +Ctr 27 dB, with ventilators providing a minimum performance of Dne,wopen +Ctr, 33dB.

2. Prior to the commencement of construction works on site:

(a) A site survey (including initial desk study as a minimum) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

(b) Where necessary, a detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

Informatives

Environmental Protection recommends that the site is served by at least one dedicated parking space with charging facilities for electric vehicles. The charging outlet should be of the following standard;

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

It is recommended that additional ducting and infrastructure is installed to allow more electric vehicle charging bays to be readily accommodated in the future.

It is also recommended that consideration is given to the installation of electric charging points within the cycle parking provision, for ebikes.

Historic Environment Scotland response- dated 25 August 2017

Thank you for your consultation which we received on 18 August 2017. We have assessed it for our historic environment interests and consider that the proposals have the potential to affect the following:

Ref	Name	Designation Type
LB28040	5 CAROLINE PARK, CAROLINE PARK HOUSE INCLUDING ROYSTON HOUSE	Listed Building

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.englished.org.

Flood Planning response - dated 22 August 2017

Flood Planning have no further comments to make on this proposal, and have no objections to the development.

Roads Authority response - update 24 January 2018

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

1. The applicant will be required to
 - a. contribute the sum of £70,292.20 to the Granton Transport Contribution Zone as set out in the Developer Contributions & Infrastructure Delivery Supplementary Guidance (based on £789.90 per unit and 89 units);
 - b. contribute the sum of £2,000 per order to progress suitable orders to: redetermine footways and carriageways; introduce waiting and loading restrictions; and control on-street disabled parking spaces; all as necessary for the development;
2. 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. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
3. Parking:
 - a. Disabled parking provision is in line with the 2009 Parking Standards which require a minimum of 6 spaces (6 spaces are proposed);
 - b. Motorcycle parking is in line with the 2009 Parking Standards which require a minimum of 4 motorcycle spaces within a secure and undercover location;
4. The applicant should be required to provide a suitable ramp to link to "The Walk" in addition or replacement of the proposed steps. Whilst it is acknowledged that the opportunity to provide such a ramp within the site is constrained by level differences and the extent of land ownership, a suitable ramp for wheel chair and pram use is required. It is expected that this matter can be addressed through discussion with the neighbouring land owner and through the Road Construction Consent process;
5. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent (a Quality Audit workshop took place on 22 August 2017);
6. The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent.

The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents;

7. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), car club space, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport. Provision of car club spaces will require a contribution of £1,500 per order plus £5,500 per car;

8. The applicant should note that new road names may be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

9. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;

10. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

Notes:

1. Parking has been assessed under the 2009 Parking Standards:

a. these require a minimum of 1 space per dwelling for housing for sale or rent and between 0.1 and 0.5 for affordable housing. The proposed application provides 128 spaces for 89 units which is considered over-provision. However, this application is Phase 3 of a 4 phase development and provides replacement parking for the temporary car park which will be lost as part of Phase 4. The total build out of all 4 phases will result in approximately 430 units with approximately 405 spaces. This is considered acceptable;

b. Disabled parking provision is required at 5% of total spaces, i.e. 6 spaces. The proposed 6 spaces are therefore adequate;

c. Motorcycle parking provision is required at 1 space per 25 units, i.e. 4 spaces. On-street provision is not normally acceptable;

d. Electric vehicle charging points are not required under the 2009 parking standards but developers are required to consider their provision;

e. Car club provision is required where parking provision is lower than required under the parking standards. However, as stated in the 29 September 2017 memorandum, the applicant should consider provision of car club spaces. This will require a contribution of £1,500 per order plus £5,500 per car;

2. 2017 Parking Standards:

- a. the standards approved on 12 October 2017 permit up to 1 space per unit for both affordable and private housing in Zone 2. The proposed 128 spaces for 89 units is therefore in excess of the current standards. However, as stated in 2.a. above, this application is Phase 3 of a 4 phase development and provides replacement parking for the temporary car park which will be lost as part of Phase 4. The total build out of all 4 phases will result in approximately 430 units with approximately 405 spaces. This is within the permitted level of parking and is considered acceptable;
 - b. Disabled parking under the 2017 is required at 10% of total spaces, i.e. 10 spaces;
 - c. Motorcycle parking provision is required at 1 space per 25 units, i.e. 4 spaces;
 - d. Electric vehicle charging points are required at 1 in 6 spaces, i.e. 21 spaces;
 - e. Car club initiatives are encouraged to promote car use as a shared resource and reduce pressure for parking (Edinburgh Design Guide page 50 and following).
3. The submitted Transport Assessment dated May 2017 is considered appropriate and does not raise any particular concerns with regard to transport impacts;
 4. Saltire Street is generally 3.5m in width with parking places providing opportunities for vehicles to pass. The road is clearly not to a standard normally expected to provide motor vehicle capacity to serve the proposed number of units (131 existing and 89 proposed) and is likely to result in vehicles having to wait to pass at times. However, the Edinburgh Design Guidance gives priority to creating "Welcoming, attractive and sustainable places [which] balance the needs of pedestrians, cyclists and motorists effectively with priority given to creating walkable and cycle friendly environments." Saltire Street is therefore considered a suitable access to the proposed development. The design of the future road access to Phase 4 will require careful consideration;

Roads Authority response - dated 29 September 2017

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

1. The applicant will be required to contribute the sum of £2,000 per order to progress suitable orders to:
 - a. redetermine footways and carriageways;
 - b. introduce waiting and loading restrictions; and
 - c. control on-street disabled parking spaces;all as necessary for the development;
2. 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. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
3. It is noted that the northernmost proposed access to "The Walk" includes steps. Whilst it is acknowledged that there are some technical constraints, it is expected that this matter can be addressed through the Road Construction Consent;

4. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent (a Quality Audit workshop took place on 22 August 2017);

5. The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents;

6. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), car club space, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport. Provision of car club spaces will require a contribution of £1,500 per order plus £5,500 per car;

7. The applicant should note that new road names may be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

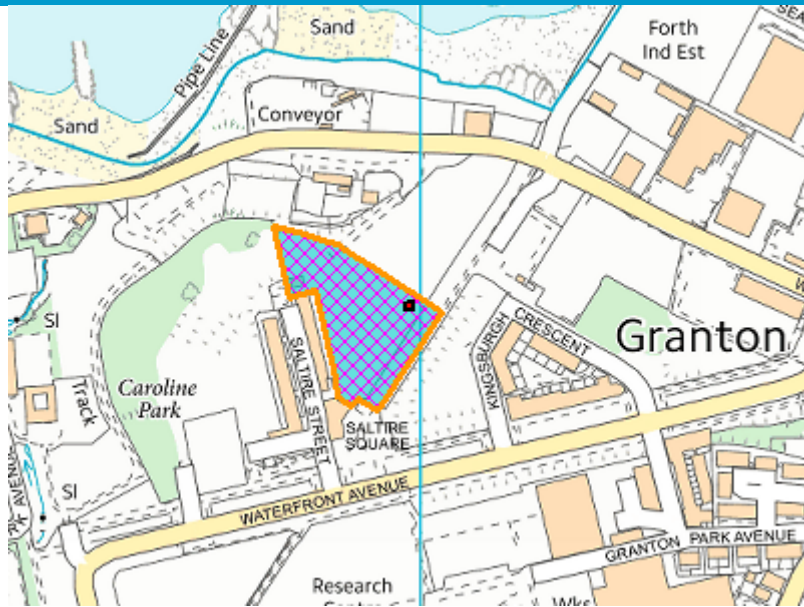
8. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;

9. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

Note:

Current Council parking standards require a minimum of 1 space per dwelling for housing for sale or rent and between 0.1 and 0.5 for affordable housing. The proposed application provides 126 spaces for 89 units which is considered over-provision. However, this application is Phase 3 of a 4 phase development and provides replacement parking for the temporary car park which will be lost as part of Phase 4. The total build out of all 4 phases will result in approximately 430 units with approximately 405 spaces. This is considered acceptable.

Location Plan



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