

Development Management Sub Committee

Wednesday 7 March 2018

Application for Planning Permission 17/00392/FUL At 543 Gorgie Road, Edinburgh, Demolition of Existing Buildings and Erection of 23 residential properties, with Associated Access Roads, Landscaping and Boundary Treatments. (As amended)

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| Item number | 7.1 |
| Report number | |
| Wards | A09 - Fountainbridge/Craiglockhart (Pre May 20 |

Summary

The proposal is acceptable in principle and the density, layout, scale, form and design is appropriate within this sustainable location. The proposal will achieve an acceptable environment for future occupiers and will not have an adverse impact on the amenity of neighbouring properties. The proposal will not have a detrimental impact on road safety, traffic, drainage, archaeology, air quality or biodiversity. The proposal complies with the Development Plan and non-statutory guidance. The proposal is acceptable and there are no material considerations which outweigh this conclusion.

Links

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| Policies and guidance for this application | LDPP, LHOU01, LHOU04, LHOU02, LHOU03, LDES01, LDES04, LDES06, LDES07, LDES08, LDES05, LEN03, LEN16, LEN21, LTRA02, LTRA03, LHOU06, LRS06, LDEL01, NSG, NSGD02, |
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Report

Application for Planning Permission 17/00392/FUL At 543 Gorgie Road, Edinburgh, Demolition of Existing Buildings and Erection of 23 residential properties, with Associated Access Roads, Landscaping and Boundary Treatments. (As amended)

Recommendations

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

Background

2.1 Site description

The application site is within the Gorgie/Chesser area of Edinburgh approximately 3.5 miles west of the City Centre. Gorgie Road itself forms a main arterial route with the site lying on the southern side just beyond its junction with Chesser Avenue.

The site covers 0.5 hectares and is a disused yard/ commercial premises. There is currently an advert hoarding along part of the elevation to Gorgie Road.

The surrounding area is mixed use in nature with the site being immediately west of Stenhouse-Saughton Parish Church and wrapping around a traditional showroom building with an interconnected warehouse to the rear. The site is bounded to the west by the Water of Leith, beyond which lies ELS House comprising a five storey, flat roofed, brick built office on a sloping site where the ground floor had previously been in separate ownership and represents a vacant former car showroom. A four storey residential development lies diagonally opposite with the northern side of Gorgie Road.

The majority of the buildings in the vicinity are residential in nature comprising largely two and three storey properties together with a four storey more modern brick built development fronting Gorgie Road on its southern side. The wider area has witnessed a degree of regeneration and incorporates traditional period two- storey and attic semi-detached, ex-local authority housing together with a series of more modern development such as that at New Mart Crescent.

Stenhouse-Saughton Church (Church of Scotland) - Category B Listed - Listed 26 October 1989 - Listing Number 30211.

The Water of Leith is a Local Nature Conservation Site.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

Planning permission is sought for the erection of 23 residential properties. There are 17 semi-detached and terraced townhouse style properties and a block of affordable flats located to the northern boundary of the site. In general the townhouses are four bedroom properties with an integrated garage. There are 38 car parking spaces across the site and an area for visitor cycles. Access is via Gorgie Road to the north and Chesser Grove to the south.

The properties have private garden grounds which are enclosed by 1.8 metre high walls.

The affordable housing is located to the north of the site and is provided in a block of six flats. All of these properties have two bedrooms and have a floor area of 66.8 square metres. An integrated bin and cycle storage is provided in the block.

A landscaping strip is provided along the western edge of the site along the boundary with the Water of Leith.

Scheme 1

The original submission proposed the erection of 19 townhouses with a commuted sum to affordable housing.

The applicant has submitted the following documents in support of the application, which are available to view on the Planning and Building Online Services:

- Demolition Statement;
- Design Statement;
- Suds Strategy;
- Archaeology Report;
- Extended Phase 1 Habitat Survey;
- Noise Report;
- Tree Report;
- Transport Assessment;
- Flood Risk Assessment; and
- Bat Survey.

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 the proposed development is acceptable;
- b) the proposal is of an appropriate density, layout, scale, mix and design;
- c) there is any impact on the setting of adjacent listed buildings;
- d) the proposal raises any issues in terms of neighbouring amenity;
- e) the proposal raises any issues in terms of residential amenity for the occupiers of the development;
- f) the proposal raises issues in terms of traffic, parking or road safety;
- g) is acceptable in relation to other relevant material considerations;
- h) the proposal is acceptable in respect of affordable housing and infrastructure;
- i) any impacts on equalities or human rights are acceptable; and
- j) comments raised have been addressed.

a) Principle

The application site is located in the Urban Area as designated by the Edinburgh Local Development Plan (LDP), and is previously developed.

LDP Policy Hou 1 (Housing Development) supports new housing development on suitable sites within the urban area, subject to compliance with other relevant policies in the LDP.

The site is in a sustainable location within easy walking distance of amenities including Chesser Local Centre and Chesser Avenue Local Centre. There are also good bus route linkages along Gorgie Road.

Policy EMP 9 Employment Sites and Premises seeks to ensure that employment land is given a degree of protection from development. The development of the site for housing is compatible with the adjacent uses and the site is less than one hectare.

The proposal is acceptable in principle.

b) Layout, Scale, Mix and Design

Layout and Scale

Policy Hou 4 of the LDP provides guidance on the density of development and seeks to ensure that developments respect the characteristics of the surrounding area, create an attractive environment, have good accessibility and support local facilities.

The spatial character of the area is mixed. Generally higher densities and larger built form and footprints exist along the northern side of Gorgie Road with the modern flatted development. The spatial relationship for this site is with the properties to the south in the four in a block and semi-detached properties. The proposed townhouse developments each with private gardens reflect the spatial character of this section of Gorgie Road. The flatted block located within the north west of the site is of an appropriate scale for the site. This block will provide a frontage addressing Gorgie Road with a good amenity to the Water of Leith.

The layout addresses both Gorgie Road and Chesser Grove with accesses provided onto both these streets. A footpath provides a direct link through this site, improving the access to Gorgie Road and its services for the existing residents on Chesser Grove. A woodland strip and path is provided along the western edge of the development site further enhancing the layout and amenity of the site.

Mix and Design

The proposal comprises a mix of four bedroom townhouses and two bedroom flats, all of which exceed the minimum internal floor area requirements set out in the Edinburgh Design Guidance.

The Edinburgh Design Guidance states that in developments over 12 units, 20% of the total number of units should be designed for growing families comprising three bedrooms and good access to private gardens or safe play areas for children. The proposal satisfies this requirement through the provision of the townhouses which all have access to private garden spaces. The flats also have access to an area of open space to the west of the block with good amenity onto the Water of Leith.

The mix of units proposed is acceptable.

The existing buildings on the site are utilitarian in form and appearance, and make a minimal contribution to the wider townscape. Whilst the use of the site for industrial use is established, bringing it into residential use presents the opportunity to create a greater sense of place.

The proposed development has a contemporary design, with the predominant materials being glazing, render and brick. A mix of contemporary, post war and traditional building styles exist in the wider area in addition to the use of stone, render and cladding. The design and materials proposed are appropriate within the site's context. A condition has been added requesting further details of materials.

The design of the proposal is acceptable.

Conclusion

The proposal is of an acceptable density, layout, scale, mix and design and responds appropriately to its location. The proposal will make a positive contribution to the wider townscape and will create a positive linkage to the existing properties to the south in Chesser Grove.

The proposal complies with LDP policies Des 1 (Design Quality and Context), Des 4 (Development Design - Impact on Setting), Des 6 (Sustainable Buildings), Des 7 (Layout Design), Hou 2 (Housing Mix), Hou 3 (Private Green Space in Housing Development), Hou 4 (Housing Density) and the Council's Edinburgh Design Guidance.

c) Impact on Listed Buildings

Policy Env 3 of the LDP seeks to ensure that any new development does not impact on the setting of a listed building. The adjacent church of Stenhouse and Saughton is a category B listed building. The proposed development is located away from the main elevation of the church and will not impact on the main setting on this corner. The properties located on plots 7 and 8 will come further forward than the existing building line. However, this is still away from the main elevation. The new building will be closer to the church on the eastern elevation of the site but will not impact on the setting of the listed building or diminish its historical interest.

Concerns have been raised that there are windows which will overlook the church and the potential behaviour of occupiers of these properties. The windows relate to circulation spaces and will not result in any privacy issues. The behaviour of the occupants cannot be controlled through the planning process.

The proposed development is not considered to have an adverse impact on the setting of the listed building and complies with policy ENV 3 of the LDP.

d) Neighbouring Amenity

The proposed use of the site is compatible with the surrounding area which comprises a mix of residential and commercial uses.

The proposed blocks will be located at sufficient distances from site boundaries and existing residential properties to ensure that requirements regarding privacy, daylighting, outlook and overshadowing, as set out in the Edinburgh Design Guidance, are met.

Environmental Protection does not raise any concerns with regard to the impact of the development on neighbouring amenity, the removal of the existing units are considered to enhance the amenity of the existing residents.

The proposal is acceptable from the perspective of protecting existing neighbouring amenity and complies with LDP Policy Des 5 (Development Design - Amenity) and the Edinburgh Design Guidance.

e) Amenity of Occupiers

The layout of the proposal does not raise any concerns regarding the amenity of future residents in relation to privacy, daylight, outlook or overshadowing. The proposed flats have a good level of open space adjacent to the block which is in excess of 10 sq metres per property.

The floor areas for each unit comply with the Edinburgh Design Guidance, and all but one of the units will have a dual aspect.

Environmental Protection have expressed concern in relation to the proximity of the property to Gorgie Road due to the designated Air Quality Management Area (AQMA). The majority of the development proposals are positioned away from Gorgie Road and the site does not have a strong frontage along this elevation due to the existing retail unit retained on the northern boundary of the site. On balance due to the position of the site just within the AQMA development on this site is acceptable.

In addition concerns have been raised by Environmental Protection about potential noise generators such as the church. The adjacent uses are all those which would be considered not to have an adverse impact on residential amenity and are often found within residential areas including the adjacent church and retail unit.

Any issues relating to ground contamination can be address by means of condition.

On balance the proposal is acceptable from the perspective of protecting future residential amenity and complies with LDP Policy Des 5 (Development Design - Amenity) and the Edinburgh Design Guidance.

f) Traffic, Road Safety and Parking

The Roads Authority does not raise any concerns with regard to road safety, traffic impact and parking.

The proposal is acceptable from a traffic, road safety and parking perspective and complies with LDP policies Tra 2 (Private Car Parking) and Tra 3 (Private Cycle Parking) and the Council's Parking Standards.

g) Other Material Considerations

Archaeology

The Council's Archaeology Officer confirms that there is some interest in the structures on the site due to the industrial heritage, and construction works may uncover significant archaeological deposits. The buildings on site are unprotected in terms of planning legislation and a number have already been removed from the site under correct procedures for demolition. A condition can be attached to ensure appropriate recording of any remains on the site as part of the excavation works.

Biodiversity

A Phase 1 Habitats Survey has been submitted in support of the application. A strong landscape edge has been provided along the western edge of the site to enhance the relationship between the site and the Water of Leith. The development of the site raises no issues for the Water of Leith Nature Conservation Site.

The Bat Survey confirms that no bats were recorded on site therefore no concerns are raised with regard to this protected species.

The proposal is acceptable from a biodiversity perspective and complies with LDP Policy Env 16 (Species Protection).

Flooding and Drainage

A Flood Risk Assessment and Drainage and SUDS Strategy have been submitted in support of the application. These have been fully assessed and are considered acceptable. This is subject to a condition relating to confirmation of outfall details.

The proposal is acceptable in terms of flood risk, drainage and surface water management requirements and complies with LDP policies Env 21 (Flood Protection) and RS 6 (Water and Drainage).

h) Affordable Housing and Infrastructure

Affordable Housing

LDP Policy Hou 6 (Affordable Housing) requires that residential development consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units proposed. For proposals of 20 or more dwellings, the provision should normally be on-site. The Council's non-statutory Guidance on Developer Contributions and Affordable Housing states that where affordable housing cannot be delivered on-site, the payment of a commuted sum may be acceptable.

Extensive discussions were held with the developer with regards to a commuted sum for the site as the original proposal fell below the 20 units. However, agreement could not be reached on a level of contribution for the site. The developer has amended to scheme to include a development of six flats within the development. The provision of on-site affordable housing is to be welcome. However, concerns have been raised by Affordable Housing that they cannot support this as the mix of units is not reflective of the overall units on the site.

The small number of units on the site limits the options for the delivery of affordable housing and whilst it is acknowledged that the proposed onsite provision does not replicate the townhouses on the rest of the site this is balanced by the actual provision of units. The market value of the proposed townhouses exceeds the maximum value of an affordable housing unit. The units will have good amenity with access to services on Gorgie Road, public transport corridors and open space adjacent to the Water of Leith. On balance it is considered that the provision of the six units on site for affordable housing is acceptable.

A legal agreement is required in order to secure the provision of the affordable units on site and agree the delivery model to ensure that the units are retained as affordable units.

Education

Communities and Families confirm that the site is located with the Tynecastle Education Contribution Zone. An infrastructure contribution is therefore required for the development of this site. Subject to the conclusion of a legal agreement for £103,154 there are no objections from Communities and Families.

i) Equalities and Human Rights

There are no issues of concern with regard to equalities and human rights.

j) Public Comments

Material Representations: Objections

- Loss of sunlight- addressed in section 3.3c) of the assessment.
- Impact on privacy to the church- addressed in section 3.3c) of the assessment.
- Impact on B listed church building - addressed in section 3.3c) of the assessment.

Non-Material Representations

- Land ownership and access rights issues. These are a civil matter.
- Damage to property during construction. This is a civil matter.
- Asbestos removal concerns.

Supporting Comments

- Secondary access onto Chesser Grove.
- Reuse of urban land.
- Site could accommodate more development.

Conclusion

The proposal is acceptable in principle and the density, layout, scale, form and design is appropriate within this sustainable location. The proposal will achieve an acceptable environment for future occupiers and will not have an adverse impact on the amenity of neighbouring properties. The proposal will not have a detrimental impact on road safety, traffic, drainage, archaeology, air quality or biodiversity.

The proposal complies with the Development Plan and non-statutory guidance. The proposal is acceptable and there are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. 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.
2. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
3. Prior to the commencement of the development details of the outfall shall be submitted and approved by the Planning Authority. The design of the outfall should follow SEPA best practice design and discharge into the watercourse at a 45° angle. A level of CAR Authorisation may be required by the contractor for works within or adjacent to the watercourse.
4. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
5. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
6. 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.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to safeguard the interests of archaeological heritage.

3. In order to enable the Planning Authority to consider this/these matter/s in detail.
4. In order to enable the Planning Authority to consider this/these matter/s in detail.
5. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
6. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded to make a financial contribution to Communities and Families of £103,154 (indexed) to alleviate accommodation pressures in the local catchment area.

Delivery of on-site affordable housing.

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.

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.
 - a. 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;
 - b. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;

c. 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.

Financial impact

4.1 The financial impact has been assessed as follows:

The application is subject to a legal agreement for developer contributions.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

A total of 3 letters of representation and one late representation have been submitted. All objected to the application. The matters raised are addressed 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

The site is located within the urban area.

Date registered

6 February 2017

Drawing numbers/Scheme

01-02, 03A, 04A, 05-12,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

LDP Policy Env 16 (Species Protection) sets out species protection requirements for new development.

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

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

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

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

Relevant Non-Statutory Guidelines

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

Appendix 1

Application for Planning Permission 17/00392/FUL At 543 Gorgie Road, Edinburgh, Demolition of Existing Buildings and Erection of 23 residential properties, with Associated Access Roads, Landscaping and Boundary Treatments. (As amended)

Consultations

Communities and Families

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'.

Assessment and Contribution Requirements

Assessment based on:

6 Flats

17 Houses

This site falls within Sub-Area T-2 of the 'Queensferry Education Contribution Zone'.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.

The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed. The proposed development is therefore required to make a contribution towards the delivery of these actions.

The application is for planning permission in principle. The required contribution should be based on the established 'per house' and 'per flat' contribution figures set out below and secured through a legal agreement

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:

£103,154

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.

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning the above application for the demolition of existing buildings and erection of 19 three-storey townhouses with associated access roads, landscaping and boundary treatments.

As described in AOC's DBA (AOC23693) accompanying this application is occupied by a range of industrial/commercial buildings dating back to the late 19th century, the earliest being the Midlothian Laundry. Prior to this 18th-19th century maps indicate that the site was farm land, though medieval occupation is known centred on the opposite bank on Stenhouse House.

Accordingly, these buildings are regarded as being of local archaeological and historic significance and the site having potential for unrecorded buried remains. Therefore, this application must be considered therefore under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh City Local Plan (2010) policy ENV9.

The proposed development will require the complete demolition of the existing historic industrial buildings including the late Victorian Midlothian Laundry. As such this scheme is considered to have a significant but low archaeological impact. It is recommended therefore that a programme archaeological historic building survey (level 2) is undertaken prior to development (annotated plans/elevations, photographic and written survey) in order to provide a permanent record of these locally important structures.

In addition, construction work may uncover significant archaeological deposits dating back to the medieval period. It essential therefore that in conjunction with the historic building survey work that a programme of archaeological work is undertaken prior to/during development to record, analysis and report upon any buried remains that may be disturbed.

It is recommended that that the following condition is attached to this consent to ensure that a programme of archaeological works is undertaken prior to construction.

'No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (Historic building survey, excavation, analysis & reporting) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work would be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

Waste Management

Waste Management Responsibilities

The Waste and Cleansing Services will be responsible for managing the waste from households and any Council premises only. I am assuming this would include this development.

Although it does not appear to be pertinent for this case, for completeness, it would be the responsibility of any third party commercial organisations using the site to source their own trade waste uplifts. Architects should however note the requirement for trade waste producers to comply with legislation, in particular the Waste (Scotland) Regulations which require the segregation of defined waste types to allow their recycling. This means there would need to be storage space off street for segregated waste streams arising from commercial activities.

Any appointed waste collection contractors, appointed to manage commercial waste, could be expected to have similar requirements to the Council in terms of their need to be able to safely access waste for collection.

Compliance with Waste Strategy (Domestic Waste Only)

The provision of a full recycling service is mandatory in Scotland, so developers must make provision for the full range of bins (either individual containers for each property, or communal bins for multiple properties). These must be stored off street at all times, except on the day of collection (in the case of individual bins).

The waste collection teams will require safe and efficient access to these from the earliest occupation, and therefore cognisance must be taken of my comments below in relation to operational viability.

As these are low density properties, we would recommend individual kerbside collections. This provides each property with landfill (140 litres); mixed recycling (240 litres), glass box, food box and internal caddy. All of these must be presented on the day of collection before a specified time and removed thereafter. They must otherwise be stored off street at all times.

Developers can either source their own bins in line with our requirements, or can arrange for us to do so and recharge the cost - this will probably be most convenient for them.

Operational Viability

Developers need to ensure that services are accessible so that our collection crews can provide the service in a safe and efficient manner, taking account of turning circles, length and width of vehicles, distance bins must be pulled, surfaces, slopes and so on. Obviously sufficient capacity must also be provided to allow successful collection of each segregated waste stream.

I am concerned about access for a refuse collection vehicle to the properties as the road appears particularly narrow in places. A swept path analysis will be required.

I would strongly recommend early contact with me to ensure adequate provision of segregated household waste bins include all of the above and suitable access for the refuse collectors is arranged.

b Transport Planning

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

1. *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;*
2. *A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;*
3. *The applicant should ensure that the access road and associated accesses are large enough, and of a shape, to accommodate any vehicles which are likely to use it, in particular refuse collection and emergency service vehicles. The applicant should provide a swept-path diagram to demonstrate that a vehicle can enter and exit the development in a forward gear, in the interests of road safety;*
4. *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;*

Note:

The applicant proposes 38 parking provision and is considered acceptable based on the Council's current parking standards for zone 3a.

Affordable Housing

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

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

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

2. Affordable Housing Provision

This application is for a development consisting of 23 homes and as such the AHP will apply. There is an AHP requirement for a minimum of 25% (5.75) of the homes to be approved affordable tenures.

The applicant has proposed that there will be six homes (25%) on site for affordable housing. The provision of on-site affordable housing is welcomed by the department, however the current proposals for the onsite affordable housing are not acceptable. This is because the affordable housing must provide a representative mix in relation to the provision of homes across the wider site and are required be identical in appearance to the market housing units, an approach often described as "tenure blind". As all the affordable homes proposed are flats and the market homes are all town houses, the affordable flats do not meet this requirement. We therefore recommend that this application be refused.

3. Summary

The applicant is required to provide a 25% affordable housing contribution which meets requirements of the Developer Contributions and Affordable Housing Guidance. As the current application proposals for affordable housing do not meet these requirements we recommend that this application is refused.

Flood Prevention

Flood Prevention are happy for this to proceed to determination as point 3 and 5 in my email below have been addressed. Please include the condition as per point 4 in my email below.

Comments on the flooding/drainage submission.

1. I can see that treatment to the surface water is being provided and this is adequate for Council purposes however SEPA may wish to confirm through submission of a simple index approach that water quality is acceptable prior to discharge into the Water of Leith.

2. The details of the diversion of the combined water culvert should be agreed with Scottish Water.

3. Please confirm that the minimum standoff distance from the new culvert alignment centre is 5m.

4. The design of the outfall should follow SEPA best practice design and discharge into the watercourse at a 45° angle. A level of CAR Authorisation may be required by the contractor for works within or adjacent to the watercourse.

SEPA guidance: https://www.sepa.org.uk/media/150984/wat_sg_28.pdf

A condition should be applied that details of the outfall should be approved by Head of Planning prior to work starting on site.

5. We still require a declaration covering the Flood Risk Assessment produced by Kaya. The one submitted only covers the SWMP. Blank copy attached. Once we have satisfactory answers to points 3 and 5 Flood Prevention are happy for this to proceed to determination.

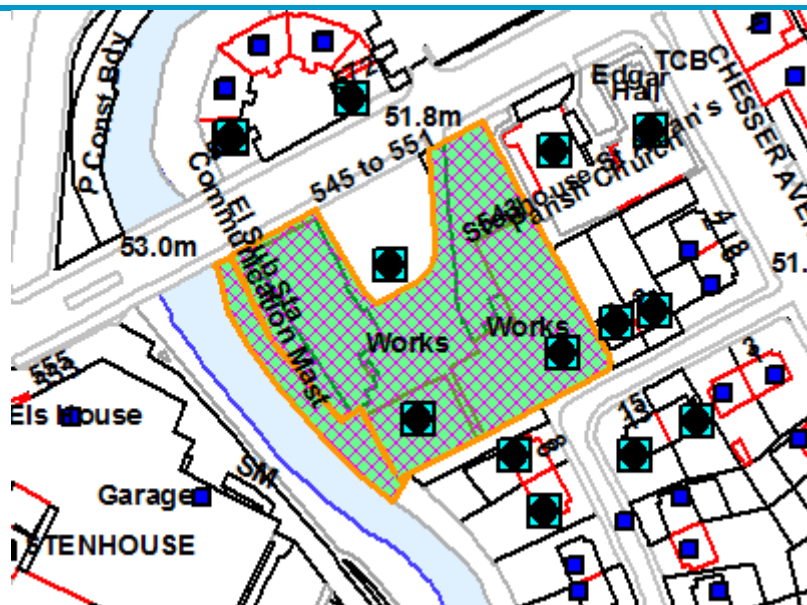
Environmental Protection

Environmental Protection would require detailed assessments for all the feasibility studies. Our primary issue is Gorgie Road has been declared an Air Quality Management Area (AQMA) for NO2 so we cannot allow support development close to the road. The feasibility studies with buildings set back would represent the best way forward but this would need to be supported with an air quality assessment due to the proximity to the air quality management area.

A noise impact assessment will also be required for all scenarios, noise from the church to the east, industrial uses to the west and Gorgie Road to the north all need to be assessed and specific details on mitigation provided. The removal of the industrial units as part of this proposal can be considered a planning gain for the existing residential units located on Chesser Grove.

Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning and Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent (except where it is appropriate to do so, for example where remediation of severe contamination might not be achievable).

Location Plan



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