

Notice of meeting and agenda

Development Management Sub-Committee of the Planning Committee

10:00am, Wednesday 21 March 2018

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

This is a public meeting and members of the public are welcome to attend.

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1. Order of business

- 1.1 Including any notices of motion, hearing requests from ward councillors and any other items of business submitted as urgent for consideration at the meeting.
- 1.2 Any member of the Council can request a Hearing if an item raises a local issue affecting their ward. Members of the Sub-Committee can request a presentation on any item in part 4 of the agenda. Members must advise Committee Services of their request by no later than **10.00am on Monday 19 March 2018** (see contact details in the further information section at the end of this agenda).
- 1.3 If a member of the Council has submitted a written request for a hearing to be held on an application that raises a local issue affecting their ward, the Development Management Sub-Committee will decide after receiving a presentation on the application whether or not to hold a hearing based on the information submitted. All requests for hearings will be notified to members prior to the meeting.

2. Declaration of interests

- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

3. Minutes

- 3.1 None.

4. General Applications and Miscellaneous Business

The recommendation by the Chief Planning Officer or other Chief Officers detailed in their reports will be approved without debate unless the Clerk to the meeting indicates otherwise during “Order of Business” at item 1 above.

- 4.1 9C Doune Terrace, Edinburgh, EH3 6DY – Erect single storey rear extension to nursery - application no 17/05929/FUL – report by the Chief Planning Officer (circulated)
It is recommended that this application be **GRANTED**.
- 4.2 536 Gilmerton Road, Edinburgh EH17 7JD – Erection of new single storey extension to the existing dental practice. Additional window openings to be made, increasing existing window openings, recladding of existing façade and installation of new photovoltaic panels on the roof – application no 17/03446/FUL – report by the Chief Planning Officer (circulated)
It is recommended that this application be **GRANTED**.

- 4.3 Hamilton Terrace, Edinburgh (St John's RC Primary School) – New park amenity greenspace on the site of the former Portobello Primary School. Work will include the demolition of the existing St John's RC Primary School currently on the site - application no 17/05217/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 4.4 48 North Greens, Edinburgh EH15 3RT – 2 No. single storey side extensions to existing dwelling house - application no 17/04957/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 4.5 Old Dalkeith Road, Edinburgh (South East Wedge Development Site) – The project is the development of an area of existing open space with an active travel route from Little France Drive in the north to the Wisp in the south. It also connects Phase 1 of the project heading west and linking in with the ERI – application no 17/05986/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 4.6 58 South Clerk Street, Edinburgh, EH8 9PS – Change of use from Class 2, Beauty Salon, to Class 3, Restaurant – application no 17/03933/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 4.7 33 Telford Road, Edinburgh, EH4 2AY – Proposed extension plus deck and concrete slab to rear (in retrospect). – application no 17/03277/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

5. Returning Applications

These applications have been discussed previously by the Sub-Committee. A decision to grant, refuse or continue consideration will be made following a presentation by the Chief Planning Officer and discussion on each item.

- 5.1(a) 2 Dewar Place, Edinburgh EH3 8ED – PPP for hotel(s) (Class 7), office (Class 4), retail (Class 1), restaurant(s) (Class 3), pedestrian deck, bridge link + accesses from Western Approach Road, Dewar Place + Canning Street; detailed approval for siting, maximum height & limits of deviation of proposed buildings, partial demolition, + refurbishment of façade of former electricity station (as amended) – application no 17/02227/PPP – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 5.1(b) 2 Dewar Place, Edinburgh EH3 8ED – Demolition of rear part of original electricity generating station, partial demolition, refurbishment and integration of retained façade into proposed hotel building (as amended) – application no 17/02228/LBC – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 5.1(c) 2 Dewar Place, Edinburgh EH3 8ED – Complete demolition in a conservation area of electricity transformers and switch room building – application no 17/02229/CON – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 5.2 30 South Fort Street, Edinburgh EH6 5NU – Demolish existing buildings. Form new residential development with associated roads/paths and parking (Scheme 3) – application no 16/03218/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

6. Applications for Hearing

The Chief Planning Officer has identified the following applications as meeting the criteria for Hearings. The protocol note by the Head of Strategy and Insight sets out the procedure for the hearing.

- 6.1 None.

7. Applications for Detailed Presentation

The Chief Planning Officer has identified the following applications for detailed presentation to the Sub-Committee. A decision to grant, refuse or continue consideration will be made following the presentation and discussion on each item.

- 7.1 105 Provost Milne Grove, South Queensferry (At Land 100 Metres South Of) – Residential development of Flats and Houses with associated accesses, roads, drainage, parking and landscaping (as amended) – application no 16/06280/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 7.2 127 Trinity Road, Edinburgh – Application to vary planning permission 16/04449/FUL for proposed houses at 127 Trinity Rd, Edinburgh – application no 16/04449/VARY – report by the Chief Planning Officer (circulated)

It is recommended that this application be **VARIED**.

8. Returning Applications Following Site Visit

These applications have been discussed at a previous meeting of the Sub-Committee and were continued to allow members to visit the sites. A decision to grant, refuse or continue consideration will be made following a presentation by the Chief Planning Officer and discussion on each item.

- 8.1 None.

9. Pre-Application Reports

No decisions will be taken on these applications at this meeting. Following a presentation by the Chief Planning Officer, members will have the opportunity to ask questions and indicate key issues they would like the applicants to consider in their eventual application/s. Members will not Express a view on the merits of the proposal/s.

- 9.1 208 Broomhouse Road, Edinburgh (At Forrester High School And St Augustines RC High School) – Erection of extension to existing Forrester High School and St Augustines RC High School - application no 18/00277/PAN - report by the Chief Planning Officer (circulated)

Laurence Rockey

Head of Strategy and Insight

Committee Members

Councillors Gardiner (Convener), Booth, Child, Dixon, Gordon, Graczyk, Griffiths, Mitchell, Mowat, Osler and Staniforth.

Information about the Development Management Sub-Committee

The Development Management Sub-Committee consists of 11 Councillors and usually meets twice a month. The Sub-Committee usually meets in the Dean of Guild Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

Further information

A summary of the recommendations on each planning application is shown on the agenda. Please refer to the circulated reports by the Chief Planning Officer or other Chief Officers for full details. Online Services – planning applications can be viewed online by going to <http://www.edinburgh.gov.uk/cpol> – this includes letters of comments received.

The items shown in part 6 on this agenda are to be considered as a hearing. The list of organisations invited to speak at this meeting are detailed in the relevant Protocol Note. The Development Management Sub-Committee does not hear deputations.

The Sub-Committee will only make recommendations to the full Council on these applications as they are major applications which are significantly contrary to the Development Plan.

If you have any questions about the agenda or meeting arrangements, please contact Committee Services, City of Edinburgh Council, Business Centre 2:1, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG, 0131 529 4210, email committee.services@edinburgh.gov.uk.

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to <http://www.edinburgh.gov.uk/cpol>.

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Development Management Sub Committee

Wednesday 21 March 2018

**Application for Planning Permission 17/05929/FUL
At 9C Doune Terrace, Edinburgh, EH3 6DY
Erect single storey rear extension to nursery.**

| | |
|----------------------|-------------------|
| Item number | 4.1 |
| Report number | |
| Wards | B11 - City Centre |

Summary

The proposed development complies with the Edinburgh Local Development Plan, Historic Environment Scotland guidance and non-statutory Council guidance. It will not adversely impact on the setting of the listed building, the character and appearance of the conservation area, the outstanding values of the Edinburgh World Heritage Site, residential amenity or road safety.

Links

[Policies and guidance for this application](#) LDES12,

Report

Application for Planning Permission 17/05929/FUL At 9C Doune Terrace, Edinburgh, EH3 6DY Erect single storey rear extension to nursery.

Recommendations

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

Background

2.1 Site description

The application relates to a property located within a five storey townhouse on the north side of Moray Place. The children's day nursery occupies the lower ground floor and basement and is accessed to the rear from Doune Terrace. Numbers 9C to 10 Doune Terrace properties are in effect the rear lower levels of the main Moray Place terrace with open garden ground extending out to the street. East of this, the properties in Doune Terrace front directly onto the street. In this case, the upper elevations of the rear of the Moray Place townhouses are visible from the street in Doune Terrace, whereas the lower levels are screened by walls, railings and vegetation.

Surrounding properties are all Georgian townhouses which are generally in residential use on the upper floors, with mixed residential and commercial use on the ground and basement floors.

The building is category A listed and was designed by James Gillespie Graham in 1822, as part of a classical palace block. It was listed on 3 October 1967 ref: 28659. The site is in the Edinburgh World Heritage Site.

2.2 Site History

The site has operated for 15 years under the present management and was a nursery for 10 years prior to that.

27 September 2006 - Consent granted for partial change of use of 15A Moray Place to ancillary accommodation for childrens' nursery and increase in numbers by 15 (application number 05/04031/FUL).

Main report

3.1 Description Of The Proposal

The proposal is to construct a modern, minimalist designed flat roofed extension into the garden along the west boundary. This will serve as extra nursery classroom accommodation. The extension will allow a better learning environment, flexibility and flow through the building and allow the nursery to maintain current numbers when the lease on the lower ground floor of the main building expires in a few years time. It will measure 10.4 metres in length x 3.5 metres in width and 3.1 metres in height. The extension will sit 0.3 metre below the boundary wall. Materials will be mid-grey zinc roof and wall cladding with dark grey aluminium framed glazing with a small entrance link in black fibre cement cladding. A feature window will have a contrasting coloured collar.

A small shed along the west boundary will be demolished to make way for the extension. The garden will be remodelled in part with a new lowered courtyard area surfaced with setts/paviours and retaining walls (buff brown multi brickwork), plus an extended metal staircase down from the rear of the lower ground floor.

Applicant's Supporting Statement

This document is available to view on the Planning and Building Standards online services.

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

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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 use is acceptable;
- b) the design and materials of the extension are appropriate to the setting of the listed building, the conservation area and the Edinburgh World Heritage Site;
- c) the development would result in any loss of residential amenity;
- d) there are any road/parking issues;
- e) there is any issue of precedent;
- f) the objections have been addressed; and
- g) there are any equality or human rights issues.

a) Principle

The use is currently a nursery with a capacity of 65 children. The number of children will not change as a result of this development. The principle of the extension is therefore acceptable within this residential area under Policy Hou 7 - Inappropriate Uses in a Residential Area, of the Edinburgh Local Development Plan (LDP).

b) Design and Materials

The extension is low level, minimalist in design and of subdued, dark zinc finish, and whilst it will stretch along the west boundary will be below the height of the adjacent feu wall and will not be visible from Doune Terrace because of this and because of intervening walls, railings and vegetation.

The design and materials are contemporary. There is an existing small glazed extension on the other side of the garden close into the current basement area which this new extension will face. Due to the subdued scale and the subordinate appearance of the extension, it will not adversely impact on the setting of the listed building (policy Env 3 of the LDP), or impact in other than a minor way on the character and appearance of the conservation area (Policies Env 6 and Des 12 - Alterations and Extensions). This is because the minimalist architecture and low key position of the building does not compete visually with the dominant historic garden walls or the rectangular layout of this new town property: a characteristic of the conservation area identified in the New Town Conservation Area Character Appraisal. The proposals will reduce the garden area but there is a small shed in this location which is to be removed and the remainder of the garden is hard play area and decking, so the loss of green space is not an issue. For comparison, the existing usable open garden space is approximately 166 square metres. This would be reduced by 35 square metres, or 21 per cent as a result of the development.

It will have no impact on the outstanding values of the Edinburgh World Heritage Site (Policy Env 1 of the LDP). It is sympathetic to its context. It is a well designed modern addition that will not read as part of the original building and will less radically affect its appearance than a pastiche development. It complies with the HES document 'Managing Change in the Historic Environment'.

The proposals add positively to the sense of place and are of high quality materials and comply with Policy Des 1 of the LDP. The proposals comply with Policy Env 6 of the LDP - Conservation Areas. A condition is recommended to ensure the cladding and surface treatments are acceptable.

c) Amenity

The number of children is not being increased, so that the level of noise will not increase above current levels. Furthermore, the number of drop offs and pick ups in the street will remain constant. The extension will be equally as visible from directly above and from the east, as is the current garden. Loss of privacy will not therefore occur to any surrounding flat as the garden is already visible from these flats, including that of the objector at 9 Doune Terrace directly above the site.

There will be no loss of residential amenity in accordance with Policy Des 12 and Hou 7 of the LDP.

d) Roads/Parking Issues

There will be no increase in in the number of children and so the number of vehicles visiting the premises is unlikely to change. Whilst it is accepted that traffic congestion occurs in Doune Terrace at the beginning and end of the nursery day, this cannot be controlled, is transitory and this development will not make it worse.

Consequently, there are no road or parking issues associated with this development. The development complies with Policy Tra 2 of the LDP.

e) Precedent

Each application is assessed on its own merits. However, in this case the extension is a one off for an established childrens' nursery, in a tucked away position. It does not form any precedent for this terrace or the locality.

f) Public comments

Material representations - Objection:

- Further intensification of use/scale - assessed in section 3.3e) of the Assessment.
- Significant impact on the built form (Conservation Area, Listed Building and World Heritage Site) - addressed in section 3.3b) of the Assessment.
- Style and design - addressed in section 3.3b).
- Loss of green space - addressed in section 3.3b).
- Impact on privacy/amenity/noise/deliveries - addressed in section 3.3c).
- Traffic/congestion - addressed in section 3.3d).

- Precedent -addressed in section 3.3e).

Material Representations - Support:

- Supports the provision of good quality nurseries in the city centre such as this.

Non-material representations:

- Referred to non-neighbour notification in one case. This has been addressed.

New Town and Broughton Community Council:

- Objected concerning the progressive increase in the number of pupils over the years and intensification of the use and the impacts of the proposed extension on the listed building, conservation area and Edinburgh World Heritage Site. These concerns are addressed in paragraphs 3.3a) and 3.3b) of the Assessment and the outcomes are not found to be significant.

g) Equalities

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

Conclusion

The proposed development complies with the Edinburgh Local Development Plan, Historic Environment Scotland guidance and non-statutory Council guidance. It will not adversely impact on the setting of the listed building, the character and appearance of the conservation area, the outstanding values of the Edinburgh World Heritage Site, residential amenity or road safety.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Sample/s of the proposed cladding, roofing and courtyard surfacing materials shall be submitted to and approved in writing by the Planning Authority before work commences on site.

Reasons:-

1. In order to safeguard the character of the conservation area.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

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

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 12 January 2018. Nineteen letters have been received: 17 of objection, one non-material about notification and one of support. The objections include one from the New Town and Broughton Community Council.

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 property forms part of an A listed building located in an Urban Area and an Historic Garden/Designated Landscape-Inventory Site in the Edinburgh Local Development Plan.

Date registered

18 December 2017

Drawing numbers/Scheme

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Duncan Robertson, Senior Planning Officer
E-mail:d.n.robertson@edinburgh.gov.uk Tel:0131 529 3560

Links - Policies

Relevant Policies:

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

Appendix 1

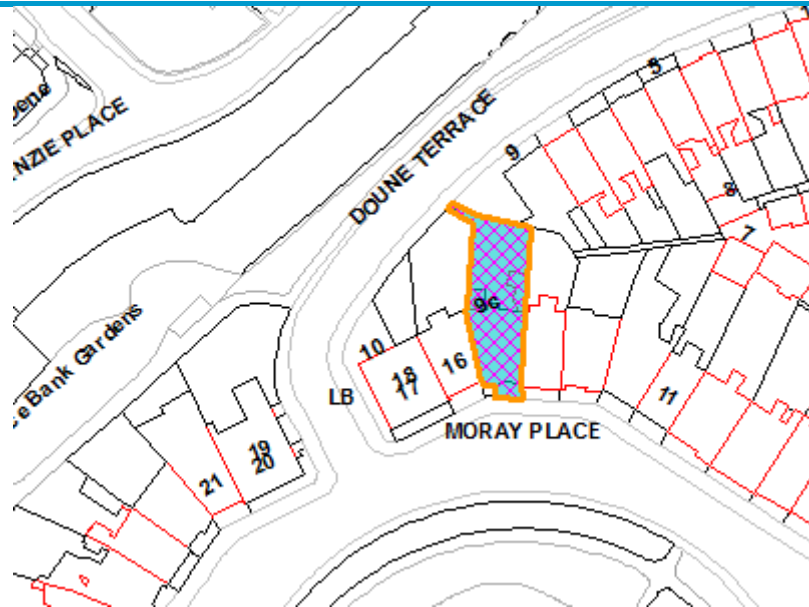
**Application for Planning Permission 17/05929/FUL
At 9C Doune Terrace, Edinburgh, EH3 6DY
Erect single storey rear extension to nursery.**

Consultations

Historic Environment Scotland

Do not have any comments to make on the proposals.

Location Plan



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END

Development Management Sub Committee

Wednesday 21 March 2018

**Application for Planning Permission 17/03446/FUL
At 536 Gilmerton Road, Edinburgh, EH17 7JD
Erection of new single storey extension to the existing
dental practice. Additional window openings to be made,
increasing existing window openings, recladding of existing
facade and installation of new photovoltaic panels on the
roof.**

| | |
|----------------------|--------------------------|
| Item number | 4.2 |
| Report number | |
| Wards | B16 - Liberton/Gilmerton |

Summary

The proposal complies with Policy Des 12 in the Edinburgh Local Development Plan. It will not have an adverse impact on neighbouring amenity and will have a neutral impact on the character and appearance of the neighbourhood. The proposed parking provision for vehicles complies with the Edinburgh Design Guidance 2017. A condition is required to ensure that provision for two cycle parking space is accommodated within the site. The proposal will not impact on road safety or increase a risk of flooding. There are no material considerations that would outweigh this conclusion. It is recommended that the application is approved.

Links

| | |
|--|--|
| Policies and guidance for this application | LDPP, LDES01, LDES12, LTRA02, LTRA03, LTRA04, NSG, NSGD02, |
|--|--|

Report

**Application for Planning Permission 17/03446/FUL
At 536 Gilmerton Road, Edinburgh, EH17 7JD
Erection of new single storey extension to the existing
dental practice. Additional window openings to be made,
increasing existing window openings, recladding of existing
facade and installation of new photovoltaic panels on the
roof.**

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 occupied by an existing dental practice and measures approximately 735 square metres (sqm). The existing building comprises a 173 sqm, single storey, flat roof building and is located on a corner plot on the south side of Gilmerton Road at its junction with Moredun Dykes Road to the east. The building was constructed around the 1990s. There are currently eight car parking spaces on the site. Vehicle access is taken from Moredun Dykes Road.

The envelope of the site is mainly hard surface with the edges of the car park defined by a strip of grass and pocket areas of small shrubbery that acts as a visual landscape buffer. The boundary of the site is defined by 1.4 metre high metal railings on top of a dwarf bricked wall.

The immediate surroundings of the site are mainly residential with Gilmerton Primary School located opposite to the site on Moredun Dykes Road.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

Proposal

The application proposes a single storey extension to the existing dental practice on the east side elevation and to alter the external appearance of the building. The new extension will have a footprint of 118 square metres and a total height of 4 metres. It will have a flat roof design with a continuous profile and form.

The treatment finish for the walls includes cladded timber panels, coloured in anthracite grey with anthracite grey framed windows. The upper section retains the depth space to relocate and extend the existing signage.

The extension increases the number of consulting rooms from four to nine with the inclusion of additional rooms for ancillary uses. The existing access to the site from Moredun Dykes Road is to be retained.

It is proposed to retain the provision of eight parking spaces within the site. The extension will result in the loss of land currently used for parking and the removal of the existing landscaping at the site entrance to accommodate the new parking layout. It is proposed to include areas of landscaping to the sides of the building.

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 development is acceptable;
- b) the proposals are of an appropriate scale, form and design;
- c) the proposals will impact on neighbouring residential amenity;
- d) the proposals will have any impact or road safety issues;
- e) the proposals will have detrimental impact on flooding issues;
- f) any impacts of equalities and human rights have been addressed; and
- g) any comments raised have been addressed.

a) Principle

The proposal is to extend the accommodation of an existing dentist practice where the principle use in this area is already established. As the site is in the 'urban area', the principle of extending a dental practice is acceptable.

b) Design

Policy Des 12 Alterations and Extensions in the Edinburgh Local Development Plan (LDP) states that planning permission will be granted for alterations and extensions to existing buildings, which in their design and form, choice of materials and positioning are compatible with the character of the existing building; and will not be detrimental to neighbourhood amenity and character.

The existing building is situated on a corner plot and is visible to passing traffic in this location. The commercial appearance of the building currently contrasts with the character of the surrounding residential buildings in this area. The proposed side extension will double the footprint of the existing building. However, the proposed extension will continue the form, scale and height of the existing building and the proposal is compatible with the character of the building.

The extension will project in front of the established residential building lines on Gilmerton Road but it will be set back from the main boundary frontage to the north east. Given the angle and positioning of the existing building, the proposed extension will not form an overwhelming addition and it will not undermine the visual appearance of the streetscene. The total development footprint will occupy 40% of the site and it will not result in an overdevelopment of the site.

The existing small area (74 sqm) of landscaping to the front of the building occupies only 10% of the total site area and is of limited value in terms of its layout and area. In these circumstances, it would be unreasonable to prohibit this small area of landscaping to be replaced with parking when it will not significantly alter the appearance and location of the existing parked cars. The loss of landscaping to the front of the building will have neutral impact on the visual appearance of the street and is acceptable.

The proposal seeks to alter the appearance of the existing building by introducing new styles of windows and treatment finishes to the external walls, including timber panelling, clad in anthracite grey and sections of white cement render. This will improve the character and appearance of the building and is acceptable.

The scale, form and design of the proposed extension will have a neutral impact on the character of the neighbourhood.

The proposal complies with Policy Des 12 in the LDP.

c) Amenity

Policy Des 12 in the LDP states that planning permission will be granted for extensions to existing buildings, provided that it will not result in an unreasonable loss of privacy or natural light to neighbouring properties.

The non-statutory 'Edinburgh Design Guidance' advises that sunlight between gables will not be protected unless the affected space is of particular amenity value in comparison with the remainder of the garden. In addition, daylight to gables and side windows are generally not protected.

The east facing elevation of the proposed extension will marginally overshadow onto the side driveway of No. 538 Gilmerton Road which is not of high amenity value and this is acceptable.

The positioning of the extension will not result loss of daylight to neighbouring windows to the front and rear of No. 538 Gilmerton Road.

The new windows on the extension will not impact on neighbouring privacy levels.

Whilst the premises is to double in size there is potential to increase the number of staff and clients on the site but the level of footfall traffic and hours of operations to an existing premises cannot be regulated through planning legislation. The provision of eight parking spaces within the site is to remain unchanged and the site is located close to Gilmerton local town centre and is well served as a major route for a number of buses.

The proposal will not impact on the amenity of neighbouring residents in terms of loss of privacy, sunlight or result in overshadowing.

The proposal complies with Policy Des 12 in the LDP.

d) Road Safety

LDP policies Tra 2 and Tra 4 give guidance relating to the provision of private car parking on the site. The parking provision was assessed under the 'Parking Standards for Development Management' but during the course of the assessment of the application, this guidance has been superseded by the Edinburgh Design Guidance 2017.

The total Gross Floor Area (GFA) of the development is approximately 280m². The 2017 guidance for staff and visitor parking requires a maximum of 6 spaces (1 space per 50m²). Therefore, the proposal to retain the existing 8 parking spaces exceeds that requirement and is acceptable as no additional spaces are proposed as a result of the extension.

The proposal is not required to make provision for electric vehicles.

The proposal does not include designated provision for cycle parking, motorcycle parking and disabled parking where a minimum of 1 space is required for staff and visitors each. The proposal does not meet the 2009 or the 2018 standards. Given that the proposed 8 parking spaces is in excess of the parking standards for staff and visitor, two spaces are capable of being allocated for disabled and motorcycle parking and this is acceptable. The proposal will not have a detrimental impact on off street parking.

The site is capable of accommodating 2 cycle parking provision for staff and visitors. Therefore, a condition is required to ensure that the details and the location of the cycle parking provision are submitted to and approved in writing by the planning authority. This is to ensure that the proposal accords with Policy Tra 4 Design of Off-Street Car and Cycle Parking in the LDP and the Edinburgh Design Guidance 2017.

No issues of traffic or road safety have been raised by the roads authority and the proposals will have a neutral impact in this regard.

The proposal accords with Policy Tra 2 in the LDP but a condition is required to ensure that the proposal accords with Policy Tra 3 and Policy Tra 4.

e) Flood Impacts

A Surface Water Management Plan was submitted. The proposal will not increase flood risk or be at risk of flooding itself.

The proposal complies with Policy Env 21 in the LDP.

f) Equalities and Human Rights

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

g) Comments

Material

- Inappropriate scale, form and design - Addressed in Section 3.3 (b).
- Will detract from the character and appearance of the surrounding properties - Addressed in Section 3.3 (b).
- The extended signage will increase the commercial appearance of the building- Addressed in Section 3.3 (b).
- Will impact on neighbouring amenity in terms of disturbance, loss of daylight, privacy and overshadowing - Addressed in Section 3.3 (c).
- Number of parking spaces provided not suffice for the doubling the size of the premises - Addressed in Section 3.3 (d).
- Traffic impact in terms of congestion and proximity to a busy junction. - Addressed in Section 3.3 (d).
- Will impact on road and pedestrian safety- Addressed in Section 3.3 (d).
- No provision for sustainable drainage of surface water - Addressed in Section 3.3 (e).

Non Material

- Issues of inconsiderate on-street parking - This cannot be resolved through the planning system.
- Loss of view - There is no right to private views.
- Light pollution from the signage - This is not 'development' as defined under Section 26 of the Town and Country Planning (Scotland) Act 1997 (as amended).

- No consultation prior to the application being submitted - No prior consultation/engagement is required for local developments.

Conclusion

In conclusion, the development design of the proposal complies with Policy Des 12 in the LDP. The proposal will not have an adverse impact on neighbouring amenity and it will have a neutral impact on the character and appearance of the neighbourhood. The proposed parking provision for vehicles broadly complies with the Edinburgh Design Guidance 2017. A condition is required to ensure that provision for two cycle parking space is accommodated within the site. The proposal will not impact on road safety or increase a risk of flooding. There are no material considerations that would outweigh this conclusion. It is recommended that the application is approved.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. The provision of two cycle parking spaces shall be provided within the site. Details of the cycle space design and location shall be submitted to and approved in writing by the Planning Authority.

Reasons:-

1. In order to ensure that the proposal accords with Policy Tra 3 Private Cycle Parking and Policy Tra 4 Design of Off-Street Car and Cycle Parking in the Edinburgh Local Development Plan and the Edinburgh Design Guidance 2017.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848.

Further information is also available on the Coal Authority website at www.coal.decc.gov.uk.

Property specific summary information on past, current and future coal mining activity can be obtained from the Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

5. This consent grants planning permission only. In particular, it does not include advertisement consent.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

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

Neighbours were notified of the application on 16 August 2017 and the proposal attracted nine letters of objection. The comments made are addressed in the Assessment section of the report.

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 an urban area as designated in the Edinburgh Local Development Plan.

Date registered

21 July 2017

Drawing numbers/Scheme

01-10.,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Laura Marshall, Planning Officer
E-mail:laura.marshall@edinburgh.gov.uk Tel:

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

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.

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

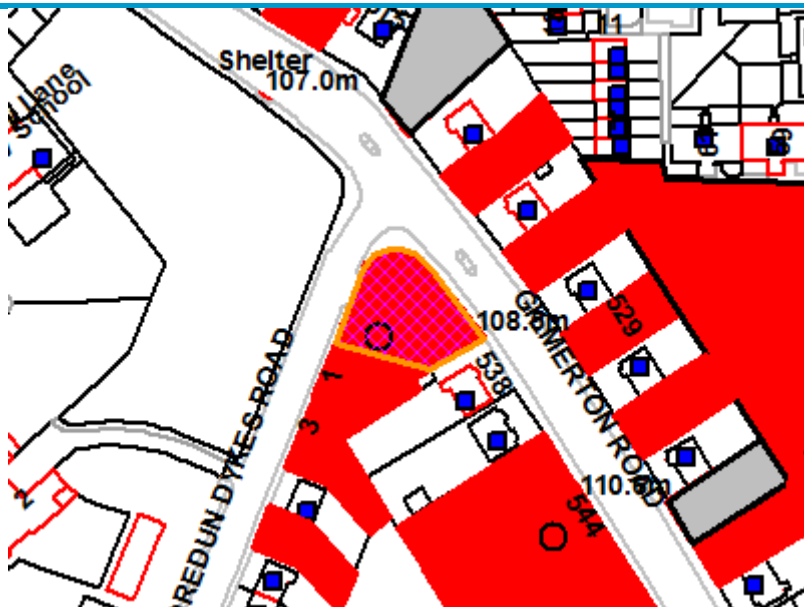
**Application for Planning Permission 17/03446/FUL
At 536 Gilmerton Road, Edinburgh, EH17 7JD
Erection of new single storey extension to the existing
dental practice. Additional window openings to be made,
increasing existing window openings, recladding of existing
facade and installation of new photovoltaic panels on the
roof.**

Consultations

Transport

Transport Planning was consulted on the application.

Location Plan



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END

Development Management Sub Committee

Wednesday 21 March 2018

**Application for Planning Permission 17/05217/FUL
At St John's RC Primary School, Hamilton Terrace,
Edinburgh**

**New park amenity green space on the site of the former
Portobello High School. Work will include the demolition of
the existing St John's RC Primary School currently on the
site.**

| | |
|----------------------|------------------------------|
| Item number | 4.3 |
| Report number | |
| Wards | B17 - Portobello/Craigmillar |

Summary

The delivery of a new park is supported and is in accordance with the Edinburgh Local Development Plan. There are no issues arising with regards to flooding or amenity of neighbouring residents.

Links

[Policies and guidance for this application](#) LDPP, LDES01, LDES08, LEN21, NSG, NSGD02,

Report

**Application for Planning Permission 17/05217/FUL
At St John's RC Primary School, Hamilton Terrace,
Edinburgh
New park amenity green space on the site of the former
Portobello High School. Work will include the demolition of
the existing St John's RC Primary School currently on the
site.**

Recommendations

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

Background

2.1 Site description

The site is 2.55 hectares in area and is the former site of Portobello High School and St John's Primary School. The high school has been demolished, and the replacement St John's Primary School is currently under construction on the adjacent site. The old St John's Primary School building remains on site.

The site is flat and roughly rectangular in shape. It is bounded by Duddingston Road to the south and Hamilton Terrace to the east. Residential properties lie immediately to the north and west on Hamilton Drive and Mountcastle Drive North. The old primary school building sits on the eastern part of the site, while the rest of the site has been cleared of buildings. There are a number of mature trees on site, clustered around the south east and north west parts of the site.

There is some ground level difference between the site and the properties to the north as the site drops by almost two metres from west to east, and a brick wall exists along this boundary.

Access into the site is currently via Hamilton Terrace and Hamilton Drive.

2.2 Site History

The site was formerly used as the area for Portobello High School and St John's Primary School. Following the relocation of both schools, the High School building has been demolished and St John's Primary is awaiting demolition.

8 December 2017 - Prior Notification for the demolition of buildings was granted (application number: 17/05216/PND).

Main report

3.1 Description Of The Proposal

Full planning permission is sought for the formation of a new park.

The proposed site arrangement comprises built and natural features. The built features include paths, play equipment and street furniture. The natural features include grassland, trees and sustainable urban drainage systems (SUDS).

The park design consists of open space augmented by two tree roundels. The roundels have clearings within which active play is accommodated. The smaller roundel contains three clearings and each clearing contains a free climbing boulder.

The larger roundel contains six clearings and these clearings accommodate active play and seating areas. The two larger clearings contain a wheels or skate park, and a large free climbing structure. The three smaller clearings contain picnic benches, climbing play equipment and a free climbing boulder.

The larger roundel also includes low level mounds to contain and enclose the clearings, provide topographical relief and some noise baffling.

The tree roundels are dissected by paths which link the park entrances. These paths are three metres wide, and have a metalled surface capable of accommodating maintenance vehicles. A seating circle is located where the path network crosses.

Bench seats are located within a hardstanding area within the grass verges to paths. Park information boards and bins are located at three entrances; on Hamilton Terrace (east), Hamilton Drive (north) and Duddingston Road (south). The Hamilton Terrace and Hamilton Drive entrance gates include feature signage. The path which links Hamilton Drive and Figgate Park beyond with the new primary school includes street lighting.

There is no lighting provision within the remainder of the park. The north west portion of the park responds to its adjacency to the new primary school. This area includes four circular features. The three circular features to the west of the path are intended for use by the school. The large circle is surfaced in grass and backed by a crescent shaped landform. The middle circle surfaced in gravel. The eastern circle is backed by a crescent shaped landform, with free play boulders set within a gravel surface. A grass mound which rises 1.5-2 metres above the surrounding area is located to close the vista from the Hamilton Drive (north) entrance. The mound includes boulders for seating and free play.

In terms of planting, the landscape proposals retain the existing mature trees to the west, south and east boundaries. These trees were planted when the former schools were built. Tree species are mostly non-native ornamental tree species including Swedish whitebeam, ornamental cherry and plum. Trees which are in a poor condition and have been identified for removal will be replaced with semimature trees of the same species. New tree planting is concentrated within the tree roundels. The small central roundel comprises deciduous trees, whilst the large roundel comprises evergreen trees. The deciduous roundel comprises varieties of native and non-native birch and alder trees.

The evergreen roundel comprises mostly the native Scots pine, complemented by non-native Austrian pine and the Common and Japanese forms of larch. Much of the park comprises open meadow grassland with a small percentage of native perennial wild flowers and grass species. The tree roundels will be seeded with a shade tolerant wild flower meadow grassland.

The swales and shallow depression of the attenuation basin will be seeded as a wet meadow comprising native perennial wild flowers and grass species. A foraging or permaculture hedgerow will be planted in the western 'educational' portion of the park. The permaculture hedgerow includes edible fruiting species.

A native evergreen hedgerow has been planted between the entrance path on Hamilton Terrace and the SUDS attenuation basin as an informal barrier between the basin and members of the public.

Supporting Information

The following documents were submitted in support of the application:

- Design and Access Statement;
- Report on Ground Conditions;
- Drainage Strategy and Flood Risk Assessment;
- Pre-Application Consultation Report;
- Tree Survey, and
- Boundary Wall Report.

These documents are available to view on the Planning and Building Standards Online 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 the development complies with the Development Plan;
- b) The proposals provide a development of appropriate design, scale and layout;
- c) The proposals provide an acceptable level of amenity for the existing residents;
- d) The transport and access arrangements are acceptable;
- e) The proposals have any equalities or human rights impacts;
- f) There are any other material issues, and
- g) The representations have been addressed.

a) The Principle of the Development

The site is within the Urban Area of the Edinburgh Local Development Plan (LDP). Although not subject of a specific policy, there is general support for developing sites for parkland within the urban area, where it is in accordance with other policies in the Plan.

This application site was formerly the site of the Portobello High School (now demolished) and St John's Primary School. When the new Portobello High School was granted planning permission on Portobello Park, the Council made a commitment to create a parkland on the former site of the High School. The site then became a Greenspace Action in the Council's Open Space Action Plan, and the North East Locality Action Plan identified the site for parkland development.

The application is therefore acceptable in principle.

b) Design, Scale and Layout

The principle driver for the proposals is to create a designed park. The approach of two contrasting tree roundels will create a distinctive and attractive concept for park users and is acceptable. The design intent is for the tree roundels to be set within meadow grass, where three species-rich grass mixes are proposed. Additional meadow planting is proposed within the SUDS and swale areas. This will increase biodiversity within the site and is supported.

Views into and out of the site have been considered and the alignment of the path within the site bisects the smaller roundel and has been orientated to create a vista which is aligned with Arthur's Seat. This will help create a sense of place.

Therefore, the design, scale and layout of the park has been created to respond to a number of users and supports a range of biodiversity and is supported.

c) Impact on amenity for the existing adjoining residents

The main impacts arising from the proposals are in relation to privacy, particularly affecting residents to the north. The existing north boundary brick wall and concrete cope topped with a fence is proposed to be retained. While the rear gardens of the properties on Hamilton Drive sit lower than the ground level of the proposed park, there will be no additional privacy issues due to the location of the offset swale with meadow planting adjacent to the wall. This swale and planting will prevent close access to the boundary wall and hence will minimise privacy issues.

In relation to the brick wall along the northern boundary of the site, an inspection report was carried out in order to assess the stability of this wall. The report makes a number of recommendations for maintenance and repair and these will be carried out as necessary. The park proposals ensure that there will be no adverse loading effects on the wall, i.e retention loading will be maintained at its current level or reduced.

With regards to amenity issues arising from the skatepark, the detailed proposals for this facility have still to be developed. The design team intend to work with a steering group and specialist skate park designers to develop proposals for this area which respond to the specific requirements of end users. Any antisocial behaviour arising from the skatepark will be a matter for the police.

d) Transport and Access

The Roads Authority has no objections to the application. The existing accesses will be retained and there are no road safety issues.

e) Equalities and Human Rights

The park will be fully accessible. The proposals raise no issues in terms of equalities and human rights.

f) Other Material Issues

Flooding and Drainage

The design of the park has been informed by the drainage strategy report and flood risk assessment. The design has been developed to capture and convey water surface water run-off up to and including the 1 in 200 year storm plus 30% climate change. The storage feature is anticipated to normally be dry, where water will only be stored during periods of high rainfall.

A SUDS Health and Safety Risk Assessment was prepared to identify and outline potential health and safety risks and considerations associated with the SUDS basin. The assessment recommended that a fence or natural barrier (i.e continuous hedge) be provided to prevent access. The barrier should be of a height to maintain visibility into the basin if required. The landscape proposals include a continuous evergreen hedgerow with integral post and wire fence between the entrance path on Hamilton Terrace and the SUDS basin to act as a formal barrier.

The Council's Flooding Team are satisfied that this is acceptable. The proposal is therefore in accordance with LDP Policy Env 21 (Flood Protection).

g) Representations

Material Representations - Objections

- Lack of privacy at the north boundary where the wall is in some cases only a metre high and allows overlooking into adjacent housing (addressed in 3.3(c);
- Past flooding through sections of this boundary retaining wall (presently 2 metre retention and strengthened with tie rods/plates) incorporated into proposed levels and SUDS solutions (addressed in 3.3(c); and
- Amenity concerns over the skatepark (addressed in 3.3(c).

Material Representations - Support

- General support for the creation of community space and recreational space for children;
- Inclusion of skatepark supported; and
- Improvements to the amenity of residents.

Non-material Representations

- Demolition of existing primary school - this has been approved through the prior approval process;
- There is a deficit of open space in north west Portobello - A deficiency elsewhere is not relevant to this application; and
- This proposal will not compensate for the loss of Portobello Park - this application is being assessed on its merits.

Community Council Comments

Northfield and Willowbrae Community Council concluded that the proposals are supported as they put into practice the undertakings given by the Council which have been endorsed in various sets of public consultations, and during the passage of the City of Edinburgh Council (Portobello Park) Bill.

The Community Council offered the following comments:

- The Community Council welcomes the fact that the management of drainage is a substantial feature of the plan. It is recognised that the removal of the current impervious surfaces should assist water in being absorbed locally and that, with the SUDS system, should be the right protection for the adjoining houses. There are concerns about the safety of the tank, including how wet it may be, are whether there child safety issues - this is assessed in 3.3(f) and found that the SUDS are appropriate and will minimise child safety issues.
- The Community Council expressed concerns about the wall to the north of the site; at the Mountcastle Drive end, the ground is almost two metres above the ground on which the houses stand, and the corner of the site was artificially raised when the High School was built to make a level car park. The Community Council considers that reverting to the original, natural, level would have been desirable. Towards Hamilton Terrace, the wall is lower but has produced considerable amounts of water in the past, requiring residents to make dams and guides to protect their gardens. The wall is braced in places after various bulges formed and so there are concerns about its condition - this is assessed in 3.3(c) above and found that the wall will be repaired as required.
- Lighting - The Community Council sought clarification on lighting through the park - covered in section 3.1.
- There is no mention that the concrete bases for the 1950s railing round the park will be repaired and the railings painted. In many places the concrete is in poor condition (the main school gate piers were repaired a year or so ago as they were found to be dangerous) - a condition survey which makes recommendations for necessary repairs to masonry and metalwork will be undertaken and implemented as necessary. This is not part of this planning application.
- It would be desirable to retain some features of the school; for example, the "school teacher" weathervane should be preserved somewhere on the site, as might the "urns" on the roof and the gilded lettering. Similarly, the two almond trees either side of the original school gates date from 1926 (there is a photograph of one as a sapling). Tree surgeons working on the northern one reported a couple of years ago that it was split and rotting. They advised it be removed - in which case a new pair might be planted. The Council will look into this as part of the demolition of the school.
- The Community Council sought confirmation that the park would be given 'Field in Trust' status - this can be carried out through a separate process.

- The consultation on three possible park layouts showed an entrance to the Park on Duddingston Road which would have gone a long way to tidying up a muddled layout around the former janitors' houses. This entrance has now moved back to the current line of severe security barriers behind the houses. The Community Council understand that the muddle is caused by the need for road access to the electricity substation which is placed oddly behind the house line. There are various small patches of land here, including the grassed area next to the road, possibly in Council or Scottish Power ownership. It would be useful if this area could be re-examined and ownerships and access for the janitors' houses rethought. Otherwise, it will become a blot on what is likely to be a well-regarded set of projects - the janitors' houses are not part of these proposals.

Overall Conclusion

The delivery of a new park is supported and in accordance with the LDP. There are no issues arising with regards to flooding or amenity of neighbouring residents.

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

3.4 Conditions/reasons/informatives

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

Financial impact

4.1 The financial impact has been assessed as follows:

The Council is land owner and will be carrying out the works.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

Following neighbour notification, a total of 37 letters of representation were received. This comprised eight letters of objection, 27 letters of support and two letters of general comment. This included representations from the Northfield and Willowbrae Community Council.

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

The site is within the Urban Area. There is a small area of designated open space within the site.

Date registered

10 November 2017

Drawing numbers/Scheme

01-14,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lesley Carus, Senior Planning Officer

E-mail:lesley.carus@edinburgh.gov.uk Tel:0131 529 3770

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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 17/05217/FUL
At St John's RC Primary School, Hamilton Terrace,
Edinburgh
New park amenity green space on the site of the former
Portobello High School. Work will include the demolition of
the existing St John's RC Primary School currently on the
site.**

Consultations

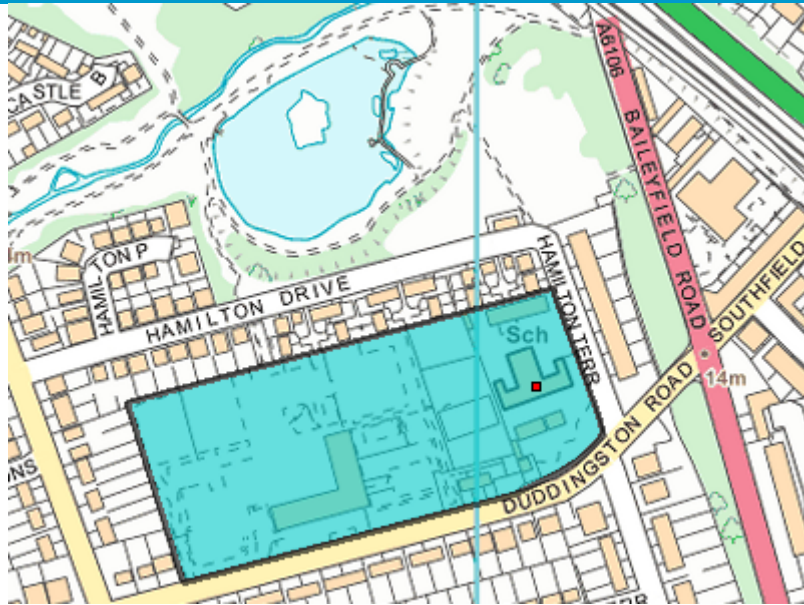
Flood Prevention - 23 February 2018

Flood Prevention accept the information and are happy for this to proceed to determination.

Transport Planning - 6 December 2017

No objections to the application.

Location Plan



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END

Development Management Sub Committee

Wednesday 21 March 2018

**Application for Planning Permission 17/04957/FUL
At 48 North Greens, Edinburgh, EH15 3RT
2 No. single storey side extensions to existing dwelling
house.**

| | |
|----------------------|------------------------------|
| Item number | 4.4 |
| Report number | |
| Wards | B17 - Portobello/Craigmillar |

Summary

The proposed extensions would be a compatible addition to the host property and are acceptable in scale, form and design. They will not have an unacceptable impact on neighbouring amenity or on road safety. The proposal complies with policy Des 12 of the Edinburgh Local Development Plan and Non-statutory guidance in relation to Householders.

Links

| | |
|--|----------------------|
| Policies and guidance for this application | LDPP, LDES12, NSHOU, |
|--|----------------------|

Report

Application for Planning Permission 17/04957/FUL At 48 North Greens, Edinburgh, EH15 3RT 2 No. single storey side extensions to existing dwelling house.

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 a single storey, detached dwellinghouse, located on the corner of North Greens. The property has front, side and rear gardens and is located in a residential area with a mixture of house styles, including detached and semi-detached properties.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The proposal is to erect a single storey, flat roof extension on the west gable elevation of the building, and a single storey, flat roof extension on the rear elevation of the property. The gable extension measures 43 square metres (sqm) and the rear extension measures 10 sqm. The proposed materials are UPVc windows, with render to match and brick basecourse to match the existing building.

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 proposed scale, design and materials are acceptable;
- b) the proposal is detrimental to the amenity of neighbours;
- c) the proposal will have a detrimental impact on parking or road safety;
- d) the proposal has any equalities or human rights impacts; and
- e) any public representations have been addressed.

a) Scale, form and design

The proposed extensions are of a modern design that would sit comfortably within the context of the building and its neighbours. The layout and scale of the proposed extensions would respect the spatial pattern of the wider area and would not represent overdevelopment of the site. The proposed materials would match the original building, and overall the proposal would be sympathetic and subservient additions to the building.

The proposal accords with local development plan policy Des 12 and the non-statutory Guidance for Householders.

b) Neighbouring amenity

With regard to daylight and sunlight to neighbouring properties, the proposed extensions fully comply with the Non-statutory guidance for Householders and does not result in an unreasonable loss of daylight or sunlight.

All windows are in full compliance with the privacy requirements set out in the non-statutory Guidance for Householders, including the window on the proposed side extension, which would be more than 18m from the nearest facing window.

The proposal would not cause an unreasonable loss to neighbouring amenity. This is in accordance with Edinburgh Local Development Plan Policy Des 12 and the Non-statutory guidance for Householders.

c) Parking and Road Safety

The side extension is approximately five metres from the public road and would have no impact on sight lines for vehicles. The proposed side extension would not have a detrimental impact on parking or road safety and would not cause any visibility issues for oncoming vehicles.

d) Equalities and human rights

The application was assessed in terms of equalities and human rights. No impact was identified.

e) Public comments

Material Representations - Objection:

- Limited visibility for traffic at the bend in the road; this is addressed in section c).
- Loss of privacy; this is addressed in section b).
- The size of the extension will be out of character with the surrounding houses; this is addressed in section a).

Non-material representations - Objection

- Issues during construction.
- Potential risk for kids playing on bikes.

Conclusion

The proposed extensions would be a compatible addition to the host property and are acceptable in scale, form and design. They would not have an unacceptable impact on neighbouring amenity or on road safety. The proposal complies with policy Des 12 of the Edinburgh Local Development Plan and Non-statutory guidance in relation to householders.

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

3.4 Conditions/reasons/informatives

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
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.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

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

Petition objecting to the proposal has been received with 31 signatures and additional one individual representation has been received.

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**

Edinburgh Local Development Plan.

Date registered

24 October 2017

Drawing numbers/Scheme

01-07,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Weronika Myslowiecka, Planning Officer

E-mail: weronika.myslowiecka@edinburgh.gov.uk Tel: 0131 529 3903

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

Non-statutory guidelines 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

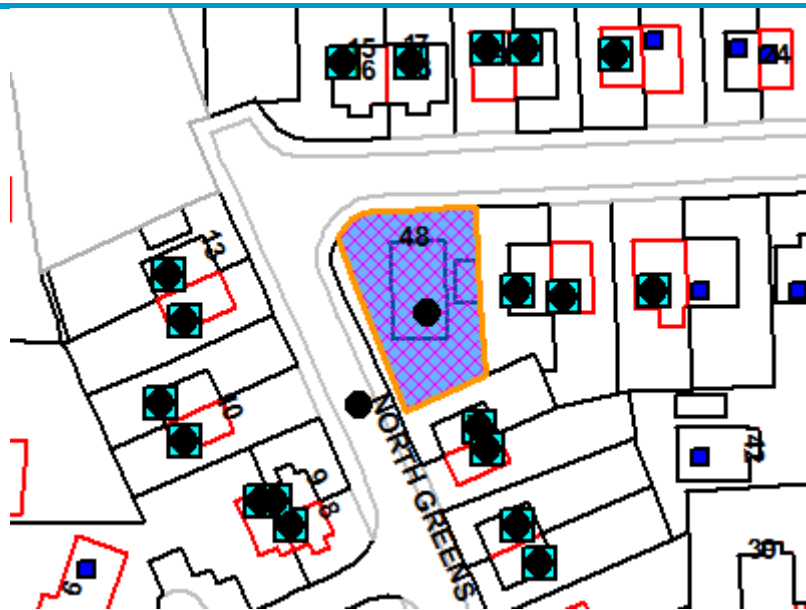
Appendix 1

**Application for Planning Permission 17/04957/FUL
At 48 North Greens, Edinburgh, EH15 3RT
2 No. single storey side extensions to existing dwelling
house.**

Consultations

No Consultations received.

Location Plan



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END

Development Management Sub Committee

Wednesday 21 March 2018

Application for Planning Permission 17/05986/FUL At South East Wedge Development Site, Old Dalkeith Road, Edinburgh

The project is the development of an area of existing open space with an active travel route from Little France Drive in the north to the Wisp in the south. It also connects Phase 1 of the project heading west and linking in with the ERI.

| | |
|----------------------|------------------------------|
| Item number | 4.5 |
| Report number | |
| Wards | B17 - Portobello/Craigmillar |

Summary

The provision of an active travel route through this site will help deliver a key green space proposal as set out in the Edinburgh Local Development Plan (LDP). It will help with the access and delivery of the overall parkland and provide a new active travel route through the site, connecting with other areas.

There are no issues arising with regards to archaeology, flooding, or landscape and ecological impact.

The proposal is in accordance with the LDP and is acceptable.

Links

[Policies and guidance for this application](#)

LDPP, LEN08, LEN09, LEN10, LTRA07, NSG, NSGD02,

Report

Application for Planning Permission 17/05986/FUL At South East Wedge Development Site, Old Dalkeith Road, Edinburgh

The project is the development of an area of existing open space with an active travel route from Little France Drive in the north to the Wisp in the south. It also connects Phase 1 of the project heading west and linking in with the ERI.

Recommendations

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

Background

2.1 Site description

The site covers approximately 1.35 hectares of green belt land in the Edmonstone area of south-east Edinburgh. The site comprises three strips of land; one running east to west to the north of the existing Edinburgh Royal Infirmary car park covering 0.2 ha; one covering 0.02 ha to the north of Little France drive and another larger area running north to south from Little France Drive to the Wisp covering 1.13ha.

It comprises open grassland and scrubland with occasional mature trees and informal paths and desire lines traversing the site. Areas of dense woodland are located to the north and southwest portions of the site. The site undulates throughout, sloping from east to west towards the valley at Little France Drive.

The Edinburgh Royal Infirmary and the initial phases of the Edinburgh BioQuarter development are situated to the west of the site, beyond which lies the A7 Old Dalkeith Road and the suburb of Moredun. Residential properties forming the area of Danderhall (within the jurisdiction of Midlothian Council) are located adjacent to the south east, immediately beyond The Wisp. The A6106 (The Wisp) is adjacent to the east of the site and forms the boundary with Midlothian Council. The areas of Craigmillar, Greendykes and Niddrie are situated to the north. New residential properties are currently under construction adjacent to the north of the site in the vicinity of Greendykes.

2.2 Site History

This site:

1 February 2018 - Proposal of Application Notice submitted for residential development of approximately 500 dwellings, landscaping works and associated ancillary works (18/00456/PAN).

19 September 2017 - Application withdrawn for proposed residential development, community parkland and a primary school on land at Edmonstone, the Wisp, South East Edinburgh (application number 16/05417/PPP).

4 November 2016 - Application withdrawn for proposed residential development, community parkland and a primary school on Land at Edmonstone, the Wisp, South East, Edinburgh (application number: 15/05074/PPP).

11 January 2017 - Application withdrawn for the development of an area of existing open space into public parkland, to include new active travel links with lighting, paths, landscaping, habitat creation/enhancement and tree planting (application number: 16/02661/FUL).

8 August 2013 - The Craigmillar Urban Design Framework is approved.

Other relevant applications within the area:

12 February 2015 - Reporter from the Department of Planning and Environmental Appeals granted planning permission in principle for residential development, ancillary uses and associated development (application number: 14/01057/PPP).

23 April 2015 - planning permission was granted for ground stabilisation works (application number: 14/01166/FUL).

23 April 2015 - application granted for a cemetery (including provision for woodland burials), memorial garden, chapel of rest and associated development (application number: 13/05235/PPP).

24 April 2015 - application granted on the same site for a cemetery, crematorium, memorial garden, chapel of rest and associated development (application number: 13/05302/PPP).

2 February 2017 - section 42 application granted to extend the outline hospital consent (04/03551/OUT) for a further 3 years (application number: 12/00764/FUL).

Main report

3.1 Description Of The Proposal

Full planning permission is sought for the construction of an active travel route through the site.

The route sits on an east/west axis and is proposed to connect the existing active travel route on the upper slopes of the park with the remainder of the parkland and beyond to Midlothian. Due to the ground levels, the route curves around the contours of the site.

The route is 3.5 metres wide and will be a shared cycleway/footway with 0.5 metre verges incorporating kerbs along the length. SUDS swales/ditches are proposed along the sides of the route.

In order to address the level differences across the site, some land raising is required and this will form two cut embankments. The location of these are towards the western section of the route, close to Little France Drive.

The route is proposed to be lit along its length.

Supporting Statements

The following documents were submitted in support of the proposals:

- Design and Access Statement;
- Ecology Report;
- Tree Report;
- Landscape and Visual Appraisal; and
- Pre-Application Consultation Report.

These are available to view on the Planning and Building Standards Online 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 the development complies with the Development Plan;
- b) The proposals would have an impact on landscape quality or natural heritage;
- c) The proposals have any equalities or human rights impacts;
- d) There are any other material issues, and
- e) The representations have been addressed.

a) The Principle of the Development

The site is within the green belt in the Local Development Plan (LDP). Policy Env 10 (Development in the Green Belt and Countryside) states that within these areas, development will only be permitted where it meets one of the relevant criteria and would not detract from the landscape quality and/or rural character of the area. The relevant criteria in this instance relates to whether the development is for the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, and provided any areas of hardstanding are of a scale and quality of design appropriate to the use. Also relevant and linked to this policy is the Green Space Proposal, GS4: South East Wedge Parkland, which relates to this site. This proposal aims to provide a multi-functional parkland, woodland and country paths linking with parallel development in Midlothian.

In this instance, the purpose of the development is to provide an active travel route through the site, which will increase accessibility and permeability, and will aid in the delivery of LDP Proposal GS4.

Therefore, the principle of the development is acceptable.

b) Landscape Quality and Natural Heritage

Visualisations were submitted to show the impact of the proposal on sensitive viewpoints, including Craigmillar Castle. The visuals showed that the active travel route itself would have a minimal impact on the landscape when viewed within its context. The main impact would be from the lighting columns along the route, and a condition is recommended to ensure the columns are painted in a dark colour in order to reduce their visual impact.

In terms of natural heritage, clearance of vegetation/trees from the proposed construction areas has the potential to disturb nesting birds; therefore clearance should not be carried out during the bird breeding/nesting season (March - August (inclusive)). Should it be necessary to clear ground during the bird breeding/nesting season the land should be surveyed by a suitably qualified ecologist and declared clear of nesting birds before vegetation clearance starts. A suitable informative is recommended in this regard. Similarly, a disused badger sett has been identified within 30 meters of the development site. Should the sett become occupied during the works, all works should be suspended and a licence applied from Scottish Natural Heritage. An informative is recommended to address this issue.

In addition, a number of category C trees are proposed to be removed along the southern boundary in order to accommodate the new route. The removal of these trees do not raise any issues as they are young trees (7 to 8 years old) and currently have little landscape impact.

c) Equalities and Human Rights

The active travel route has been designed to accommodate a range of users and will be Disability Discrimination Act (DDA) compliant. There are no issues with equalities or human rights.

d) Other Material Issues

Drainage and Flooding

Due to the minimal impact of the new paths, plus the inclusion of swales and other SUDS features, the development will have no impact on drainage and flooding from the site.

Archaeology

The site is of historic and archaeological significance covering parts of three medieval estates with a range of archaeological remains dating back from the 20th century through to prehistory. Accordingly, any landscaping, path construction or tree planting could have significant archaeological implications but can be addressed through a suitable condition. Therefore, it is recommended that a condition requiring an archaeological watching brief is put in place, in order to record any impacts on the historic boundary wall that runs across the centre of the site on the Edmonstone/Wisp side.

e) Representations

Material Support

- Strong opportunities for walking and cycling; and
- Good opportunities for further connections to new residential developments.

Conclusion

The provision of an active travel route through this site will help deliver a key green space proposal as set out in the LDP. It will help with the access and delivery of the overall parkland and provide a new active travel route through the site, connecting with other areas.

There are no issues arising with regards to archaeology, flooding, or landscape and ecological impact.

The proposal is in accordance with the LDP and is acceptable.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to the installation of the lighting columns, full details of the colour of the columns will be submitted in writing to the Planning Authority. Thereafter, the columns will be installed as per the approved colour.

2. No works shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey, excavation, reporting and analysis), including a Watching Brief with regards to the historic boundary wall, in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reasons:-

1. To enable the Planning Authority to consider this in detail, in order to minimise the visual impact of the lighting columns within the landscape.
2. In the interests of cultural heritage.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. Natural Heritage: Clearance of vegetation/trees from the proposed construction areas has the potential to disturb nesting birds; therefore clearance should be carried out out-with the bird breeding/nesting season March - August (inclusive). Should it be necessary to clear ground during the bird breeding/nesting season the land should be surveyed by a suitably qualified ecologist and declared clear of nesting birds before vegetation clearance starts.

Badger Protection: A disused badger sett has been identified within 30 meters of the development site. Should the sett become occupied during the works, all works should be suspended and a licence applied from Scottish Natural Heritage.

Financial impact

4.1 The financial impact has been assessed as follows:

The Council is the land owner of the site.

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 19 January 2018 and two letters of support were received.

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

The land is within the Green Belt and is part of Greenspace Proposal: GS4 South East Wedge Parkland. The site also has a tram safeguard route on a north/south axis.

Craigmillar Urban Design Framework: This sets out a vision and principles for development of the Craigmillar area. Edmonstone is identified as providing landscape and natural and historical heritage context to the area alongside land for future open space proposals.

Date registered

20 December 2017

Drawing numbers/Scheme

01, 02,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lesley Carus, Senior Planning Officer

E-mail:lesley.carus@edinburgh.gov.uk Tel:0131 529 3770

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

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 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

LDP Policy Tra 7 (Public Transport Proposals and Safeguards) prevents development which would prejudice the implementation of the public transport proposals and safeguards listed.

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 17/05986/FUL At South East Wedge Development Site, Old Dalkeith Road, Edinburgh

The project is the development of an area of existing open space with an active travel route from Little France Drive in the north to the Wisp in the south. It also connects Phase 1 of the project heading west and linking in with the ERI.

Consultations

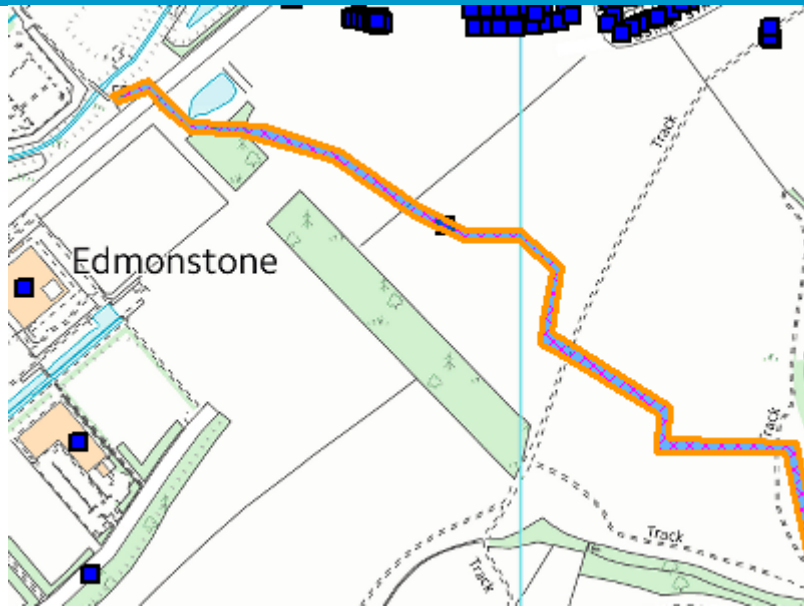
Midlothian Council - 18 January 2018

MLC fully supports the proposed active travel route from Little France to The Wisp and have no comments to make on the planning application (17/05986/FUL).

Historic Environment Scotland - 18 January 2018

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.

Location Plan



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END

Development Management Sub Committee

Wednesday 21 March 2018

**Application for Planning Permission 17/03933/FUL
At 58 South Clerk Street, Edinburgh, EH8 9PS
Change of use from Class 2, Beauty Salon, to Class 3,
Restaurant.**

| | |
|---------------|---------------------------|
| Item number | 4.6 |
| Report number | |
| Wards | B15 - Southside/Newington |

Summary

The proposed change of use complies with policy NCTC3 of the Nicolson Street/Clerk Street Town Centre Supplementary Guidance and LDP policy Ret 11. The change of use will not have an adverse impact on the vitality and viability of the town centre and is not located within an area as identified as having an over concentration of food and drink uses. The proposal is acceptable in terms of impact on residential amenity and transport issues. There are no material considerations which justify refusal of this application.

Links

| | |
|--|---|
| Policies and guidance for this application | SGNIC, LDPP, LEN04, LEN06, LRET11, LHOU07, CRPSSI, NSBUS, |
|--|---|

Report

Application for Planning Permission 17/03933/FUL At 58 South Clerk Street, Edinburgh, EH8 9PS Change of use from Class 2, Beauty Salon, to Class 3, Restaurant.

Recommendations

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

Background

2.1 Site description

The property is a ground floor and basement unit of a four storey traditional tenement, located on the western side of South Clerk Street. The site forms part of a Category C listed building (reference 28556, 29/04/1977).

The premises are located within a row of commercial units which are identified in the Edinburgh Local Development Plan (LDP) as part of a Town Centre.

This application site is located within the Southside Conservation Area.

2.2 Site History

18 August 2017 - Planning permission refused for change of use from Class 2, Beauty Salon, to Class 3, restaurant (application reference 17/02140/FUL).

Main report

3.1 Description Of The Proposal

The application proposes a change of use from Class 2, beauty salon, to Class 3, restaurant. No external alterations to the property are proposed.

Internal alterations are also proposed to the property, but there has been no corresponding LBC application submitted.

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The proposed use is appropriate in the location;
- b) The proposed use would result in any loss of amenity;
- c) There are any transport issues; and
- d) Any matters raised in representations have been addressed.

a) Acceptability of the use

The property is situated within the designated Nicolson Street/Clerk Street town centre. LDP policy Ret 11 advises that change of use will be supported to Class 3, food and drink, unless there is likely to be an adverse impact on neighbouring amenity, or in an area where there is considered to be an excessive concentration of such uses.

As the property is within the Nicolson Street/Clerk Street town centre Policy NCTC3 of the Nicolson Street/Clerk Street Supplementary Guidance is also of relevance in the assessment of this application and states:

For those locations not within an identified frontage, but elsewhere within the Nicolson Street/Clerk Street Town Centre boundary, a change of use from a shop to a non-shop use will be permitted provided a proposal is:

- *Class 2 - financial, professional or other services;*
- *Class 3 - food and drink uses;*
- *An appropriate commercial, community or leisure use which would complement the character of the centre and would not be detrimental to its vitality and viability.*

In this part of South Clerk Street there are a significant number of food and drink premises. Three of the four units to the north of the application site are currently in use as hot food takeaways. However, the recently adopted supplementary guidance has identified this part of the town centre, as an area where change of use to Class 3 will be supported and will complement the range of uses in the wider town centre area. The site does not lie within an area which is identified as having an over concentration of food and drink uses as shown in the non-statutory Guidance for Businesses.

On this basis, the principle of a change of use from Class 2, to Class 3 accords with LDP policy Ret 11.

The applicant proposes that ventilation of cooking odours is taken through an existing chimney on the premises and does not require the erection of an additional external flue system. Therefore, there will be no impact on the character or appearance of the property in the Southside Conservation area.

b) Impact on neighbouring amenity

A Noise Impact Assessment has been submitted as a supporting document to the application. Environmental Protection has advised that the proposals meet with its requirements in terms of the protection of neighbouring amenity for both noise and odours, subject to a condition relating to ventilation.

The property has existing access both through the frontage to the pavement and at basement level through the residential close. These existing, and established accesses will be used for deliveries to the property. Given that there will be no change to the existing situation, this will have an acceptable impact on neighbouring amenity.

The proposal involves a change of use of an existing property and will no additional impact on the drainage system

c) Transport issues

There would not be a significant impact on parking provision or traffic movements or antisocial behaviour as a result of the proposals. There are no minimum parking standards requirements for a proposal of this nature.

d) Representations

Nine letters of objection have been received, which raised the following material issues:

- Over concentration of food outlets in area (addressed in section 3.3a);
- Insufficient parking provision (addressed in section 3.3c);
- Increase in traffic (addressed in section 3.3c);
- Impact on drainage system (addressed in section 3.3b);
- Delivery access would be through residential close (addressed in section 3.3b);
- Noise impact from air handling units (no air handling units proposed as part of this application); and
- Smells nuisance (addressed in section 3.3b).

Non material issues, which are not of relevance to the assessment of this application:

- Financial position of applicant;
- Increase in antisocial behaviour; and
- Impact on other business.

Community Council

The Southside Community Council did not request to be a statutory consultee, but objected on the following grounds:

- Overprovision of food outlets in the surrounding area; and

- Impact on the drainage network.

These issues have been addressed in sections 3.3a) and b).

Conclusion

The proposed change of use complies with policy NCTC3 of the Nicolson Street/Clerk Street Town Centre Supplementary Guidance and LDP policy Ret 11. The change of use will not have an adverse impact on the vitality and viability of the town centre and is not located within an area as identified as having an over concentration of food and drink uses. The proposal is acceptable in terms of impact on residential amenity and transport issues. There are no material considerations which justify refusal of this application.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to the commencement of the use on site, the extract flue and ventilation system, capable of 30 air changes per hour, as shown on drawing no. 1 shall be implemented and operational.

Reasons:-

1. In order to safeguard the amenity of neighbouring residents and other occupiers.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

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

Nine objections have been received. A summary of these can be found in the main assessment section of the report. These included comments from the Southside Community Council.

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**

South Side Conservation Area.

Date registered

24 August 2017

Drawing numbers/Scheme

01,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Rachel Webster, Planning Officer

E-mail:rachel.webster@edinburgh.gov.uk Tel:0131 529 3442

Links - Policies

Relevant Policies:

Nicolson/clerk Street Town Centre SG sets criteria for assessing change of use of shop units within Nicolson/Clerk Street Town Centre.

Relevant policies of the Local Development Plan.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Ret 11 (Food and Drink Establishments) sets criteria for assessing the change of use to a food and drink establishment.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

The South Side Conservation Area Character Appraisal emphasises the harmonious scale, massing and materials and the significance of key institutional buildings within the area.

Non-statutory guidelines 'GUIDANCE FOR BUSINESSES' provides guidance for proposals likely to be made on behalf of businesses. It includes food and drink uses, conversion to residential use, changing housing to commercial uses, altering shopfronts and signage and advertisements.

Appendix 1

Application for Planning Permission 17/03933/FUL At 58 South Clerk Street, Edinburgh, EH8 9PS Change of use from Class 2, Beauty Salon, to Class 3, Restaurant.

Consultations

Environmental Protection

The applicant proposes changing the use of a ground floor commercial property from use class 2 to class 3 restaurant. The property has residential properties located above on South Clerk Street in the middle of a small row of various commercial and retail uses. There are also further residential properties located to the rear and front of this property.

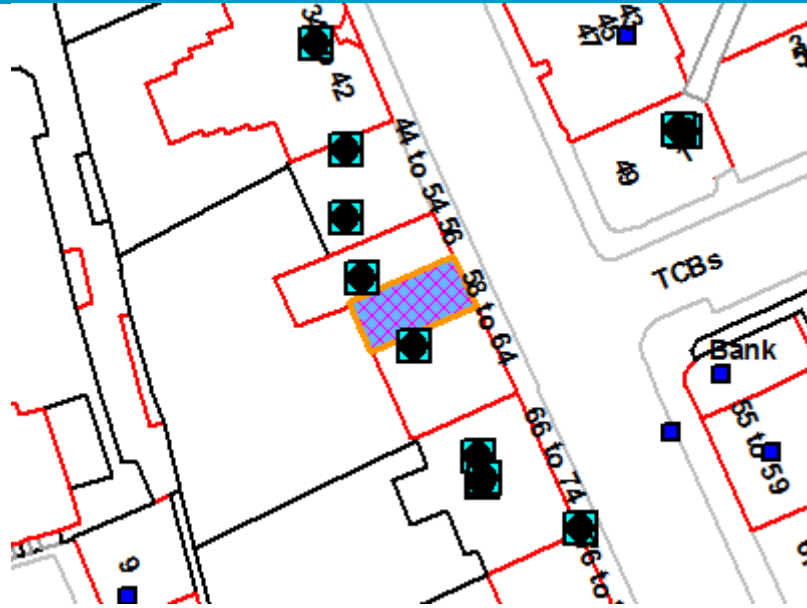
There are similar uses already operating on this row. Environmental Protection have received a number of odour complaints and a noise complaint regarding the operation of these uses some of these issues are still being investigated.

The applicant has provided a supporting noise impact assessment that has demonstrated that no noise mitigation will be required. The applicant has also provided evidence that the commercial kitchen flue liner is capable being passed through the existing chimney and terminate at chimney pot level.

Therefore, Environmental Protection offer no objection subject to the following condition;

Prior to the use being taken up, the extract flue and ventilation system, capable of 30 air changes per hour, as show on drawing no. P/L/2017/09/01 dated May 2017 shall be implemented.

Location Plan



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END

Development Management Sub Committee

Wednesday 21 March 2018

**Application for Planning Permission 17/03277/FUL
At 33 Telford Road, Edinburgh, EH4 2AY
Proposed extension plus deck and concrete slab to rear (in retrospect).**

| | |
|----------------------|------------------|
| Item number | 4.7 |
| Report number | |
| Wards | B05 - Inverleith |

Summary

The proposal is in accordance with the Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions) and the non-statutory Guidance for Householders. The proposal is of an acceptable scale, form and design and will not be detrimental to neighbourhood character. The proposal will not result in an unacceptable loss of neighbouring amenity and no impact on equalities or human rights was identified. There are no material considerations that outweigh this conclusion.

Links

| | |
|--|---------------------------|
| Policies and guidance for this application | LDPP, LDES12, NSG, NSHOU, |
|--|---------------------------|

Report

Application for Planning Permission 17/03277/FUL At 33 Telford Road, Edinburgh, EH4 2AY Proposed extension plus deck and concrete slab to rear (in retrospect).

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 a detached bungalow, located on the north side of Telford Road. There is a garden to the front and rear of the property. The surrounding area is predominantly residential.

2.2 Site History

01.12.2015 - Planning permission granted to build new extension to side and rear (reference: 15/04754/FUL).

08.09.2016 - Planning enforcement investigation, regarding the alleged non-compliance with the approved plans, pending consideration (reference: 16/00496/ENCOMP).

Main report

3.1 Description Of The Proposal

The application is in respect of an extension to the side and rear of the main house. A detached garage has been demolished to accommodate the development. The application is in retrospect as the development has been substantially completed, with only the external finish and detailing to be completed.

The development is materially different to that approved under planning permission 15/04754/FUL. The extension projects approximately 10 metres from the rear elevation of the original house, which is no greater than previously approved. The extension has a footprint of 181 square metres, which is 7 square metres larger than the extension previously approved. Its positioning, including distance to the boundary, is not materially different. The key difference is the height of the extension as built. The roof extension measures approximately 7 metres in height, which is 2 metres higher than previously approved. The single storey element of the extension measures 4.74 metres in height, which is approximately 1.20 metres higher than previously approved. The extension is to be finished in smooth white render with a metal fascia.

The development includes an area of raised decking to the rear of the extension. The floor level of the raised decking is 1.35 metres above ground level. A 3.1 metre high timber fence has been erected along the western edge of the raised decking. This fence is 1.80 metres above the deck floor level.

The development includes a number of fenestration changes to the existing building. These are permitted development under class 2B of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). No further assessment of their merits is required.

The development includes an area of mono block paving to the rear of the extension, and a 250 mm high concrete slab within the rear garden. Both hard surfaces are permitted development under class 3C of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). No further assessment of their merits is required.

The development includes a 1.80 metre high fence around the perimeter of the rear garden. This is permitted development under class 3E of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). No further assessment of its merits is required.

Further Information

Further information was provided by the applicant to demonstrate full compliance with the relevant criteria set out in the Council's non-statutory Guidance for Householders for maintaining adequate daylight and sunlight to neighbouring properties. The information, including sun path analysis, is available to view on the Planning and Building Standards online services.

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 proposal is of an acceptable scale, form and design and will not be detrimental to neighbourhood character;

- b) The proposal will result in an unreasonable loss of neighbouring amenity;
- c) Any impacts on equalities or human rights are acceptable; and
- d) Any comments raised have been addressed.

a) Scale, form and design and neighbourhood character

The extension is of an acceptable design that remains subservient to the host building. The ridge height and height of the eaves are acceptable as they are compatible with the existing roof and will not overwhelm the house. The rear extension is not visible from the street and does not result in an obtrusive addition within the street scene. The materials and detailing, including smooth white render, glazing and metal fascia, are compatible with the existing building and are acceptable in this location. The extension does not occupy more than one third of the applicant's rear garden area, leaving a reasonable proportion of private amenity space and does not represent overdevelopment.

It is acknowledged that the extension is large in terms of footprint and scale. The original house had a footprint of 114 square metres. The extension has a footprint of 181 square metres, which is only 7 square metres larger than the extension approved under planning permission 15/04754/FUL. In addition, there are examples of similarly large extensions along this section of Telford Road and within the surrounding area. The layout and scale of this development is in keeping with the spatial pattern of the surrounding area, and when considering multiple such developments in close proximity, the development does not have a negative cumulative effect on neighbourhood character.

The area of raised decking to the rear of the extension is of an acceptable scale, form and design and is not detrimental to the appearance of the building or neighbourhood character. The 3.1 metre high timber fence, erected along the western edge of the raised decking, is adjacent to the neighbour's garage, mitigating any visual impact.

Concern has been raised that the ground levels have been changed at the application site. The applicant has stated that there has been no change to ground levels. Notwithstanding, the case officer has visited the site and is satisfied that there has been no material change in the ground levels.

The scale, form and design of the development is acceptable and will not be detrimental to neighbourhood character. This is in accordance with Edinburgh Local Development Plan (LDP) Policy Des 12 and the non-statutory Guidance for Householdholders.

b) Neighbouring amenity

i) Daylight

With regard to daylight to neighbouring properties, the development fully complies with the 45 degree criterion set out in the non-statutory Guidance for Householdholders and does not result in an unreasonable loss of daylight.

ii) Overshadowing/Sunlight

With regard to sunlight, the non-statutory Guidance for Householders states that half the area of neighbouring garden space should be capable of receiving potential sunlight during the spring equinox for more than three hours. The development does not rise above the 45 degree line criterion, as set out in the non-statutory Guidance for Householders. As advised in the guidance, where a development fails this first test, other methods may be required - for instance a measurable hour by hour sun path analysis showing how sunlight moves through the [potentially] affected space for both before and after situations.

A sun path analysis has been submitted which shows the amount of additional overshadowing is minimal and any harm caused is limited to a small portion of the overall day - less than three hours during the spring equinox. The development is in compliance with the non-statutory Guidance for Householders and will not cause unreasonable overshadowing of neighbouring properties.

iii) Privacy

The rear elevation windows are more than 9 metres from the boundary and more than 18 metres from the nearest facing window, in accordance with the privacy requirements of the non-statutory Guidance for Householders.

The extension includes side elevation windows that are less than 9 metres from the boundary, creating a marginal privacy issue. The east elevation includes one window at ground floor level and one rooflight at first floor level. The west elevation includes glazed sliding doors at ground floor level and one rooflight at first floor level. The rooflights, by way of their positioning and angle within the roof, will not provide unrestrained opportunities to overlook the neighbouring properties and are acceptable. The 2015 planning permission included ground floor windows in the side elevation of the extension, and the ground floor windows in this application will not result in any greater loss of privacy for neighbouring properties.

The development includes an area of raised decking to the rear of the extension. The floor level of the raised decking is 1.35 metres above ground level. The deck has been built close to the western boundary, creating a marginal privacy issue. However, the deck is adjacent to the neighbour's garage and this helps to mitigate any privacy concerns. In addition, to address concerns of overlooking from the deck, a 3.1 metre high timber fence has been erected along the western edge of the raised decking. This fence rises 1.80 metres above the deck floor level, and provides sufficient screening and the area of decking will not result in an unreasonable loss of privacy. The deck is 9 metres from the eastern boundary, and will not result in an unreasonable loss of privacy for neighbouring properties.

The development will not cause an unreasonable loss to neighbouring amenity. This is in accordance with LDP policy Des 12 and the non-statutory Guidance for Householders.

c) Equalities and human rights

This application was assessed in terms of equalities and human rights. No impact was identified. An Equalities and Human Rights Impact Assessment has been completed.

d) Public comments

Material Representations - Objection:

- The proposed development is contrary to the non-statutory Guidance for Householders - addressed in sections 3.3 (a) and (b);
- The proposed development is unacceptable in scale, form and design and is incompatible with the existing building, changing its character - addressed in section 3.3 (a);
- The new extension is built above the original height of the eaves - addressed in section 3.3 (a);
- The proposed materials and detailing, including glazing and fascia, are not acceptable - addressed in section 3.3 (a);
- The proposed development will be detrimental to neighbourhood character - addressed in section 3.3 (a);
- The proposed development will have an adverse impact on the spatial characteristics of the wider area - addressed in section 3.3 (a);
- The proposed development represents overdevelopment - addressed in section 3.3 (a);
- The raising of the ground level within the rear garden is unacceptable - addressed in section 3.3 (a);
- The proposed development would result in the loss of sunlight for neighbouring properties - addressed in section 3.3 (b);
- The proposed development, including windows and elevated decking, would result in the loss of privacy for neighbouring properties - addressed in section 3.3 (b);
- The proposed development, including elevated decking, would result in noise disturbance for neighbouring properties - addressed in section 3.3 (b).
- The proposed development should be one metre from the boundary. In planning terms, there is no rigid requirement for a development to be more than one metre from the boundary; and
- The loss of trees is unacceptable. The trees are not protected by a Tree Preservation Order. If any trees are removed from the application site, the Council has no powers to get involved.

Non-Material Representations:

- Concern has been raised that the extension has not been built safely, does not meet fire regulations or disabled access requirements. This is not a material planning consideration. These concerns would be a matter for the Council's Building Standards function to consider before issuing a building warrant;
- No information has been given as to what the concrete slab in the rear garden is to be used for. This hard surface is permitted development under class 3C of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). No further assessment of its merits is required;

- Concern has been raised about energy conservation. This is not a material planning consideration for a proposal of this scale;
- The applicant never discussed the proposal with neighbours. This is not a material planning consideration;
- A tall hedge has been removed without the neighbour's permission. Land ownership, boundary disputes and damage to property are not material planning considerations. This would be a civil matter which the planning authority cannot involve itself in;
- Concern was raised that comments from neighbours are less likely to have influence on a completed build. Applications in retrospect are assessed against the same policies and guidance as any application;
- The area below the house has not been adequately detailed on the proposed plans. The submitted plans and drawings provided sufficient detail for the determination of this planning application;
- Concern was raised that the submitted drawings state 'existing' when the development has commenced. This application is in retrospect, and the 'existing' drawings reflect what was in situ prior to the development commencing;
- Concern was raised, following the re-advertisement of the application, that a new application should have been submitted. It should be noted that further information was submitted. The plans have not been amended. There is no requirement for a new application; and
- The submitted daylight and sunlight reports have been prepared on behalf of the Applicant and are not unbiased reports. All information submitted with a planning application should be accurate. The submitted daylight and sunlight report has been checked and is acceptable.

Conclusion

In conclusion, the proposal is in accordance with the Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions) and the non-statutory Guidance for Householders. The proposal is of an acceptable scale, form and design and will not be detrimental to neighbourhood character. The proposal will not result in an unacceptable loss of neighbouring amenity and no impact on equalities or human rights was identified. 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

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

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 considered 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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was first advertised on 25 July 2017 and eight letters of representation were received, all objecting to the planning application.

Further information was provided by the applicant to demonstrate full compliance with the relevant criteria set out in the Council's non-statutory Guidance for Householdors for maintaining adequate daylight and sunlight to neighbouring properties. Accordingly, the application was re-advertised on 19 January 2018. Neighbour notification letters were re-sent on 6 February 2018 to make clear exactly why the application was being re-advertised.

Six individuals submitted further comments to those they had already submitted. The further comments all maintained their objection to the planning application.

An additional comment was received from Councillor Gavin Barrie, objecting to the planning application.

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**

Edinburgh Local Development Plan.

Date registered

11 July 2017

Drawing numbers/Scheme

01-04,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Peter Martin, Planning Officer

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

Appendix 1

**Application for Planning Permission 17/03277/FUL
At 33 Telford Road, Edinburgh, EH4 2AY
Proposed extension plus deck and concrete slab to rear (in retrospect).**

Consultations

No Consultations received.

Location Plan



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END

Development Management Sub Committee

Report returning to Committee - Wednesday 21 March 2018

Application for Planning Permission in Principle 17/02227/PPP

At 2 Dewar Place, Edinburgh, EH3 8ED

PPP for hotel(s) (Class 7), office (Class 4), retail (Class 1), restaurant(s) (Class 3), pedestrian deck, bridge link + accesses from Western Approach Road, Dewar Place + Canning Street; detailed approval for siting, maximum height & limits of deviation of proposed buildings, partial demolition,+ refurbishment of façade of former electricity station (as amended).

| | |
|---------------|-------------------|
| Item number | 5.1(a) |
| Report number | |
| Wards | B11 - City Centre |

Recommendations

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

Background information

At its meeting on 7 March 2018, Committee was minded to continue consideration of this matter for:

- 1) A site visit.
- 2) Discussions with the developer to amend the height of the development.
- 3) Further information on the possible widening of the pavement and the position of the taxi rank/pick up drop off point.

- 4) Further information on the massing of building.
- 5) To explore options for better access including proposals for the corner of building 01.
- 6) To explore access options for all members of the public to the podium.
- 7) The possible reduction of the height of the development and consideration of scale and massing and the relationship to the WHS.
- 8) External treatment of the ventilation units on the generating station.
- 9) Proposals to minimise roof clutter on the development.

Main report

Description of Proposal

This report addresses the amended upper floor proposals and the additional information provided by the applicant in relation to visual impact, access, and public realm works following the request from the Development Management Sub-Committee to consider these points further.

Assessment

This report sets out the response by the applicant to each of the points raised by the Development Management Sub-Committee's:

- 1) A site visit.

A committee site visit has been arranged for 19 March 2018.

- 2) Discussions with the developer to amend the height of the development.

The applicant has submitted an alternative plan for the upper floor of buildings 01 and 02 and revised supporting visual information.

Assessment - As outlined in the original report this application was revised during the application process to address concerns about the overall height. The Scheme 2 heights, as considered by the Development Management Sub-Committee on 7 March 2018, reduced the overall height of building at site 01 by 2.8m to 94.05m AOD. The height of building 02 was reduced to 94.15m AOD, as result of loss of original top storey level. A set back on all sides was introduced to building 02 at top floor level.

Further to the Development Management Sub-Committee meeting of 7 March 2018 the applicant has reconsidered the design of the upper floor and revised the extent of accommodation at the upper floor. The applicant has provided a revised visual assessment which demonstrates that the impact of the building has been reduced.

The building height on building 01 is 94.05m AOD and 94.15m AOD in building 02. The existing building height on the opposite side of the West Approach Road is generally 94.1m AOD in Exchange Crescent with the Edinburgh International Conference Centre rising to 97.3m AOD. The original development brief contains building heights extending to 97.5m AOD. Whilst the highest point of the proposed building is unchanged the development sits aligned or below the heights of the buildings to the south and therefore its impact on the long views from the west on Corstorphine Road is limited. The view from Edinburgh Castle demonstrates how the new build elements sit comfortably with the adjoining buildings heights and have a neutral impact on this long view.

The existing view from Walker Street illustrates how the existing Exchange Tower has a negative impact on the setting of the listed buildings within this part of the Old and New Towns of Edinburgh World Heritage Site. The proposed development would be visible from this viewpoint. The Scheme 2 revisions significantly reduced the visibility of the new buildings from this viewpoint. The applicant has further considered the massing at the upper level to address the committees concerns about this visual impact. The revised plans and visual assessment demonstrate that the impact from this viewpoint is further reduced.

It is considered that the further reduction in massing, in conjunction with the recommended conditions requiring the detailed consideration of the upper floor at the AMC stage, will result in a development which reflects the heights and form of the surrounding townscape and has an overall neutral or positive impact on the wider townscape.

3) Further information on the possible widening of the pavement and the position of the taxi rank/pick up drop off point.

The applicant has provided additional indicative information in relation to footway widening and taxi operations on Torphichen Street.

The existing road on Torphichen Street comprises a three lane wide one-way street. This supporting information shows how the existing street could be reconfigured to provide an enhanced pedestrian space on both sides of the street with two lanes retained for vehicular movement. The footway widening outside the listed building could be in excess of 5m in width with the capacity to accommodate pedestrian and cycle movement. The illustrative plans shown how the bus stop could be incorporated on the realigned footway and provide ample space for taxi drop off and pick up outside the hotel. The information also illustrates a reconfigured vehicular junction to Canning Street to provide a better pedestrian crossing as an extension of the new east/west pedestrian/cycle route through the site. A new pedestrian crossing is shown on Torphichen Street to the west of Canning Street. The final configuration of these improvements will be considered under condition 2e).

4) Further information on the massing of building.

This is assessed as part of the consideration of item 2, above.

5) To explore options for better access including proposals for the corner of building 01.

The proposal incorporates a new east/west pedestrian/cycle route through the site. This route is generally 3m in width but is constrained by the corner of the existing generating building which is located 1.8m off the existing boundary wall to the neighbouring office building. The generating building is a relatively new purpose built facility and there is no capacity to remove a section of the existing operational building to widen the new public access.

The applicant submitted supporting information to demonstrate how the proposed pedestrian/cycle route could be enhanced and widened if this wall and the adjoining surface car parking were to be removed. This land lies outwith the control of the applicant. While this width of new route is not ideal, the narrowing only extends over a short section of the route and on balance is considered to be preferred to not delivering a public route.

6) To explore access options for all members of the public to the podium.

The proposal presented to committee on 7 March 2018 set out the requirement for one DDA accessible lift. The applicants' supporting information includes the provision of two lifts to provide access from Torphichen Street to the new podium, leading on to the new bridge and through to Conference Square.

The applicant has also submitted a drawing which illustrates the length of ramp and landings required to deal with the change in level across the site. The location of any potential ramp is constrained by the location of the existing structure containing the generating station. The supporting information demonstrates that the provision of these extensive ramps would result in unattractive route and series of spaces for all users. It is also noted that there is a DDA compliant route over the new bridge to the deck from Conference Square.

It is recommended that the informative be amended to include the provision of two DDA accessible lifts off Torphichen Street.

7) The possible reduction of the height of the development and consideration of scale and massing and the relationship to the WHS.

This is assessed as part of the consideration of item 2, above.

8) External treatment of the ventilation units on the generating station.

The design of these elements would be considered through the submission of additional details at the AMC stage. For the purpose of clarification it is recommended that condition 2c be amend to include additional text specific to these works. The recommended amended condition 2c shall read "Design and external appearance of all buildings, including external features, ventilation units to the generating station, visual containment of all rooftop plant and other structures".

9) Proposals to minimise roof clutter on the development

The applicant has submitted supporting information demonstrating that plant will primarily be located with the main building envelope. To ensure that any roof plant is carefully considered at the AMC stage it is recommended that condition 2c be amend to include additional text specific to these works. The recommended amended condition 2c shall read "Design and external appearance of all buildings, including external features, ventilation units to the generating station, visual containment of all rooftop plant and other structures".

Recommendation

The proposed development would allow for the regeneration of this currently underutilised and constrained city centre site. The proposal is consider acceptable for the reasons set out in the report of 7 March 2018. The further revised proposals and additional supporting information accord with the Development Plan.

It is recommended that this application be Minded to Grant - Legal Agreement, subject to the original conditions and informatives contained within the report of 7 March 2018 and the amended condition, informative and drawings listed below.

Amended condition:

2c) Design and external appearance of all buildings, including external features, ventilation units to the generating station, visual containment of all rooftop plant and other structures.

Amended informative:

6. iii) The installation of two lifts, or other appropriate form of DDA compliant vertical access facility, providing access to the podium level at building 01, in compliance with the requirements of condition number 3 of this consent, together with a schedule detailing the agreed hours of operation of the proposed lift and the contingency plans for when the lift is out of operation. The respective lift or other appropriate access facility to be installed prior to the occupation of any part of the building at site 01 and maintained in operational use thereafter for use by the public.

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.

Amended approved drawings:

01a- 03a, 04c-10c, 11d, 14c, 15b, 16c-19c, 20b, 21c, 22- 24, 26c, 27, 28a, 29a, 30b, 31,

Links

Policies and guidance for this application

LDPP, LDEL02, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES11, LEMP01, LEMP10, LEN01, LEN02, LEN03, LEN04, LEN05, LEN06, LEN07, LEN16, LEN20, LEN21, LEN22, LRET01, LRET02, LRET07, LTRA01, LTRA02, LTRA08, LDEL01, NSG, NSGD02, NSESBB, NSGSTR, NSDCAH, NSLBCA, NSMDV, CRPNEW, CRPWEN,

A copy of the original Committee report can be found in the list of documents at

<https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=OQ4YYAEWL6O00>

Or Council Papers online

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Development Management Sub Committee

Report returning to Committee - Wednesday 21 March 2018

Application for Listed Building Consent 17/02228/LBC At 2 Dewar Place, Edinburgh, EH3 8ED Demolition of rear part of original electricity generating station, partial demolition, refurbishment and integration of retained façade into proposed hotel building (as amended)

| | |
|----------------------|-------------------|
| Item number | 5.1(b) |
| Report number | |
| Wards | B11 - City Centre |

Recommendations

It is recommended that this application be Minded to grant - Scottish Ministers subject to the details contained within the original Committee report of 7 March 2018.

Background information

At its meeting on 7 March 2018, committee was minded to continue consideration of this matter to enable the further consideration of the parallel application for planning permission in principle, reference 17/02227/PPP.

Main report

Assessment

The revisions to the parallel application for planning permission in principle does not change the original recommendation in relation to this application.

Links

Policies and guidance for this application

CRPWEN, LDPP, LEN04, LEN03, NSG, NSLBCA,

A copy of the original Committee report can be found in the list of documents at

<https://citydev-portal.edinburgh.gov.uk/idxpa-web/applicationDetails.do?activeTab=documents&keyVal=QQ4Z1CEWL6R00>

Or Council Papers online

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Development Management Sub Committee

Report returning to Committee - Wednesday 21 March 2018

Application for Conservation Area Consent 17/02229/CON At 2 Dewar Place, Edinburgh, EH3 8ED Complete demolition in a conservation area of electricity transformers and switch room building

| | |
|---------------|-------------------|
| Item number | 5.1(c) |
| Report number | |
| Wards | B11 - City Centre |

Recommendations

It is recommended that this application be Granted subject to the details contained within the original Committee report of 7 March 2018.

Background information

At its meeting on 7 March 2018, committee was minded to continue consideration of this matter to enable the further consideration of the parallel application for planning permission in principle, reference 17/02227/PPP.

Main report

Assessment

The revisions to the parallel application for planning permission in principle does not change the original recommendation in relation to this application.

Links

Policies and guidance for this application

LEN05, LDPP, LEN06, LEN09, NSGD02, NSLBCA, CRPWEN,

A copy of the original Committee report can be found in the list of documents at

<https://citydev-portal.edinburgh.gov.uk/idxpa-web/applicationDetails.do?activeTab=documents&keyVal=OQ4Z1JEWL6U00>

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Development Management Sub Committee

Report returning to Committee - Wednesday 21 March 2018

Application for Planning Permission 16/03218/FUL At 30 South Fort Street, Edinburgh, EH6 5NU Demolish existing buildings. Form new residential development with associated roads/paths and parking (Scheme 3).

| | |
|----------------------|---------------------------------|
| Item number | 5.2 |
| Report number | |
| Wards | A12 - Leith Walk (Pre May 2017) |

Recommendations

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

Background information

This application was previously considered by Committee on 21 June 2017 and 30 August 2017.

The Committee was minded to grant planning permission subject to a legal agreement and a number of conditions and informatives. The legal agreement has not yet been signed and the decision notice has not been issued. The purpose of this report is to seek approval to delete condition 1 and amend condition 3.

Condition 1 states:

Development shall not commence until the industrial use at West Bowling Green Street site (as defined in application reference 16/00427/FUL) has ceased operation and the site has been cleared to the satisfaction of the Planning Authority.

The applicant has submitted a formal request to delete this condition as it is not considered necessary and it is holding up development with implications for the relocation of the existing industrial operations and housing delivery.

Condition 3 states:

The following noise protection measures to the proposed residential development, as defined in the Robin Mackenzie Partnership 'Environment Noise Assessment' report (Ref: R-7351- RGM-M1), dated 29 January 2016:

- *Glazing units with a minimum insulation value of 6.4/12/10 mm double glazing, shall be installed for the external doors and windows overlooking South Fort Street. They shall also be fitted with attenuated trickle ventilation with a minimum acoustic rating $D_{n,e}$, w 39 dB.*
- *Attenuated trickle ventilation with a minimum acoustic rating $D_{n,e}$, w 39 dB shall be installed for the external doors and windows of the habitable rooms and overlooking South Fort Street.*

shall be carried out in full and completed prior to the development being occupied.

It has come to light that the wording of condition 3 is incorrect as it relates to the noise impact assessment report and mitigation measures for the application on the adjacent site (16/00427/FUL) which was determined at the same time. The required mitigation measures are different for this applications and it is therefore necessary to amend the wording of this condition.

Main report

Condition 1

Planning applications 16/03218/FUL for 115 residential units and 16/00427/FUL for 77 residential units and three commercial units together provide an integrated approach to the development of adjacent sites on South Fort Street and West Bowling Green Street. To promote the comprehensive redevelopment of both sites and to take account of the existing business/industrial uses on the sites, both applications were subject to a condition preventing development taking place until the existing uses on the adjacent site had ceased and the buildings cleared. This was considered necessary to protect the amenity of future occupiers of the development.

A co-ordinated approach to the redevelopment of the two sites remains the preferred solution. However, the applicant for application 16/03218/FUL has indicated that this condition is causing problems due to lack of control and certainty regarding timescales for the clearance of the adjacent site.

The applicant wishes to commence development of the 66 private sale and 28 affordable housing units as soon as the decision notice is issued. Certainty regarding timescales is needed to facilitate the relocation of the Blake's industrial operation currently occupying the site. The current intention is for Blake's to relocate to the large, vacant manufacturing facility at 31 Bath Road, providing the opportunity to safeguard operations and employment in north east Edinburgh.

The applicant's planning report, submitted in support of the request to delete condition 1, states that Blake's relocation from the existing site on South Fort Street is now a necessity. The Blake Group currently has around 50 employees including eight apprentices from Edinburgh College and a turnover of £3.5million. The company has significant growth plans which Scottish Enterprise is assisting with. The intention is for the Blake Group to take a 30 year lease of the vacant building at Bath Road to form the anchor for a new Manufacturing and Innovation Hub.

The Council's Economic Development Service supports the deletion of condition 1 as the current situation may stall or prevent development. It recognises the economic benefits of the Blake Group relocating to Bath Road and the further potential opportunities, in terms of job creation, that this relocation could bring.

The deletion of condition 1 would bring economic benefits and potentially accelerate housing delivery. However, these need to be balanced against potential impact on the amenity of future residents.

The first clause of condition 1 requires the existing industrial uses on the adjacent site to cease activity prior to development. This was required to ensure that the existing uses on the adjacent site do not have an unacceptable impact (noise/dust etc) on future residents. The applicant's planning report sets out the view that the existing uses on the site (a camper van sales operation and a picture framer) are not Class 5 industrial uses. There is no evidence that planning permission has ever been granted for Class 5 industrial uses on this site and therefore a change to an industrial use would require planning permission.

The Council's Environmental Protection Service has been consulted on the proposed deletion of the condition and has no objection on the basis that the existing businesses would have no detrimental impact on residential amenity. Similarly, residential development on this site would not prejudice or inhibit the activities of these existing employment uses. There is therefore no requirement for clause 1 of condition 1.

The second clause of condition 1 requires the adjacent site to be cleared. This was included because the proposed layout is based on a comprehensive design solution for both sites and the assessment of this application has been based on the assumption that the buildings on the adjacent site would be removed prior to development. The deletion of this condition would mean that development of this site could come forward in advance of these buildings being removed.

This has a potential impact on the amenity of future residents in terms of:

- Private green space provision.
- Immediate outlook and daylighting.

Green Space

The deletion of condition 1 will have no impact on the amount of green space provision and the proposal therefore still accords with policy Hou 3 in the Edinburgh Local Development Plan which requires at least 10 m² per flat.

LDP Policy Des 5 requires that future occupiers have acceptable levels of sunlight. The Edinburgh Design Guidance states that half the area of new garden spaces should be capable of receiving potential sunlight during the sun equinox for more than three hours. The existing buildings will result in overshadowing to approximately 130 m² of the shared green space serving Block C. However, this represents less than half the total amount of green space provided in this part of the site and is therefore acceptable. The applicant was therefore not asked to provide any further analysis on this matter.

The green space provided to the south and east of Block C located within this application site is a relatively narrow, awkward shape. It is acknowledged that the amenity value and usability of this space will be greatly enhanced once the adjacent site is redeveloped. However, when assessed on its own, the proposal does still accord with LDP policy Hou 3 in terms of amount of open space and LDP policy Des 5 in terms of sunlight levels.

Immediate Outlook and Daylighting

The immediate outlook of future occupiers of the flats at the western end of Block C would be detrimentally affected if development took place prior to the removal of the existing buildings. It will result in a number of bedroom and bathroom windows looking onto the blank gable end of the existing business premises. The impact on amenity is partly mitigated by the fact that all living room windows face west and are not affected.

The applicant has undertaken a detailed daylighting assessment report to examine the impact of the adjacent buildings on the proposed development. This assessment has taken account of the technical guidance on daylighting set out in the Edinburgh Design Guidance (EDG).

The assessment firstly identified that there was potential for an unacceptable impact on daylighting on the bedrooms of seven flats. The EDG states that daylight to bathrooms, stores and hallways will not be protected. Using the Vertical Sky Component method, analysis showed that four of these bedrooms measured above 27% (the minimum recommended in the EDG). The bedrooms in three ground floor affordable flats did not meet the required standard measuring 25.60%, 22.41% and 19.04%.

The assessment then measured impact using the Average Daylight Factor (ADF) methodology. This demonstrated that all seven bedrooms measured above 1% the minimum ADF for bedrooms.

The deletion of condition 1 will have a minor adverse impact on daylighting levels in the ground floor bedrooms of three affordable flats. However, this is considered a justifiable exception to the Edinburgh Design Guidance because daylighting impact is shown to be acceptable when calculated using a different methodology and daylight to bedrooms is considered to be of less importance than living rooms which are not affected.

The Council's Affordable Housing team was consulted on the proposed deletion of condition 1. It recognises that the change will provide greater certainty regarding the delivery of the affordable units. There will be a reduction in residential amenity for future occupiers but this should only be for a temporary period.

Conclusion

Condition 1 was included in the original report to Committee as it was considered necessary to protect the amenity of future occupiers. However, whilst the comprehensive redevelopment of both sites at the same time remains the preferred approach in the interests of good place-making, the above assessment demonstrates that the development of the Blake's site could come forward in advance of proposals for the adjacent site. As explained above, there are economic and housing delivery benefits associated with the deletion of condition 1.

Work on the legal agreement for application 16/00427/FUL is progressing and it is understood that the landowner is in discussion with prospective developers. It is therefore anticipated that redevelopment of the adjacent site will happen and any impacts on the amenity of future residents will be temporary.

The deletion of Condition 1 for application 16/03218/FUL can therefore be supported.

Condition 3

The wording of condition 3 needs to be amended to accurately reflect the requirements for this site.

A noise impact assessment was undertaken to consider the commercial and road traffic noise levels in the vicinity of the site and a report (KSG Acoustics Ltd 'Noise Impact Assessment' report (Ref 1518/R1/rev 2), dated 12 April 2017) submitted in support of the application. The results of the surveys and assessment indicate that appropriate design specifications are necessary on the east, west and south facades of Block C to ameliorate noise ingress to habitable rooms.

Environmental Protection has considered the Noise Impact Assessment and has recommended the following condition to ensure the amenity of future residents is acceptable in terms of noise levels.

The following noise protection measures to the proposed residential development, as defined in the KSG Acoustics Ltd 'Noise Impact Assessment' report (Ref 1518/R1/rev 2), dated 12 April 2017:

- Glazing units with a minimum sound reduction level 31 Rw, Ctr (dB) double glazing shall be installed for the external doors and windows of the habitable rooms overlooking South Fort Street (Block C east facade). These shall also be fitted with attenuated trickle ventilation with a minimum acoustic rating 31 Rw Ctr dB.
- Glazing units with a minimum sound reduction level 26 Rw, Ctr (dB) double glazing shall be installed for the external doors and windows of the habitable rooms overlooking West Bowling Green Street, (Block C south facade) and Pitt Street (Block C north facade). These shall also be fitted with attenuated trickle ventilation with a minimum acoustic rating 26 Rw Ctr dB.
- Glazing units with a minimum sound reduction level 20 Rw, Ctr (dB) double glazing shall be installed for the external doors and windows of the habitable rooms overlooking West Bowling Green Street (Block C south west facade). These shall also be fitted with attenuated trickle ventilation with a minimum acoustic rating 20 Rw Ctr dB.
- A 2 metre close boarded timber acoustic barrier with a minimum surface density of 12 kg/m² shall be erected as highlighted in the KSG Acoustics Ltd 'Noise Impact Assessment' report (Ref 1518/R1/rev 2), 'Appendix A' dated 12 April 2017.

shall be carried out in full and completed prior to the development being occupied.

It is recommended that the wording of condition 3 is amended accordingly.

Conclusion

In conclusion, it is recommended that condition 1 as set out in the previous report to Committee on 21 June 2017 is deleted and the remaining conditions renumbered.

It is also recommended that the wording of condition 3 as set out in the previous report to Committee on 21 June 2017 is amended as follows:

Condition

The following noise protection measures to the proposed residential development, as defined in the KSG Acoustics Ltd 'Noise Impact Assessment' report (Ref 1518/R1/rev 2), dated 12 April 2017:

- Glazing units with a minimum sound reduction level 31 Rw, Ctr (dB) double glazing shall be installed for the external doors and windows of the habitable rooms overlooking South Fort Street (Block C east facade). These shall also be fitted with attenuated trickle ventilation with a minimum acoustic rating 31 Rw Ctr dB.
- Glazing units with a minimum sound reduction level 26 Rw, Ctr (dB) double glazing shall be installed for the external doors and windows of the habitable rooms overlooking West Bowling Green Street, (Block C south facade) and Pitt Street (Block C north facade). These shall also be fitted with attenuated trickle ventilation with a minimum acoustic rating 26 Rw Ctr dB.
- Glazing units with a minimum sound reduction level 20 Rw, Ctr (dB) double glazing shall be installed for the external doors and windows of the habitable rooms overlooking West Bowling Green Street (Block C south west facade). These shall also be fitted with attenuated trickle ventilation with a minimum acoustic rating 20 Rw Ctr dB.
- A 2metre close boarded timber acoustic barrier with a minimum surface density of 12 kg/m2 shall be erected as highlighted in the KSG Acoustics Ltd 'Noise Impact Assessment' report (Ref 1518/R1/rev 2), 'Appendix A' dated 12 April 2017.

shall be carried out in full and completed prior to the development being occupied.

Reason

In order to protect the amenity of the occupiers of the development.

Links

Policies and guidance for this application

LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LEN20, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, NSG, NSGD02, NSMDV, NSP,

A copy of the original and previous returning Committee reports can be found in the list of documents at

<https://citydev-portal.edinburgh.gov.uk/idxpa-web/applicationDetails.do?activeTab=documents&keyVal=O9KSJ8EWGF800>

Or Council Papers online

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Development Management Sub Committee

Wednesday 21 March 2018

**Application for Planning Permission 16/06280/FUL
At Land 100 Metres South Of 105, Provost Milne Grove,
South Queensferry
Residential development of Flats and Houses with
associated accesses, roads, drainage, parking and
landscaping (as amended).**

| | |
|----------------------|-----------------------------|
| Item number | 7.1 |
| Report number | |
| Wards | A01 - Almond (Pre May 2017) |

Summary

The site is allocated for housing in the Local Development Plan and the proposal is acceptable in principle. The proposal has no unacceptable impact on the adjacent listed building or the Forth Bridge World Heritage Site. It is acceptable in terms of design, scale, layout, open space and amenity of future and neighbouring residents. The transport implications for the proposal are acceptable provided a number of infrastructure requirements are delivered. Subject to appropriate developer contributions, transport, education, healthcare facilities and affordable housing being secured through a legal agreement, the impact on infrastructure is acceptable. The proposal is acceptable in all other respects, subject to a number of conditions.

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES09, LEN01, LEN03, LEN08, LEN09, LEN12, LEN16, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU10, LTRA02, LTRA03, LTRA04, LTRA08, LTRA09, LRS06, NSG, NSGD02,

Report

Application for Planning Permission 16/06280/FUL At Land 100 Metres South Of 105, Provost Milne Grove, South Queensferry Residential development of Flats and Houses with associated accesses, roads, drainage, parking and landscaping (as amended).

Recommendations

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

Background

2.1 Site description

The site covers approximately 14 hectares and is located on the southern edge of Queensferry. It currently comprises agricultural land.

To the north is the existing residential area at South Scotstoun, which consists of mostly two storey dwellings. To the northeast and east of the site is the former Agilent Technologies site, which is currently being redeveloped for housing. Further east is a railway line.

To the south of the site is the A90 and to the west is the B800. The B800 sits higher than the site. The roads have recently been altered as part of the Forth Road Bridge construction works.

West of the site is also the B listed Scotstoun House modernist office and grounds (reference LB50165, listed 24/10/2005).

A tree lined lane crosses into the site from Dalmeny from the east and continues into the site. It forms part of National Cycle Route 1.

Within the site, there are a number of field trees and in a western part there, is a small plantation area.

2.2 Site History

No relevant history for the site.

Adjacent Sites:

14 May 2012 - planning permission in principle granted on the Agilent site to the east and northeast of the site for redevelopment for residential and mixed use development including retail units (class 1), business use (class 4), financial and professional services (class 2), food and drink (class 3), non- residential institution (class 10) and associated access, parking and landscaping (application number: 11/00995/PPP).

6 December 2013 - application approved for approval of matters specified in conditions of application 11/00995/PPP for mixed use development of 450 houses and flats and commercial building (application number: 13/03310/AMC). Under construction.

1 December 2015 - planning permission granted on land the west of the site at Ferrymuir for the development of 143 houses and flats (including 25% affordable homes) and community facility (application number: 14/04172/FUL). Under construction.

Main report

3.1 Description Of The Proposal

The proposal is for development comprising of a total of 341 residential units.

There is a mixture of detached, semi-detached, terraced and flatted units proposed. These are made up of standard house types. The proposed development is predominately two storeys in height, though some house types contain second floor dormer windows and there are also three and four storey flatted blocks within the more central area of the site.

The units are split into:

- 1 x one bedroom flat.
- 77 x two bedroom flats (including 33 affordable).
- 51 x two bedroom houses (including 26 affordable).
- 89 x three bedroom houses (including 20 affordable).
- 104 x four bedroom houses (including 6 affordable).
- 19 x five bedroom houses.

Eighty-five affordable units are proposed across two locations. One will be located near to the centre of the site and the second will be located in a more eastern location.

The materials proposed are a mixture of brick and render finished with grey roof tiles and grey windows and doors.

Vehicular access is proposed from the B800 at the west of the site and from Provost Milne Grove to the north. The proposals extend the existing cycle and footpath that runs through part of the site by continuing it along the southern part of the site.

The general layout has been developed around an east-west spine road that weaves through the site. Larger detached units are found towards the edges of the site and are generally set out in a block structure. The higher density terraced housing and flats are located towards the centre of the site.

A total of 592 car parking spaces are proposed. These are predominately located in-curtilage or within parking courts. Some layby parking has also been proposed throughout the development.

Open space is proposed in various locations. The largest area is the creation of a central area of open space covering approximately 4000 sqm. Currently there is a line of five trees in this location - four oaks and a Norway maple. It is proposed to remove two of the trees. Elsewhere, the proposal extends the smaller existing areas of open spaces from the existing residential areas to the north. Sustainable Urban Drainage System (SUDS) basins are proposed in the south east of the site.

The plantation area currently on the site contains a number of Norway spruce trees that appears to have been established for the production of Christmas trees, but has been left unmanaged. These are all to be removed. A limited number of other trees across the site are also to be removed.

Scheme 1

The original scheme proposed 339 residential units and 792 parking spaces. The general layout was broadly the same. There was a different arrangement of the houses and flats next to the central area around the proposed public open space, where the flats are and the link south to the east/west cycle way. The orientation of the houses on the far east of the proposed development was also different. A number of units contained blank gables or were orientated to not provide overlooking of spaces.

Supporting Statements

The following documents have been submitted in support of the application:

- Pre-application Consultation Report;
- Design and Access Statement;
- Planning Statement;
- Ecology Report;
- Flood Risk Assessment and Surface Water Management Plan;
- Sustainability Statement;
- Transport Assessment and Quality Audit;
- Air Quality Impact Assessment;
- Noise Impact Assessment;
- Tree Survey;
- Development Impact Assessment:
- Landscape and Visual Appraisal; and
- Ground Investigation Report;

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

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.

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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 proposals provide a development of appropriate design, scale and layout;
- c) the proposals would have a detrimental impact on the historic environment;
- d) the proposals provide an acceptable level of amenity for the existing and future residents;
- e) the transport, access and parking arrangements are acceptable;
- f) there are any infrastructure constraints;
- g) the proposals have any equalities or human rights impacts;
- h) there are any other material issues, and
- i) the representations have been addressed.

a) Principle

Local Development Plan (LDP) Policy Hou 1 states that priority will be given to the delivery of housing land supply and relevant infrastructure through sites allocated in the plan.

The site forms the majority of the area allocated in the LDP as housing proposal HSG 33 South Scotstoun. An eastern part of the housing allocation falls within the Health and Safety Executive consultation zone for the nearby Dalmeny Oil Storage Depot and this area has not been included in the application site. In terms of the proposed development area in the application, the Health and Safety Executive report does not advise against the granting of planning permission.

There is also a strip of land at the south of the site that was required by Transport Scotland as part of the works for the Queensferry Crossing that has not been included in the application site. It is anticipated that further land will therefore be made available for development once the transport works are fully completed.

The LDP estimates a capacity of 312 - 437 units across a 20 hectare site. Taking 375 units as the mid-point, this would provide a density of 18.75 dwellings per hectare (dph). The proposed 341 units is within the anticipated range and on the 14 hectare application site the density is 24 dph. These calculations not take into account any land for open space.

The principle of housing is acceptable on the site, subject to adherence with other policies in the plan and the delivery of relevant infrastructure.

b) Design, Scale and Layout

LDP Policies Des 1 - Des 9 set a requirement for proposals to be based on an overall design concept which draws on the positive characteristics of the surrounding area with the need for a high quality of design which is appropriate in terms of height, scale and form, layout, and materials.

Also relevant is the site brief and associated development principles included in the LDP which sets out key design requirements to guide the development of the site. These include access to the site, consideration of existing trees and future planting, footpath/cycleway links through the site and to existing areas, amenity issues and the creation of open space.

Design and Materials

LDP Policy Des 1 Design Quality and Context states that proposals should be based on an overall design concept and draw on the positive character of the surrounding area.

The Edinburgh Design Guidance (2017) states that new suburban developments should make an efficient use of land and contain a mix of housing types.

To the north of the site, there is a mixture of older two storey houses, either terraced or semi-detached in various colours of render. The new development on the former Agilent site nearby is a combination of detached, semi-detached, terraced and flatted properties, with a mixture of light brick and render as the main materials.

The proposal contains a wide mixture of house types throughout the site. Although 'standard house types' are utilised, they have been arranged in a way to address the proposed street hierarchy, for example double frontage properties have been introduced on corner plots to avoid blank frontages. The proposed materials of a mixture of brick and render units fits well with the existing and emerging housing in the area. Brick has been used on the central core of the site and provides a unified level of permanence around the proposed central open space area.

In terms of housing mix, the proposal contains a range of house types and sizes across the site. The design guidance expects that 20% of units should be homes for growing families with at least three bedrooms. The proposal contains 212 units (62%) with three or more bedrooms. The remaining 129 units consist of two bed houses and flats, plus 1 x one bedroom flat. The mix of house types and sizes is considered acceptable in the context of LDP Policy Hou 2 Housing Mix. The internal floor areas of the proposed units comply with the recommended minimum sizes in the Edinburgh Design Guidance.

The design and the proposed materials are suitable for the context and the mix of building forms provides interest.

Layout

LDP Policies Des 4 Development Design - Impact on Setting and Des 7 Layout Design set out that developments should have regard to the position of buildings on the site and should include a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths and open spaces.

The Edinburgh Design Guidance (2017) states that new suburban developments should be laid out to give a variety of different streets and spaces. These should integrate with the hierarchy of the streets in the surrounding area.

Following the comments from Edinburgh Urban Design Panel (EUDP) on the pre-application proposals, the applicant commissioned landscape architects to move towards a more landscape based approach to the design.

Vehicular access to the site is proposed from the Provost Milne Grove to the north and from the B800 to the west. The roads through the site then set out a hierarchy, with one main route running west-east and a series of blocks of development taking access from it. Traffic calming elements such as build outs and street trees, alongside different surfacing material have been used to alter the character of the streets and reduce the dominance of the car.

The proposals link with existing paths to the adjacent residential areas and also extend existing pockets of open space into the site.

As per the site brief, the proposals contain a landscaped east-west cycle route through the southern part of the site. This extends from the National Cycle Route 1 that currently runs into the site from Dalmeny and then north through the adjacent former Agilent site. It will aid in building on existing features and create a distinctive element for the site. There is also a central north/south tree lined path that links back to the houses to the north - this follows the line of the current field path through the site.

Overall, the site contains a number of paths and routes that links well with the adjacent areas.

There are a number of pockets of open space are provided throughout the development, including SUDS ponds that will provide greenspace adjacent to the main cycle path.

Height and Scale

The majority of the houses are two storey, pitched roof properties which fit with the height of the well-established residential areas to the north. Higher flatted blocks (three and four storey) and three storey houses have been located close to the core of the site and frame routes through the proposed development. This provides a more urban approach introducing varying built forms, whilst providing overlooking onto the central area of open space.

The EUDP report advocated higher density in parts of the site. This central area is the most appropriate location. The higher units have been kept away from the northern boundary of the site, with the closest one being over 25 metres from this edge.

A landscape and visual appraisal has been provided to consider any impact on the local landscape. The site is not covered by any landscape related designations and any impacts are generally local ones.

As a site on the edge of an existing settlement, the proposals should both integrate with existing development and also provide a landscaped boundary/buffer with the nearby A90 road to the south.

The loss of openness across the site from the existing houses to the north is not a matter that can be mitigated, but as a LDP housing allocation this is to be expected. However, some mitigation in the form of landscape planting throughout the site is proposed, including along the existing cycleway, in the proposed open spaces and SUDs features, alongside substantial planting along the entrance to the site from the B800.

A raised bund and significant landscape planting is proposed along the southern boundary. This is approximately 20 metres in width and will provide a robust and defensible settlement boundary with the A90 road in line with LDP Policy Des 9 Urban Edge Development.

In summary, although the proposals utilise standard house types, the design and materials proposed are commensurate with the surrounding residential areas. The street layout and positioning of the buildings alongside a range in heights and densities aid in providing a mix of housing types and a varied layout. The proposals broadly accord with the development principles set out in the LDP for the site. A condition in relation to materials is recommended.

c) Historic Environment

The landscape and visual appraisal considered the views from outwith the site and across to the Forth Bridge World Heritage site. The site does not intersect with any key views. The main view considered in the context of the bridge is from the M9 overbridge south of the site. This indicates that the proposal will not have a detrimental impact on this limited view to the bridge in line with LDP Policy Env 1 World Heritage Sites.

To the west of the site is the B listed Scotstoun House. LDP Policy Env 3 Listed Buildings sets out that development affecting the setting of a listed building will be permitted only if it is not detrimental to the architectural character, appearance or historic interest of the building or its setting.

The building is a single storey modernist office pavilion set in its own grounds. The grounds create the buildings own localised setting. The listed building and grounds, along with the associated coachhouse, are self-contained and separated from the application site by a line of mature trees. The proposed housing development will not have a detrimental impact on the setting of the listed building.

The City Archaeologist has stated that the site has been identified as being within an area of archaeological significance in terms of buried archaeology dating back to the medieval period. Accordingly, it is recommended that a condition is used to secure a programme of archaeological work.

Subject to a condition in relation to archaeology, the proposals do not detrimentally impact on any historical features near or on the site.

d) Amenity

Open Space

In terms of the open space hierarchy, the site is within 800 metres of Dundas Park to the north, which meets the Open Space Strategy large greenspace standard. Access to local greenspace is provided within the site itself through the proposals.

A playpark is proposed within the site and this will help meet the play space standard for the area. Some indicative designs have been provided, but further information will be required to ensure that the design will meet the Council's standards. It is recommended that a condition is used to secure this.

LDP Policy Hou 3 Private Green Space states out that for flatted developments there should be 10 sqm of open space provision per flat except where private space is provided. A minimum of 20% of the site should be open space.

The houses all have access to private garden space. The proposed flatted developments meet the policy requirements in terms of size. More than 20% of the site is made up of open space.

A number of landscaping elements have been proposed to integrate the open space and planting into the site. Comprehensive planting plans have been provided.

The proposal does involve the loss of some existing trees on the site, as identified in the landscape drawings.

The trees on the site are not covered by a Tree Protection Order or within a conservation area. The line of five existing field trees are the most prominent and are located where the larger area of open space is proposed. The plans show the removal of two of these trees. The tree survey identifies that one of the trees is a Norway maple that is in poor condition with a heavily decayed trunk, the second is an oak tree with a decayed base that shows signs of terminal decline. It has therefore been proposed to remove these trees. Other trees to be removed will help facilitate the development. The loss of the existing plantation is acceptable because its retention would prejudice the wholesale redevelopment of the site and the LDP development principles do not seek to safeguard it.

Conditions are recommended to protect the trees to be retained through the construction stage.

Edinburgh Airport has no aerodrome safeguarding objection to the proposal, subject to conditions being applied in relation to a bird hazard management plan and that details of the SUDS comply with the Potential Bird Hazards advice note.

The proposed open space and landscaping features are acceptable.

Privacy and Daylighting

The proposal has been developed in line with the Council's guidance on these matters.

The nearest existing properties are along the northern boundary. The proposed houses have been provided with at least nine metre long gardens (as advocated in the Edinburgh Design Guidance). An exception to this is where the orientation of the houses to the north provide a gable end onto the site and the proposed adjacent units have been orientated to reflect this.

Generally, nine metre gardens have been provided throughout the development to provide adequate privacy distances. The location and height of the proposed houses along the northern boundary will not result in any adverse daylighting issues with neighbouring properties.

Noise

A Noise Impact Assessment (NIA) has been submitted to consider any adverse effects of the road traffic noise from the nearby A90 and associated road network on future occupiers of the development.

The NIA has highlighted that noise can be mitigated by the inclusion of an earth bund and/or acoustic barrier that will break the line of site between the proposed residential properties and the road. Double glazing for habitable rooms facing the A90 is also required.

Environmental Protection has considered the assessment and is satisfied that any adverse noise effects can be mitigated by utilising the above measures. A condition is recommended to ensure that the noise mitigation measures are carried out.

Any issues such as general street noise and disturbance, litter, petty vandalism and anti-social behaviour can be dealt with through more appropriate statutory legislation.

In summary, the proposal does not raise any overriding concerns in relation to open space and amenity, subject to the inclusion of conditions.

e) Transport

Traffic Impact and Access

A Transport Assessment (TA) has been submitted in support of the application. This predicts that both the proposed site access junctions and the existing junctions will operate satisfactorily for the design year including the traffic associated with the proposed residential development.

The Roads Authority has raised no objections in relation to the proposed traffic generated by the development. Matters such as a toucan crossing point on the B800 and traffic calming along Scotstoun Avenue are set out in the infrastructure section below.

Transport Scotland has not raised any concerns in relation to the operation of the trunk road network. It has recommended conditions in relation to details of lighting, tree planting, barrier proposals and drainage connections.

Two vehicular access points are proposed to the site and these are as identified in the LDP. The LDP site brief states that there should be no direct access between the B800 and Scotstoun Avenue.

Two access points are usually required for developments of over 200 units such as in this instance. Therefore one access point as suggested in some representations would not be acceptable.

The proposed layout does provide a vehicular connection between the two access points, contrary to the LDP site brief. The applicant views this aspect of the site brief to be a significant obstacle for the development as it would create two large cul-de-sacs, with one resulting in the addition of up to 200 houses purely being accessed from Scotstoun Avenue and then another one from the B800. The applicant also holds that this would be against the philosophy of Designing Streets which seeks to provide multi-point access and permeability.

The layout shows a main route through the site from the B800. Side routes are then formed from a different material with a number of traffic calming elements introduced. The side routes form a more convoluted route through to the access at the north from Provost Milne Grove.

The requirement for there to be no direct through traffic between the two access points was added by the LDP Examination Reporters in order to avoid the creation of a rat run from the B800 to Scotstoun Avenue.

The proposals do not create a direct main route through the site as the proposed link will involve weaving through different streets. The secondary routes have a different character and provide sufficient traffic calming in the form of build outs to provide pinch points and street trees. In line with Designing Streets, these matters are included at the outset rather than trying to retrofit traffic-calming measures later. Consequently, the route through the site is not one which is easy or quick to navigate through.

Designing Streets indicates that the preference is for networked routes and spaces which connect new residential and mixed use areas together and link with existing development forms. It also states that street design should provide good connectivity for all modes of movement and for all groups of street users respecting diversity and inclusion. A positive street hierarchy is proposed with a number of footpaths and cycle way improvements aiding in increasing alternative choices to the car.

The inclusion of the two access points and a link between them does provide the option to dilute traffic movements rather than having specific areas just accessed from one point. Furthermore, the TA indicates that the proposed junctions will operate satisfactorily.

The desirability to have streets linked into the wider existing network rather than two large cul-de-sacs and a layout that has been designed to avoid a quick direct route is an acceptable departure from the LDP site brief.

Public Transport

The site is within walking distance to bus stops on Scotstoun Avenue and on the B800. The proposed layout also provides for a bus route through the site with locations shown for future bus stops. As part of the LDP Action Programme there is an action to enhance existing bus stops and to help support enhanced bus services. This is considered further in section 3.3f) below.

The site is also within walking distance to Dalmeny Station to the north east of the site, either through the existing streets to the north or through the adjacent Agilent site. This measures approximately one kilometre away from the centre of the site and although above the recommended 800 metres distance in PAN 75 Planning for Transport, it is still accessible on foot and bicycle through the proposed off road path. There is also provision within the Action Programme to seek a contribution to enhance cycle parking at the station, whilst further car parking spaces have been provided as part of the adjacent development.

Access to local services

Notwithstanding a number of representations in relation to the capacity of a number services within Queensferry (considered further in section 3.3f), the Transport Assessment has also considered the distance of the site to existing facilities. Using an isochrone methodology it indicates that the site has good accessibility 1600m to most of Queensferry and is in close proximity to the core path network.

The proposal links well with the surrounding areas and contains a path network, whilst also introducing new segregated cycle/footpaths. The current informal paths across the site, although redeveloped, will be echoed in the development similar routes.

Parking

The site is within parking zone 3 as set out in the Edinburgh Design Guidance (2017). In these areas, the standards allow for a maximum of 618 spaces. The proposed 592 spaces (including 11 accessible and 27 visitor spaces) for 341 units is considered acceptable in the context of the guidance and has been significantly reduced from the original 792 spaces proposed. Secure cycle parking is provided for the flatted blocks.

The applicant has been in contact with Waste Services. The development has been set out in accordance with its policies and vehicle tracking has been provided.

Air Quality

An Air Quality Impact Assessment (AQIA) has been provided. This has highlighted that no specific mitigation measures are required for the operational and construction phases of the proposed development.

Environmental Protection still considers the car parking numbers to be high and have requested that the applicant develops a Green Travel Plan. This has been included as an informative. It has also requested that electric vehicle charging points are also provided.

No specific electric car parking spaces have been identified. For the houses with in-curtilage parking, future residents could install these as they see fit. A condition is recommended to require spaces for electric vehicle charging within the communal car parking areas.

Overall, the proposed transport measures including the layout and level of car parking is appropriate for the site.

f) Infrastructure

The updated LDP Action Programme (2018), is now supported by the Draft Developer Contributions and Infrastructure Delivery Supplementary Guidance, approved for consultation by Housing & Economy Committee, on 18 January 2018. The LDP Action Programme and Supplementary Guidance coordinates development proposals with the infrastructure and services needed to support them.

The Guidance explains that where multiple developments need to fund the delivery of strategic infrastructure actions, contribution zones have been established within which legal agreements will be used to secure developer contributions.

As the application was submitted prior to the publication of the January 2018 draft, consideration needs to be given to the discussions taken place with the applicant in the context of the previous draft guidance and action programme. Consequently, where agreement has been made on certain aspects then this should be respected.

The following matters will need to be secured through a legal agreement:

Education

The applicant has agreed that the most up-to-date figures found in the January 2018 draft supplementary guidance should be used.

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (January 2018).

This site falls within Sub-Area Q-1 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. Appropriate education infrastructure actions to mitigate the cumulative impact of development are identified. The required contribution will therefore be based on established 'per house' and 'per flat' rates for the appropriate part of the Zone as follows:

Per unit infrastructure contribution requirement:

- Per flat - £3,930
- Per house - £19,177

Per unit land contribution requirement:

- Per flat - £532
- Per House - £2,282

Based on 263 houses and 77 flats (1 x one bedroom flat excluded) the figures are:

- Total infrastructure contribution required: £5,346,161 (indexed from Q4 2017).
- Total land contribution required: £641,130 (no indexation).

Provided that the appropriate contributions are paid, then Communities and Families has no objection to the application.

Green Space Actions:

No specific green space actions apply to the proposal.

Health Care

The application site is located within the South Queensferry Health Care Contribution Zone (North West).

The January 2018 draft supplementary guidance identifies that the development of this site requires the expansion of the existing medical practice to accommodate the additional patients generated. Developers are expected to contribute towards the cost of the expansion of the South Queensferry Medical Practice as identified in the Action Programme. The rate of contribution is £210 per household, which equates to £71,400.

Affordable Housing

LDP Policy Hou 6 Affordable Housing states that 25% of the total amount of units proposed should be affordable. This equates to 85 units for this application.

The applicant is committed to provide 85 units across the two parts of the site. They have proposed 17 units as Golden Share homes and 68 units for affordable rent through a Registered Social Landlord housing. These are made up of a mix of flats and houses ranging from two to four bedroom units. The Council's Housing Service is supportive of the proposal.

Transport

The application site is located within the Queensferry Transport Contribution Zone (TCZ) as identified in the draft supplementary guidance. The following contributions are required from this development:

- Increased and improved cycle parking at Dalmeny Station, with the share from this site being £1157.76. There is also an action in relation to improvements to the car parking at Dalmeny Station, but as no cost has been associated no contribution can be sought from this application.

The following are site specific actions in the LDP Action Programme:

- Bus infrastructure - upgrade existing bus stop facilities on Kirkliston Road, Scotstoun Avenue and in Dalmeny and additional capacity likely and increased frequency of direct city centre service and also to key local facilities, to achieve Public Transport mode share. The 2018 Action Programme identifies a construction cost of £300,000 alongside design (at 15%): £45,000 and contingency (at 7.5%): £22,500 resulting in a total cost: £367,500.

However, further discussions have taken place with Public Transport on the requirements. It has suggested that the four bus stops on Scotstoun Avenue should be upgraded at a cost of £60,000. This is based on costs of £15,000 for each one, plus design at 15% (£9,000) and a contingency at 7.5% (£4,500) providing a total £73,500. Alongside the £245,000 for service enhancements (if incorporating 15% design at £30,000, plus a contingency of 7.5% at £15,000), the total requirement should be £318,500 instead.

- High quality pedestrian /cycle routes through the site - linking to suitable exit points around site boundary, particularly to north-east corner to connect with existing route to station and Edinburgh and with South Scotstoun and including a new diverted 3.5 metre wide shared use path for NCN 1 into the Agilent site (450 metres). This action is generally be carried out by the applicant though the incorporation of the cycle link through the site and linkages to adjacent existing paths. The Roads Authority has indicated that consideration should also be given to resurfacing and lighting the cycle route outwith the site boundary and towards Dalmeny at an estimated cost of £65,000. A lower level footpath/cycleway link to the B800 should also be explored through the adjacent Arup land with an estimated cost of £42,452 plus land acquisition.

- LED stud lighting - eastwards along NCN 1 and northwards along old railway path for 1000m. The 2018 Action Programme estimates a cost of £36,750. However, the previous action programme identified a cost of £5,000 which has previously been agreed with the applicant.
- D island or Toucan crossing of B800 to retail site path - the cost of this action is estimated to be £30,000 or alternatively the developer could deliver it as part of any development works.
- Queensferry Crossing - Transport Scotland may require an assessment of the impact on new Forth Replacement Crossing junction. The Transport Scotland consultation response raises no points in relation to this matter and therefore this requires no further action.
- Appropriate traffic calming measures may be considered for Scotstoun Avenue - the cost of the works has been estimated to be £30,000, which the applicant is agreeable. The legal agreement for the nearby Agilent site also required a contribution towards traffic calming. If there is a duplication of works then this may not be required for this application.
- Give due consideration to the opportunity to change the character of the B800 through street design - the 2018 action programme sets out an estimated cost of £556,150 (including design and contingency costs). The applicant is willing to incorporate this into a section 75 agreement at this stage, but depending on the actual requirements this may vary. The applicant is also intending to incorporate a design feature at the entrance to the site.

It should be noted that some Traffic Regulation Orders may be required at cost of £2,000 each. These do not require to be secured through a legal agreement, but without payment the orders cannot be progressed.

There is a broad agreement with the applicant to secure the above contributions/affordable housing requirements. Subject to an appropriately worded legal agreement, the identified infrastructure impacts in the supplementary planning guidance and action programme can be adequately mitigated.

g) Equalities and Human Rights

The application has been assessed in terms of equalities and human rights. It raises no concerns in relation to equalities and human rights.

h) Other material considerations

Ecology

An Ecology Report and follow up information has been submitted in support of the application. This considers any likely impacts on protected species. There are no issues in relation to LDP Policy Env 16 Species Protection arising from the proposal.

Flooding and Drainage

The applicant has provided the relevant flood risk assessment and surface water management information for the site as part of the self-certification (with third party verification) process. The proposals meet the Council's requirements, subject to a condition in relation to the inclusion of cut off drains to the north of plot numbers 1-4 and to the north of plot numbers 286-292.

SEPA has no objection to the application.

Ground Conditions

A Ground Investigation Report has been submitted in support of the application. This is currently being assessed by Environmental Protection. Accordingly, it is recommended that a condition is used to ensure that contaminated land is fully addressed.

The Coal Authority has noted the contents of the submitted Ground Investigation Report and has no objection to the application.

Subject to a condition in relation to site investigation, there are no concerns in relation to ground conditions.

Sustainability

The applicant has submitted the sustainability form in support of the application. Part A of the standards is met through the provision of solar panels and boiler specification.

The proposal is a major development and has been assessed against Part B of the 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. In addition, the applicant has provided a commitment to further sustainability measures as set out in the desirable elements sections. Additional measures include the use of sustainable timber.

i) Public Comments

Scheme 1

Material representations - objection

Principle:

- No need for more housing - this is addressed in section 3.3a).
- Loss of greenspace - this is addressed in section 3.3a).
- Loss of green belt - this is addressed in section 3.3a).
- Previously developed land should be developed first - this is addressed in section 3.3a).
- Cumulative impact with other housing sites not taken into account - this is addressed in section 3.3a) and 3.3f).
- Land should be used for allotments - the site is allocated for housing.

Housing Mix and Affordable Housing:

- Lack of affordable housing - this is addressed in section 3.3f).
- Affordable housing not fully integrated into the development - this is addressed in section 3.3f).
- Mix of housing proposed - should include bungalows for an ageing population - this is addressed in section 3.3b).

Design and Layout:

- Lack of urban design framework and clarity on what the place aims to be - this is addressed in section 3.3b).
- Not a locally distinct design - this is addressed in section 3.3b).
- Detrimental on the character of the area - this is addressed in section 3.3b).
- Lack of justification for higher densities (flatted units) in the proposed locations - this is addressed in section 3.3a and b).
- Lack of open space within the development - this is addressed in section 3.3d).
- A larger public park should be provided - this is addressed in section 3.3d).
- Dundas Park within 800m, but is in a poor state and the play park is unacceptable - this is addressed in section 3.3d).

Amenity:

- Proposed houses will overlook existing gardens - this is addressed in section 3.3d).
- Impact on privacy of existing properties - this is addressed in section 3.3d).
- Impact on daylighting of existing properties - this is addressed in section 3.3d).
- Increase in crime and anti-social behaviour - this is addressed in section 3.3d).
- Open space should include play park equipment - this is addressed in section 3.3d).
- Noise impact from roads on future residents - this is addressed in section 3.3d).
- Waste strategy/uplift proposals - this is addressed in section 3.3e).

Landscape:

- Impact on local landscape - this is addressed in section 3.3b).
- Impact on character of the area - this is addressed in section 3.3b).

Infrastructure:

- Lack of facilities including shops, healthcare, schools, public transport, library, leisure facilities - this is addressed in section 3.3f).
- The train station has limited parking and is at capacity and no commitment to expand - this is addressed in section 3.3f).
- Development should only progress subject to sufficient infrastructure being delivered - this is addressed in section 3.3f).

Transport:

- Inadequate Transport Assessment and consideration of cumulative impacts - this is addressed in section 3.3e).
- Level of traffic generated in an area that is already congested - this is addressed in section 3.3e).
- Traffic safety - this is addressed in section 3.3e).
- Visibility splays onto B800 - this is addressed in section 3.3e).
- Access to the site from Provost Milne Grove is inadequate - this is addressed in section 3.3e).
- Accessibility to existing services/facilities including footpaths/crossings across wider area - this is addressed in section 3.3e).
- Inadequate public transport services already exist - this is addressed in section 3.3e).
- Developer should support a bus service through the site - this is addressed in section 3.3e).
- Level of parking proposed too high and way above the Council's standards. This should be reduced as it only promotes a car based culture - this is addressed in section 3.3e).
- Inadequate parking proposed - this is addressed in section 3.3e).
- No proposals to increase parking at Dalmeny Station - this is addressed in section 3.3e).
- Impact on air quality - this is addressed in section 3.3e).

Ecology:

- Impact on wildlife - this is addressed in section 3.3h).
- Question the information in the submitted ecology report, bats are in existence in the area - this is addressed in section 3.3h)
- Loss of trees, including two mature oaks - this is addressed in section 3.3d).
- Inadequate tree replacement - this is addressed in section 3.3d).

Drainage:

- Issues with adequately draining the land - this is addressed in section 3.3h)

EIA Screening:

- Requirement for EIA screening to take place - screening took place at the pre-application stage and confirmed that an Environmental Statement was not required.

Consultation:

- No prior consultation with residents took place - a Proposal of Application Notice was submitted and the required pre-application consultation undertaken by the applicant.

Non-material representations

- Construction stage concerns - not relevant to Planning process.
- Parking to see the Queensferry Crossing - not relevant to Planning process.
- Council ownership of the land - the Council does not own the land.
- Loss of private views - not relevant to Planning process.
- Lack of burial places - not relevant to Planning process.
- Closure of the local bank - not linked to this planning application.
- Tax on sale of land/proceeds - not relevant to Planning process.
- Should be a design code as a condition of any permission to control the detailed design stage - this is a full planning application.

Community Council

Queensferry and District Community Council made the following points:

- LDP requires no general through traffic between the two access points.
- Reservations over the feasibility of the access from the B800.
- A toucan crossing should be provided on the B800.
- Query the survey information in the Transport Assessment.
- Connectivity with existing developments.
- Traffic calming on Scotstoun Avenue should be provided.
- Vehicle crossing point over the main cycle path should be future proofed.
- Improvements to the core path.
- Waste collection needs to be safe and efficient.
- Boundary fences should be agreed with existing residents.
- Construction traffic should be from the B800.
- Matters identified in the LDP and Action Programme should be taken forward.

The full response can be found in the appendix.

Scheme 2

Material representations - objection

Principle:

- Too many units proposed - this is addressed in section 3.3a).
- Loss of greenbelt - this is addressed in section 3.3a).
- Loss of open spaces - this is addressed in section 3.3a).
- Lack of affordable housing - this is addressed in section 3.3f).
- Loss of local paths/rights of way - this is addressed in section 3.3e).

Ecology:

- Loss of field trees - this is addressed in section 3.3d).
- Impact on wildlife - this is addressed in section 3.3h).

Amenity:

- Increase in noise - this is addressed in section 3.3d).
- Impact on privacy - this is addressed in section 3.3d).
- Air Quality issues - this is addressed in section 3.3e).

Transport:

- Traffic impact - this is addressed in section 3.3e).
- Traffic safety - this is addressed in section 3.3e).
- Rat running through the site - this is addressed in section 3.3e).
- Traffic calming required - this is addressed in section 3.3e).
- Vehicular access should only be from the B800 and not from Provost Milne Grove - this is addressed in section 3.3e).
- Access to the site from the B800 inadequate - this is addressed in section 3.3e).
- Lack of public transport serving the area - this is addressed in section 3.3e).

Infrastructure:

- Lack of facilities including shops, healthcare, schools, public transport, library, leisure facilities - this is addressed in section 3.3f).
- Development should only progress subject to sufficient infrastructure being delivered - this is addressed in section 3.3f).

Non-material representations

- Construction stage concerns - not relevant to Planning process.
- Loss of private views - not relevant to Planning process.
- Property/rental values - not relevant to Planning process.
- Dog fouling - not relevant to Planning process.

Community Council

The Queensferry and District Community Council object to the vehicular through route between the two access points.

The full response can be found in the appendix.

Conclusion

The site is allocated for housing in the Local Development Plan and the proposal is acceptable in principle. The proposal has no unacceptable impact on the adjacent listed building or the Forth Bridge World Heritage Site. It is acceptable in terms of design, scale, layout, open space and amenity of future and neighbouring residents. The transport implications for the proposal are acceptable provided a number of infrastructure requirements are delivered. Subject to appropriate developer contributions, transport, education, healthcare facilities and affordable housing being secured through a legal agreement, the impact on infrastructure is acceptable. The proposal is acceptable in all other respects, subject to a number of conditions. There are no other material considerations that outweigh this recommendation.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis, reporting, publication, public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
2. Prior to the commencement of the construction of the superstructure or above ground works, sample panels, to be no less than 1.5m x 1.5m, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship, and submitted for written approval by the Planning Authority.
3. 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.
4. The following noise protection measures to the proposed residential development, as defined in the KSG Acoustics Ltd, ' Noise Impact Assessment' report (Ref 1496/R1/v3), dated 15 December 2016 shall be carried out in full and completed prior to the development being occupied:

- Glazing units with a minimum insulation value of 4/20/4mm double glazing shall be installed for the external windows with trickle vents providing 45dB D n,e,w reduction for all habitable rooms.

- A 2.5m close boarded acoustic barrier with a minimum surface density of 12 kg/m² shall be located to the south east as highlighted in Noise Impact Assessment Appendix B and site Plan drawing number 680 P 01 Rev.D dated 08/01/2018.
- An earth bund breaking the line of site from residential windows shall be located to the south east as highlighted in Noise Impact Assessment Appendix B and site Plan drawing number 680 P 01 Rev.D dated 08/01/2018.

5. Prior to the commencement of construction works a scheme for the provision of a play area as outlined on drawing number 120371_LP01_B Rev.02 shall be submitted for the consideration of the Planning Authority and no work shall begin until written approval has been given. Details to be submitted include:

- i. type and location of play equipment, seating, fences, walls and litter bins
- ii. surface treatment of the play area
- iii. proposals for the implementation/phasing of the play area in relation to the construction of houses on the site.

Thereafter all works required for the provision of play area shall be completed in accordance with the scheme approved in writing by the Planning Authority.

6. Cut off drains to the north of plot numbers 1-4 and north of plot numbers 286-292 as shown on drawings ENG/100/01 Rev B and ENG/100/02 shall be included in the drainage designs for the development and implemented prior to the occupation of those units.
7. Details of the lighting within the site shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority.
8. Prior to commencement of the development, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland TRBO.
9. Prior to commencement of the development, details of the barrier proposals along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland TRBO.
10. There shall be no drainage connections to the trunk road drainage system.
11. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of:
 - monitoring of any standing water within the site temporary or permanent
 - sustainable urban drainage schemes (SUDS) - Such schemes shall comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS) (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).

- management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' attached
- reinstatement of grass areas
- maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow
- which waste materials can be brought on to the site/what if any exceptions e.g. green waste
- monitoring of waste imports (although this may be covered by the site licence)
- physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste
- signs deterring people from feeding the birds.

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.

12. Development shall not commence until details of the Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)'. The submitted Plan shall include details of:
- Attenuation times
 - Profiles & dimensions of water bodies
 - Details of marginal planting

No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.

13. Prior to commencement of construction works details of the location and number of vehicle charging points for the communal parking areas serving the flatted and terrace units shall be submitted for approval by the Planning Authority. They 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 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

Thereafter the approved details shall be completed in accordance with the scheme approved in writing by the Planning Authority.

14. Notwithstanding the requirements of condition 8 above, the approved landscaping scheme including the footpath/cycle path network shall be fully implemented within six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development 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.
15. Prior to the commencement of development a Tree Protection Plan in accordance with BS5837:2012 "Trees in relation to design, demolition and construction" to demonstrate how trees to be retained on the site will be protected must be submitted to and approved by the Planning Authority.
16. Prior to the commencement of development the approved tree protection plan must be implemented in full.
17. The tree protection measures in condition 15 must be maintained during the entire development process and not altered or removed unless with the written consent of the Planning Authority.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to ensure the adequacy of external building materials.
3. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
4. In order to protect the amenity of the occupiers of the development.
5. In order to ensure that the approved landscaping works are properly established on site.
6. In order to ensure that the drainage from the site is adequate.
7. To ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished
8. To ensure that there will be no distraction to drivers on the trunk road, and that the safety of the traffic on the trunk road will not be diminished.
9. To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents
10. To ensure that the efficiency of the existing trunk road drainage network is not affected.

11. It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport.
12. To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)' (available at <http://www.aoa.org.uk/operations-safety/>).
13. To ensure incorporate facilities for charging plug-in and other ultra-low emission vehicles.
14. In order to ensure that the approved landscaping works are properly established on site.
15. In order to safeguard trees.
16. In order to safeguard trees.
17. In order to safeguard trees.

Informatives

It should be noted that:

1. Legal Agreement

Permission should not be issued until a suitable legal agreement has been entered into covering the following matters:

Education:

A sum of £5,346,161 for education infrastructure (to be index linked based on the increase in the BCIS All-in Tender Price Index from Quarter 4 2017 to the date of payment) and a sum of £641,130 for related land (no indexation) in line with the Queensferry Education Contribution Zone Actions.

Healthcare:

The sum of £71,400 to South Queensferry Health Care Contribution Zone (based on £210 per household).

Affordable housing:

Twenty-five percent (85 units) to be of an agreed affordable tenure.

Transport:

Queensferry Transport Contribution Zone - A sum of £1157.76 towards increased and improved cycle parking at Dalmeny Station.

Bus Infrastructure - A sum of £73,500 for upgraded bus stops on Scotstoun Avenue and A sum of £245,000 towards bus service enhancements.

High quality pedestrian/cycle routes - A sum of £65,000 for lighting and resurfacing of the cycle route to the east of the site towards Dalmeny and £42,452 plus land acquisition to a low level footpath/cycleway link to the B800.

LED lighting - A sum of £5,000 towards lighting eastwards along NCN 1 and northwards along old railway path.

D island or Toucan Crossing - A sum of £30,000 or alternative arrangements for a crossing at the B800.

Traffic Calming Measures - A sum of £30,000 for appropriate traffic calming on Scotstoun Avenue.

Change the character of the B800 - A sum of £556,150 (including design and contingency costs).

Infrastructure contributions will be index linked. This is based on the increase in the BCIS Forecast All-in Tender Price Index from the current cost Q1 for the relevant infrastructure. Education infrastructure is to be indexed from Q1 2017. No indexing will be applied to payments towards land.

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. For the duration of development, between the commencement of development on the site until its completion, a notice shall be: displayed in a prominent place at or in the vicinity of the site of the development; readily visible to the public; and printed on durable material.
6. The developer should with Environmental Protection to produce a Green Travel Plan which should incorporate the following measures, where applicable, to help mitigate any traffic related air quality impacts;
 1. Keep Car Parking levels to minimum.
 2. Car Club facilities incorporated (electric and/or low emission vehicles).

3. Provision of electric vehicle charging facilities.
 4. Public transport incentives for residents.
 5. Improved cycle/pedestrian facilities and links.
7. For individual dwellings with a driveway or garage, 7Kw electric vehicle charging points should be installed.
8. The Roads Authority response contains a number of matters that the applicant should be made aware of.

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:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

In accordance with the Planning etc (Scotland) Act 2006, A Proposal of Application Notice (application number 15/03725/PAN) was submitted on 12 August 2015.

Copies of the notice were also issued to:

- Local ward councillors.
- Queensferry and District Community Council.
- Almond Neighbourhood Partnership.

Public exhibitions were held at Queensferry High School on 2 September 2015 and 5 September 2015. A further event was also held on 15 November 2016 at South Queensferry Community Centre.

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.

A pre-application report on the proposal was presented to the Development Management Sub-Committee on 16 December 2015. The committee noted the key issues alongside further information on:

- (a) pedestrian, cycle and vehicular access points to the site from existing housing areas;
- (b) landscaping and other measures to screen development from the A90 and to mitigate impacts of vehicle noise; and
- (c) pedestrian / cycle access to public transport facilities i.e. Dalmeny railway station and the wider footpath / cyclepath network.

Edinburgh Urban Design Panel

The proposal was presented to the Edinburgh Urban Design Panel on 25 November 2015. The panel's recommendations were:

In developing the design, the Panel supports the following aspects and therefore advocates that these should remain in the proposals:

- The Panel encourage the developer to continue their involvement with the Queensferry Place Making Exercise.
- Tree line cycle/pedestrian route to be developed.

In developing the proposals the Panel suggests the following matters should be addressed:

- In conjunction with a landscape professional fully analyse the site and revisit the design proposal.
- The design should fully embrace the Scottish Government Place making and Designing Streets guidance.
- Consider the site within the wider context both from how it sits in the landscape and how it connects to the local amenities, routes and transport hubs and should be fully shown as part of any Planning Application.
- Consider a higher density for parts of the site to achieve a more appropriate balance between useful open space and built areas.
- Consider an increase in the allocation of affordable units on the site.
- Consider a sustainable approach for the site.

8.2 Publicity summary of representations and Community Council comments

Scheme 1 was notified on 10 January 2017 and attracted 96 letters of objection.

Scheme 2 was notified on 12 January 2018 and attracted 29 letters of objection.

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 allocated as Housing Proposal HSG33 in the adopted Edinburgh Local Development Plan 2016.

Date registered

20 December 2016

Drawing numbers/Scheme

01,02,03A-09A,20A,21-
24,25A,26A,27,28A,29,30A,31,32A,33,34A,,
35.36A,37,38A,39,40A-42A,43,44A,45,46A,47,48A-
50A,51,52A-55A,
56-58,59A-62A,63B,64B,65-66,67A-69A,70-101,

Scheme 2

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Kenneth Bowes, Senior Planning Officer
E-mail:kenneth.bowes@edinburgh.gov.uk Tel:0131 529 6724

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 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 development of adjacent land or the wider area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

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 Des 9 (Urban Edge Development) sets criteria for assessing development on sites at the Green Belt boundary.

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

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 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

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

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 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 Hou 10 (Community Facilities) requires housing developments to provide the necessary provision of health and other community facilities and protects against valuable health or community facilities.

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 Tra 9 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

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

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 16/06280/FUL At Land 100 Metres South Of 105, Provost Milne Grove, South Queensferry Residential development of Flats and Houses with associated accesses, roads, drainage, parking and landscaping (as amended).

Consultations

Edinburgh Urban Design Panel - 25 November 2015

Executive Summary

The proposal for review is a housing development at South Scotstoun, Queensferry.

The Panel welcomes the opportunity to review the proposal at this early stage of the design and consider this site to offer an opportunity to deliver a Place specific design.

Main Report

1 Introduction

1.1 The development site currently comprises primarily agricultural land. The site lies to the south east of Queensferry. It is bounded to the south by the A90, Dalmeny railway junction and Dalmeny village to the east; private office premises and B800 Queensferry Kirkliston Road to the west and the Scotstoun residential estate and former Agilent site to the north.

The Rural West Edinburgh Local Plan Proposals Map identifies the site as being located within the Green Belt. The Second Proposed Local Development Plan (LDP) promotes the site as Housing Proposal Site HSG33.

A Queensferry Place Making Exercise using the Scottish Government's Place Standard took place in August 2015. The events were facilitated by the City of Edinburgh Council and the Scottish Government/ Architecture + Design Scotland and supported by Queensferry and District Community Council and Queensferry Ambition, (the Business Improvement District Company). Initial findings from the exercise have been shared with the developer for this site. Further events and analysis are expected before the findings are formally reported.

1.2 This is the first time that the proposals have been reviewed.

1.3 No declarations of interest were made by any Panel members in relation to this scheme.

1.4 *This report should be read in conjunction with the pre meeting papers which provide illustrative materials of the proposals and site analysis.*

1.5 *This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations who are represented at the Panel forming a differing view about the proposals at a later stage.*

2 *Placemaking and Concept Masterplan*

2.1 *Generally, the Panel were disappointed in the relationship between the initial concept and the wider place making outcomes for Queensferry. It encourages the developer to strengthen the links with the Queensferry Place Making Exercise. The outcomes of which may help to inform the design for this site.*

2.2 *The Panel agreed that the proposal must set out a clear vision that should set out the type of place that will be created. This is not apparent as currently presented especially given the wide use of standard house types.*

2.3 *The Panel considered it important that this site should not be looked at in isolation but considered and shown in the wider context of both the existing settlement area and all proposed adjacent developments associated with the expansion of Queensferry.*

2.4 *There is potential for the masterplan to bring forward a neighbourhood with a distinct character rather than a suburban extension which has no neighbourhood facilities as part of the development proposed.*

3 *Landscape Framework*

3.1 *Although promoted as a housing site in The Second Proposed Local Development Plan the site is currently in the Green Belt. It provides a green buffer to the edge of the Queensferry settlement. It is important that any design for this site respects the landscape setting and fits into the wider landscape context. Therefore, a landscaped led design approach is appropriate for this site. The appointment of a landscape professional as part of the design team is therefore strongly advocated by the Panel.*

4 *Site Layout*

4.1 *An appropriate landscape structure for the site could help link the site to both the wider landscape and urban contexts in which it site, assist to incorporate open space, positively integrate the SUDS into the overall design and provide a structure for the spatial arrangement.*

4.2 The Panel noted that although primarily a flat site changes in level occur at the edges on adjacent land. For example a considerable level change occurs to the west of the site. Therefore, to fully understand the design and the proposal in the wider landscape context, full details of the edge conditions are required to be shown in section, plan and in verified landscape visuals. The edge details are important and will illustrate for example how the development will relate to the adjacent roads, settlement areas etc. In particular the landscaping should reveal views of development rather than trying to entirely hiding it.

4.3 In terms of the use of a bund along the southern aspect of the site this should respect the above point. The Panel expressed concern that it may take 10/15 years before a mature landscape is realised on this edge and suggested that other design solutions should be considered.

4.4 A site constraint noted by the Panel is the potential implications of part of the site falling within the Dalmeny Tank Farm, HSE Consultation Zone. If this area is to be excluded from the site this will have implications on the overall design of the site. A consultation response from the HSE is envisaged within the next 8-10 weeks.

4.5 The Panel recognised the Design Team's aspiration to achieve a design led approach for the site which fully embraces the Scottish Government's Policy document Designing Streets. However, the Panel noted that this policy promotes place before movement and generally promotes a regular street pattern. Where traffic is to be slowed this can be achieved, for example by the narrowing of the road but pulling the buildings closer together. This need not involve offsets and direction changes to roads that inhibit pedestrian permeability. The example of the road re-alignment creating five isolated houses to the west of the site was noted as an example of how the proposal was not embracing Design Streets and generally that movement was being put before place.

4.6 The design logic to the proposed varied urban edge to the A90 was questioned by the Panel with stronger better defined forms sought and further exploration of edge character needed in conjunction with three dimensional LVIA/contextual landscape work.

4.7 The southern aspect of the site could be used to influence the layout and orientation of the urban blocks. The Panel encouraged this to be considered. This approach may also influence the design of the noise bund.

4.8 The potential quality of the proposed green pedestrian/cycle route was encouraged by the Panel. However, generally the Panel noted that lack of quality green open space within the layout.

5 Connectivity and Movement

5.1 The only use proposed for the site is housing. Therefore, it is important that street patterns are fully integrated with the wider network and connect easily and safely to the existing shops, schools, transport hubs etc. The Panel noted that this has not been fully considered as part of the proposals.

5.2 Concern was raised by the Panel with respect to the distance and therefore walking times to any local amenities. Depending on these walking times this could result in the development being a car dependant place.

5.3 The Panel agreed that further work is required to show how this site will connect to the wider context. The Panel noted that in considering these connections and linkages a full understanding of the wider area is required. This should include for example the adjacent Agilent site and linkages both east and west to both Dalmeny and Ferry Muir. Details of the works associated with the Forth Replacement Crossing will also be required to inform the design of linkages to the west. The Panel suggested that this required to be fully detailed and drawn as part of the Planning Application.

6 Sustainability

6.1 The Panel saw an opportunity that some of the wider design issues for this could be resolved through a sustainable design. The Panel advocated both BRE and The Code for Sustainable Housing.

7 Density

7.1 The proposed density for the site was not confirmed by the design team. However, the Panel noted that it appeared from the layouts provided that the density of this site would be lower than the existing housing to the north. Given the housing shortage in the city and the use of a greenfield site, the Panel strongly advocated a much higher density for the site than currently illustrated. It was suggested that this could be achieved through a mix of housing typologies for example terraces and colonies and not just standard detached units. This needs to be balance with meaningful and usable open space which could assist in developing a distinct character for the neighbourhood.

8 Affordable Housing

8.1 Given the need for affordable housing in the city, the Panel noted that there may be an opportunity to plan for a greater than 25% provision on the site.

8.2 The Panel noted that the affordable housing blocks appear not to be 'tenure blind' and are generally located adjacent to the A90. The Panel encourage a fully integrated 'tenure blind' approach for the design of the affordable housing and suggested that these blocks should not all be sited adjacent to the A90.

9 Secure by Design

9.1 The Panel advocated Secure by Design accreditation for the entire site not just the affordable housing.

10 Recommendations

10.1 In developing the design, the Panel supports the following aspects and therefore advocates that these should remain in the proposals:

- o The Panel encourage the developer to continue their involvement with the Queensferry Place Making Exercise.
- o Tree line cycle/pedestrian route to be developed

10.2 In developing the proposals the Panel suggests the following matters should be addressed:

- o In conjunction with a landscape professional fully analyse the site and revisit the design proposal.
- o The design should fully embrace the Scottish Government Place making and Designing Streets guidance.
- o Consider the site within the wider context both from how it sits in the landscape and how it connects to the local amenities, routes and transport hubs and should be fully shown as part of any Planning Application.
- o Consider a higher density for parts of the site to achieve a more appropriate balance between useful open space and built areas.
- o Consider an increase in the allocation of affordable units on the site
- o Consider a sustainable approach for the site

Archaeology comment - dated 10 January 2017

The site lies on the southern boundaries of present day South Queensferry, historically situated between the medieval settlement of Dalmeny to the east and Scotstoun House to the west. The site is also bisected by the historic road linking Dalmeny and Echline to the East shown on 18th century plans and which survived as a field boundary on the 1st Edition OS map. This road is likely to be of medieval date, though it may have earlier Roman origins as the coastal road linking Cramond Roman Fort and Cramond Brig to the East could have followed this route. Although no medieval settlement sites are known from the site, it has been suggested that a medieval Motte occurred in this general area associated with Dalmeny. In addition, during the Second World War the surrounding area was used as an Anti-Aircraft Barrage Balloon camp/emplacement and it overlies the former workings of the Dalmeny Oil-Shale Mine started in 1901.

As such the site has been identified as containing occurring within an area of archaeological significance in terms of buried archaeology dating back to the medieval period. Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP) and Historic Environment Scotland Policy Statement (HESPS) 2016 and also CEC's Edinburgh Local Development Plan (2016) Policies ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Buried Archaeology

The proposals will require significant ground breaking works in regards to the construction of the various phases of development. Such works will have significant impacts upon any surviving archaeological remains, expected to range from 19th/20th military through to medieval including possibly the site of an early-medieval Motte.

Given the potential for significant archaeological resources to occur across the site, it is essential that if consent is granted that an archaeological mitigation strategy is undertaken prior to development. In essence this strategy will require the undertaking of a phased programme of archaeological investigation. The first phase of works will require the undertaking of an archaeological evaluation (min 10%) linked to comprehensive metal detecting survey & field walking.

The results from these initial phases of evaluation work will allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains during each phase of development.

Public Engagement

As stated the site may contain a significant archaeological remains dating back to the medieval period. It is therefore considered important that a programme of archaeological public/community engagement is undertaken during development. The full the scope of which will be based upon the results of the archaeological evaluation an agreement with CECAS but could include: site open days, viewing points, temporary interpretation boards and exhibitions.

In consented it is essential therefore that a condition be applied to any consent if granted to secure this programme of archaeological works based upon the following CEC condition;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis, reporting, publication, public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work must 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.

Coal Authority comment - dated 19 January 2017

The Coal Authority Response: Material Consideration

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application, specifically the site is likely to have been subject to historic unrecorded underground coal mining at shallow depth associated with coal that outcropped across the site.

The Coal Authority notes the submitted Ground Investigation Report (January 2015, prepared by Ironside Farrar) which confirms site investigations across the site. The Coal Authority is able to confirm that the relevant permission was obtained from us for the works undertaken (Permit 9596).

The Coal Authority Recommendation to the LPA

The Coal Authority considers that the content and conclusions of the information prepared by Ironside Farrar are sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development. However, further more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent application for a building warrant.

Waste Services comment - dated 30 January 2017

Waste Management Responsibilities

The Waste and Cleansing Services will be responsible for managing the waste from households and any Council premises only. we are 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 that 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.

For 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.

For high density properties, we would recommend communal waste containers, for: landfill waste, mixed recycling for paper and packaging, glass, and food.

Key points are:

- each bin store must accept the full range of materials in bins, segregated as outlined above. It is not acceptable to have some types of bin in one bin storage area, and others in a different collection point, as recycling is a fully integrated part of the service;
- the maximum size of a food bin is 500 litres; and that of a glass bin is 660 litres, which are both smaller than other types of waste due to weight issues;
- provision must be made for the storage and disposal of bulky wastes such as furniture produced by the residents, and indeed access to those by our collection teams.

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.

Open Spaces

We would like to understand who will be responsible for maintaining the open spaces within the development as full access to the site would be required.

Police Scotland comment - dated 2 February 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.

Transport Scotland comment - dated 2 February 2017

The Director advises that the conditions shown (below) be attached to any permission the council may give.

CONDITIONS to be attached to any permission the council may give:-

- 1) Details of the lighting within the site shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority.
- 2) Prior to commencement of the development, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland TRBO.
- 3) Prior to commencement of the development, details of the barrier proposals along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland TRBO.
- 4) There shall be no drainage connections to the trunk road drainage system.

REASON(S) for Conditions (numbered as above):-

- 1) *To ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished*
- 2) *To ensure that there will be no distraction to drivers on the trunk road, and that the safety of the traffic on the trunk road will not be diminished.*
- 3) *To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents*
- 4) *To ensure that the efficiency of the existing trunk road drainage network is not affected.*

SEPA comment - dated 2 February 2017

We have no objection to this planning application. Please note the advice provided below.

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, which may take account of factors not considered at the planning application stage.

Advice for the planning authority

1. Flood Risk

1.1 We have reviewed the information provided in this consultation and it is noted that the application site (or parts thereof) lies within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of flooding. The flood risk identified at the site is from surface water flooding.

1.2 The updated SEPA / Planning Authority Protocol on Planning and Flooding specifies that water quantity aspects of surface water drainage are a matter for the flood prevention authority and Scottish Water to consider. It is therefore for Edinburgh Council and Scottish Water to satisfy themselves that all SUDs and drainage arrangements will be appropriate and in accordance with any internal guidance.

2. Air Quality

2.1 The local authority is the responsible authority for local air quality management under the Environment Act 1995. Therefore we recommend that you consult with your environmental health colleagues regarding this element of the proposal.

2.2 They can advise on the submitted Air Quality assessment contained within the ES. They can also advise on potential impacts such as exacerbation of local air pollution, noise and nuisance issues and cumulative impacts of all development in the local area. We do note that the submitted Air Quality assessment outlines that the proposed development is unlikely to have an impact on local air quality.

3. Contaminated Land

3.1 The Local Authority is the lead authority in relation to contaminated land and we therefore request that you consult your Environmental Services Department and those responsible for implementing the contaminated land regime regarding this proposal.

These contaminated land specialists will take a lead on commenting on the planning application, with SEPA's contaminated land specialists providing input directly to them in relation to impacts upon the water environment.

BAA comment - dated 7 February 2017

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the conditions detailed below:

Submission of a Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of:

- monitoring of any standing water within the site temporary or permanent*
- sustainable urban drainage schemes (SUDS) - Such schemes shall comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS) (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).*
- management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' attached*
- reinstatement of grass areas*
- maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow*
- which waste materials can be brought on to the site/what if any exceptions e.g. green waste*
- monitoring of waste imports (although this may be covered by the site*
- physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste*
- signs deterring people from feeding the birds.*

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.

Reason: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport.

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Edinburgh Airport Airside Operations staff. In some instances it may be necessary to contact Edinburgh Airport Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Scottish Natural Heritage before the removal of nests and eggs.

Submission of SUDS Details

Development shall not commence until details of the Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)'. The submitted Plan shall include details of:

- Attenuation times*
- Profiles & dimensions of water bodies*
- Details of marginal planting*

No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.

Reason: To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)' (available at <http://www.aoa.org.uk/operations-safety/>).

We would also make the following observations:

Lighting

The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in Advice Note 2, 'Lighting near Aerodromes' (available at <http://www.aoa.org.uk/operations-safety/>). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.

We, therefore, have no aerodrome safeguarding objection to this proposal, provided that the above conditions are applied to any planning permission.

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Edinburgh Airport, or not to attach conditions which Edinburgh Airport has advised, it shall notify Edinburgh Airport, and the Civil Aviation Authority and the Scottish Ministers as specified in the Safeguarding of Aerodromes Direction 2003.

Children and Families comment - 7 February 2017

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:*

*80 Flats (12 one bedroom flats excluded)
247 Houses*

This site falls within Sub-Area Q-1 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, as set out in the Action Programme and Supplementary Guidance.

The Education Appraisal considered the impact of new housing sites allocated in the LDP, including 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' rate for the appropriate part of the Zone.

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

Total infrastructure contribution required:

£4,452,854

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:

£596,188

Note - no indexation to be applied to land contribution.

Communities and Families further comment - dated 19 January 2018

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:

78 Flats

263 Houses

This site falls within Sub-Area Q-1 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 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:
£5,350,091

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:
£641,662

Note - no indexation to be applied to land contribution.

Network Rail comment - dated 14 February 2017

Whilst Network Rail has no objections in principle to the proposal, due to its close proximity to the operational railway and the possible impacts on Dalmeny Station we would request that the following matters are taken into account:

The Draft Supplementary Guidance on Developer Contributions and Infrastructure Delivery was published in December 2016 and identifies Dalmeny Station as a 'Transport Action' within the Queensferry Transportation Zone and the associated adopted Action Programme (December 2016) identifies these improvements as car and cycle parking facilities at the station. This proposed development site at South Queensferry is identified as one of the housing sites (HSG 33) contributing to this. However, the extent of this contribution is still to be determined. Network Rail/Scotrail Alliance would welcome involvement in the consideration of these Actions.

Queensferry and District Community Council comments - dated 22 February 2017

I am writing on behalf of Queensferry and District Community Council (QDCC) with our comments on the South Scotstoun LDP2 planning application 16/06280/FUL. QDCC is pleased that improvements have been made to the initial plan but feel that more improvements are required, which we have listed below.

Site Layout (Transport)

The LDP requires that the site should not permit through traffic between the two access points of Provost Milne Grove and the B800 (other than for buses, emergency or service vehicles). While the proposed layout shows a bus gate, it is also very easy to bypass this gate using residential streets, contrary to the LDP requirement. This situation means that not only is a through route possible, but all residents would have the choice of access routes. For example if the B800 access proves unattractive due to the steep gradient or poor junction sightlines, the Provost Milne Grove route would become more desirable for all traffic. The traffic modelling has assumed a significant preference for the B800 route, but this would be called into doubt by the proposed layout.

Access from B800

We have reservations over the technical feasibility of delivering a suitable road from the B800 to serve the new estate due to the significant difference in height. The documentation provides no artist impressions, cross sections or mock-up images of how this route might appear.

Toucan Crossing at B800

The documents associated with the application suggest there may be an opportunity for a toucan crossing over the B800 just north of the access road. QDCC consider this should be a mandatory requirement to be delivered by the developer for several reasons: firstly, the development diverts cycle route NCN1 towards this point; secondly, there may be significant pedestrian demand to cross to/from the Ferrymuir Retail Park and housing scheme; thirdly, there is no pavement between the access road and the Arup entrance; and fourthly, pedestrians remaining on the east side of the B800 will be directed towards the dangerous crossing of Scotstoun Avenue at Kirkliston Road

Traffic Modelling

The Transport Assessment informs us that classified junction surveys were undertaken on a Tuesday in November 2015 at the B907 Kirkliston Road/Scotstoun Avenue, B800 Ferrymuir Road/ B907 Kirkliston Road/ Retail Park access, B800 Ferrymuir Road/A904 Builyeon Road(Echline) roundabout and Queensferry Road/B9080 Main Street/B800 Station Road Traffic lights. QDCC seeks an additional junction survey to take place after the opening of the Forth Replacement Crossing and during the summer months, this will give up to date figures on any changes in the traffic flow due to the bridge opening, the road layout changes around Ferrymuir and the additional vehicles accessing the Dalmeny Park development. Having a survey done in November does not give a true reflection of the traffic for example on Kirkliston Road at busier times over the summer months.

Connectivity with Existing Developments

QDCC appreciates the challenges associated with providing useful routes into the existing Radburn designs which were developed separately. However the applicant should be encouraged to seek changes to the path network already within Provost Milne Grove and Sommerville Gardens to enable connections which are accessible to all. This was an important negative point raised during Queensferry's Placemaking study. For example, some routes that the plan expects pedestrians and cyclists to use are badly maintained, dark narrow alleyways and involve negotiating steps. Some of these obstacles could be mitigated by facilitating improvements, installing street lighting or creating new paths through grassed areas (as with the Sommerville Gardens access point). Consideration of routes should also take account of new trip attractors since the existing houses was designed, such as the bus stops, Ferrymuir or the new Queensferry High School. QDCC understands that The City of Edinburgh Council will be seeking development planning gain funding for the necessary improvements to the footpaths to improve the connectivity as described in the Placemaking reports linked with the Action Programme that was approved by Council in December 2016.

Traffic Calming and Crossing Points on Scotstoun Avenue

There seems to be uncertainty surrounding the extent of traffic calming measures the Dalmeny Park development will deliver along Scotstoun Avenue and what this development could provide. Traffic calming and at least two additional pedestrian crossing points/crossings are required along Scotstoun Avenue (near the connecting paths from the site to Scotstoun Avenue via either Sommerville Gardens and Provost Milne Grove). QDCC understands that development planning gain funding would be sought to deliver the improvements. There may also be the need to alter the road design at the junction of Scotstoun Avenue and Provost Milne Grove. There is pedestrian provision with a dropped kerb at the junction of Scotstoun Avenue and the B907 Kirkliston Road. QDCC has real concerns about the poor visibility at this crossing point. The number of pedestrians using this will almost certainly increase with residents from the western part of the development using this route to access amenities.

Vehicles Crossing NCN1

Towards the eastern end of the Avenue, between plots 306 and 307, a road crosses the main cycle path. With the existing application this junction might not be particularly busy with cars or construction traffic, and mixing vehicles with cyclists and pedestrians on the path may not be a major concern. However there is an indication that further development may take place which would also use this road for vehicle access. QDCC asks that the design of the junction with NCN1 be made suitable for any future traffic demands, for example by defining priorities at the outset.

Improvements to Core Path

As part of the LDP Action Programme there was to be LED stud lighting along the path (NCN 1) from the east boundary of the site for 1000m. 7.4 of the Design and Access Statement states that some consideration was given to lighting the path however the potential damage to the Avenue trees, which are in a relatively fragile condition and the impact on bats makes this unsuitable. It is also mentioned that properties will overlook the path from the Dalmeny Park development and there will be borrowed light and natural surveillance and movement retaining elements of safety. QDCC asks is the LED stud lighting no longer an option.

QDCC has concerns for the safety of pedestrians and cyclists using the footpath and that the lighting will be satisfactory. Whether stud or normal lighting is to be provided the path needs to meet the legislated lighting standards requirements.

Waste Collection

There is a need for safe and efficient access for refuse vehicles to all areas in the development for waste pick-ups. QDCC feels that there are some locations within the development where the vehicles could have difficulty accessing the bin storage locations. QDCC seeks assurances that vehicle access/egress for the whole development is discussed with the CEC Waste and Cleansing Services for approval.

QDCC note that there is a refuse collection point at the edge of the park/open space location; we do not feel that this location is ideal as this could become a dumping ground for unwanted larger items due to the easy access. QDCC asks if this can be located elsewhere.

Boundary Fence

QDCC acknowledges that this is no easy task, as there is a mix of hedge, trees, fencing and brick walls along the existing boundary. QDCC seeks a stipulation within the planning approval terms of reference that the developer consults with all householders along the existing boundary regarding the siting and design of their proposed fencing.

Construction Traffic

QDCC seeks that all construction traffic uses the new B800 access road and that no construction traffic should be permitted to use Scotstoun Avenue to Provost Milne Grove to access the development site.

QDCC asks that the Development Principles and the LDP Action Programme as presently described are taken forward for this development, which includes the increased and improved cycle and car parking at Dalmeny Station, the bus stop upgrades on Scotstoun Avenue, Kirkliston Road and Dalmeny.

QDCC seeks assurances that the new car & cycle parking can be delivered at Dalmeny Station and that the work be quantified by design and costing ensuring that development planning gain funding will cover the costs associated as any shortfalls will jeopardise the whole plan. The Finance Committee report to Full Council about LDP states that shortfalls in development gain funding places LDP proposals at risk. For this reason The City of Edinburgh Council should be ensuring that development gain funding should be proportional to the impacts placed on the town of Queensferry from this proposal. And only if they are satisfied that this is the case should the plan be approved. If there is any doubts about the developers contribution towards these stated improvements or the availability of the necessary funding then the plan should be refused.

Queensferry and District Community Council - comment dated 31 January 2018

I am writing on behalf of Queensferry and District Community Council (QDCC) as a consultee with our comments on the revised plan for South Scotstoun LDP2 planning application 16/06280/FUL.

The revised plan still breaches the LDP Site Brief as it allows a through route for general traffic between the B800 and Scotstoun Avenue. The brief states that there should be no provision for traffic through the site between the B800 and Scotstoun Avenue apart from buses.

Affordable Housing Comment - dated 9 February 2018

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

Housing and Regulatory Services 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

This application is for a development consisting of a 339 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (85) homes of approved affordable tenures. We request that the developer enters an early dialogue with the Council:

The applicant originally stated that the affordable housing will account for 85 (25%) of the new homes across three areas of the site and will consist of flatted apartments and terrace houses with 40% for Golden Share and 60% for a Registered Social Landlord.

We advised the applicant that this mix would not be acceptable as there were not enough affordable homes for rent being provided. Following this discussion, the applicant has revised the allocation of the affordable housing as follows and this is welcomed by the department.

Golden Share-18 homes (21%)

| | |
|-------------------------------|----|
| 2 Bedroom Mid/End Terrace | 7 |
| 3 Bedroom Mid/End Terrace | 7 |
| 3 Bedroom Semi Detached | 2 |
| 4 Bedroom Semi Detached House | 2 |
| Total | 18 |

Please note that the allocation and mix of the Golden Share homes are subject to an assessment of affordability.

Registered Social Landlord housing -68 (79%)

| | Social Rent | Mid-market rent | Total |
|-------------------------------|-------------|-----------------|-------|
| 2 Bedroom Mid/End Terrace | 7 | 12 | 19 |
| 3 Bedroom Mid/End Terrace | 8 | | 8 |
| 3 Bedroom Semi Detached | 3 | 1 | 4 |
| 4 Bedroom Semi Detached House | 4 | | 4 |
| 2 bed flats | 9 | | 9 |
| 2 bed flats | 12 | 12 | 24 |
| | 43 | 25 | 68 |

A total of 86 affordable homes will be provided including six four-bedroom houses which is welcomed by the department.

The affordable homes are required to be tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.

In terms of accessibility, the affordable homes are situated within close proximity (within 400 metres) of regular public transport links and are to be located next to local amenities.

3. Summary

The applicant has made a commitment to provide 25% on site affordable housing 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 sustainable community.

- * *The applicant has agreed to provide a mix of golden share homes and home for affordable rent to an RSL and this is welcome by the department.*
- * *The applicant has agreed to provide a representative mix of housing include six -four-bedroom homes and this is welcomed*
- * *The provision of the Golden Share homes are subject to an affordability assessment*
- * *All the affordable homes must meet the Edinburgh Design Guidance and also meet the relevant Housing Association Deign Guidance size and space standards*
- * *In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be expected to be identical in appearance to the market housing units, an approach often described as "tenure blind"*
- * *The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.*

Roads Authority Issues - dated 7 March 2018

No objections to the 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 £367,500 to provide increased public transport capacity and frequency, and upgrade bus stop facilities on Kirkliston Road, Scotstoun Avenue and in Dalmeny;*
 - b. *Contribute the sum of £30,000 for appropriate traffic calming measures to be introduced at Scotstoun Avenue;*
 - c. *Contribute the sum of £36,750 towards the installation of LED stud lighting along the disused rail line cycle track (National Cycle Network Route 1) from the east boundary of the site for 1000m;*
 - d. *Contribute the sum of £1,158 towards improvement of cycle and car parking at Dalmeny Station;*
 - e. *Contribute the sum of £556,150 to change the character of the B800 through street design;*
 - f. *Design and install a toucan crossing on the B800 to link the segregated site cycle track to the retail park at no cost to the Council, and including design and construction of a section of cycle track to link the toucan crossing to the existing cycle track west of the B800 connecting to the Ferrymuir site);*
 - g. *Design and construct adoptable cycle tracks through the site and linking to routes to: Dalmeny Station; Dalmeny (including removal of a gate); Edinburgh; South Scotstoun; Ferrymuir; and at no cost to the Council;*
 - h. *Contribute the sum of £65,000 to upgrade the surface and lighting of the rail bridge east of the east/west cycle route;*
 - i. *Contribute the sum of £42,452 plus cost of land acquisition towards land purchase, design and construction of an alternative cycle track to connect to the B800;*
 - j. *Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*
 - k. *Contribute the sum of £2,000 to progress a suitable order to redetermine sections of road 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 bus stops, 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. *In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan, Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities) and timetables for local public transport;*
4. *The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;*
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. *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. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;*
7. *The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Chief Planning Officer.*

Note:

- a. *A bus gate to prevent through traffic is not considered appropriate;*
- b. *The Council's 2017 parking standards permit up to 618 spaces for residential development in this area, Zone 3. The proposed 592 for 263 houses and 78 flats is considered acceptable. The applicant is expected to provide electric vehicle charging points, disabled parking, cycle parking and motorcycle parking in accordance with the standards.*

Environmental Protection comment - dated 1 October 2017

The proposed development site is located beyond South Queensferry and north of the A90, close to the junction with the M90. Access to the site will be taken from the B800 to the west and also from the north via an extension of the section of Provost Milne Grove that runs perpendicular to Scotstoun Avenue. To the east, the site extends beyond the easternmost houses of Sommerville Gardens, there is a section of greenfield, beyond which lies the railway line. The line lies in a cutting and is at a horizontal separation distance of approximately 165m from the closest proposed build lines.

The applicant proposes developing 339 residential units with 583 car parking spaces many of which will be driveways. The applicant has reduced the number of parking numbers from what was initially proposed. It is noted that the proposed level of development is within the level set out in the Local Development Plan and associated Transport Appraisal.

Environmental Protection had raised concerns regarding this development including the impacts the development may have on local air quality and noise impacts from neighbouring land uses on the proposed sensitive receptors.

Local Air Quality

Due to the size and density of the development Environmental Protection had requested that the applicant assessed the potential impacts this proposed development may have on the local air quality considering all other developments in the area. The applicant has submitted a supporting air quality impact assessment to quantify pollutant concentrations across and outside the proposed development site.

The air quality impact assessment that has been submitted to assess the relevant air quality objectives has modelled the potential impacts that nitrogen dioxide and Particulate Matter¹⁰ may have as a result of operational phase of this proposed development. The air quality impact assessment has highlighted that no specific mitigation measures are required for the operational and construction phases. Environmental Protection still considers the number of parking spaces being provided to be high however understands that the Planning Transport Officer's does not object as well as the proposed quantum of development in relation to the Local Development Plan being acceptable in planning terms.

Therefore, Environmental Protection would request the developer to work with Environmental Protection to produce a Green Travel Plan which should incorporate the following measures to help mitigate traffic related air quality impacts;

- 1. Keep Car Parking levels to minimum.*
- 2. Car Club facilities incorporated (electric and/or low emission vehicles).*
- 3. Provision of electric vehicle charging facilities (specific details provided below).*
- 4. Public transport incentives for residents.*
- 5. Improved cycle/pedestrian facilities and links.*

Any car parking areas such as those serving the flatted developments associated with the proposed development must incorporate the installation of rapid electric vehicle charging points. Charging outlet (wall or ground mounted) shall be of the following minimum standard and must be clearly shown on detailed plans:

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

Furthermore, for individual dwellings with a driveway or garage, 7Kw chargers shall be installed in each dwelling.

Grants are available for the installation of EV charge points from the Scottish Energy Saving Trust. More information can be found at:

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

The Scottish Government in the 'Government's Programme for Scotland 2017-18 has a new ambition on ultra-low emission vehicles, including electric cars and vans, with a target to phase out the need for petrol and diesel vehicles by 2032. This is underpinned by a range of actions to expand the charging network, support innovative approaches and encourage the public sector to lead the way, with developers incorporating charging points in new developments.

Environmental Protection do not object to this application regarding local air quality subject to conditions on the provision of an air quality impact assessment being submitted and an EV Infrastructure being included as a condition or legal agreement.

Contaminated Land

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

Noise

Environmental Protection raised concerns regarding the possible impact noise may have on the amenity of the newly proposed residential properties. The applicant has submitted a supporting noise impact assessment. The development site is exposed to high levels of traffic noise, the noise impact assessment has highlighted that noise can be mitigated by the inclusion of an earth bund and/or acoustic barrier that will break the line of site between the proposed residential properties and the road. Environmental Protection is satisfied that noise can be mitigated subject to an acoustic bund a minimum glazing specification being conditioned.

Therefore, on balance Environmental Protection offers no objection subject to the following conditions;

1. *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.

2. The following noise protection measures to the proposed residential development, as defined in the KSG Acoustics Ltd , ' Noise Impact Assessment' report (Ref 1496/R1/v3), dated 15 December 2016:

- Glazing units with a minimum insulation value of 4/20/4mm double glazing shall be installed for the external windows with trickle vents providing 45dB D n,e,w reduction for all habitable rooms.

- A 2.5m close boarded acoustic barrier with a minimum surface density of 12 kg/m² shall be located to the south east as highlighted in Noise Impact Assessment Appendix B and site Plan drawing number 680 P 01 dated 09/12/2016

- An earth bund breaking the line of site from residential windows shall be located to the south east as highlighted in Noise Impact Assessment Appendix B and site Plan drawing number 680 P 01 dated 09/12/2016

shall be carried out in full and completed prior to the development being occupied.

3. Prior to the use being taken up, five rapid electric vehicle charging point, capable of 70 -50kW (100 Amp) DC with 43kW (63 Amp) AC output shall be installed in the commercial car parking area.

4. Prior to the use being taken up, a 7Kw electric vehicle charging point, shall be installed in the private driveways for all residential properties with driveways.

Location Plan



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END

Development Management Sub Committee

Wednesday 21 March 2018

**Application for Variation of Consent 16/04449/VARY
At 127 Trinity Road, Edinburgh, EH5 3LB
Application to vary planning permission 16/04449/FUL for
proposed houses at 127 Trinity Rd, Edinburgh.**

| | |
|---------------|-------------|
| Item number | 7.2 |
| Report number | |
| Wards | B04 - Forth |

Summary

The proposed variation is minor and raises no new material planning considerations. The variation request is non-material to the original grant of planning permission. It is recommended the permission be varied accordingly.

Links

[Policies and guidance for this application](#)

Report

Application for Variation of Consent 16/04449/VARY At 127 Trinity Road, Edinburgh, EH5 3LB Application to vary planning permission 16/04449/FUL for proposed houses at 127 Trinity Rd, Edinburgh.

Recommendations

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

Background

2.1 Site description

The application site is a backland site which includes a lane accessed from Trinity Road. It is an area of land that lies to the west of Trinity Road, to the north of Primrose Bank Road and to the south of Lower Granton Road. There is a considerable height difference between Lower Granton Road and Primrose Bank Road and there is a high retaining wall to the north of the site at the boundary with the gardens of the tenements of Lower Granton Road. The site has recently been occupied by a car repair garage, now demolished. The lane also serves two terraced houses that are located on the north side of the lane close to the entrance from Trinity Road. The application site is 1350 sqm in area.

The surrounding area is almost entirely residential with semi-detached and detached villas to the south, terraced villas on Trinity Road to the east and tenements stretching from the north corner of the lane around the corner onto Lower Granton Road.

This application site is located within the Trinity Conservation Area.

2.2 Site History

13 April 2015 - Application withdrawn for the demolition of existing garage building and the development of five new houses with associated retaining walls. (application reference: 14/05066/FUL).

06 August 2015 - Planning permission refused for the demolition of existing garage building and the development of five new houses with associated retaining walls (application reference: 15/01788/FUL). The application was refused by Development Management sub-Committee on the grounds of its impact on the character and appearance of the conservation area and the scale, massing, height and form of the proposed development.

04 July 2016 - Appeal allowed for the above planning application. Scottish Ministers concluded that the development would have a positive impact on the setting of the development site, that the scale, massing, form and height of the proposed development to be acceptable and that the proposed development would preserve and enhance the character and appearance of the Trinity Conservation Area. (appeal reference: PPA-230-2163).

27 October 2016 -Conservation Area Consent granted to demolish the existing building with exception of the south wall. (application reference: 14/05070/CON).

17 February 2017 - Application granted for variation to permission ref: 15/01788/FUL. Modification to the design of five houses. (application reference: 16/04449/FUL).

Main report

3.1 Description Of The Proposal

The applicant seeks to vary the original grant of planning permission to:

- Change the access road off Trinity Road from being brought up to an adoptable standard and for it instead to remain as private access.
- To delete the bin stores in the turning circle and the location for the bins on collection day at the junction of the lane with Trinity Road, and instead, for the future occupants of the development to use the existing communal refuse bin that already is in place on Trinity Road near the bottom of the lane.
- In addition, the applicant seeks to vary Informative 4 and 5 of the permissions so that the lane will remain a private access and that an Roads Construction Consent would therefore not be required.

An adopted road is one which is in the list of public roads which is maintained by the Council, as roads authority. A road can be built to this standard and not adopted. In these circumstances, it would remain a private road, and be maintained privately by the owners. A private access is not a road. It does not require road construction consent.

Because the Council's Scheme of Delegation includes requests to vary planning permissions and as more than six objections have been received, a Committee decision is required.

3.2 Determining Issues

Section 64 of the Town and Country Planning (Scotland) Act 1997 states:

Notwithstanding any other provision of this Part, a planning authority may, at the request of the grantee or a person acting with his consent, vary any planning permission granted by them, if it appears to them that the variation sought is not material.

Therefore the determining issue is:

Are the proposed changes material? If so, a new planning application is required.

3.3 Assessment

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

- a) The proposed variations to the original scheme represent minor changes to the development when viewed as a whole;
- b) any impacts of equalities and human rights have been addressed; and
- c) any comments raised have been addressed.

a) Material Considerations

The merits of the proposal are not the subject of this request to vary the planning permission. What is being assessed is whether the proposed changes are 'material' to the planning permission when viewed as a whole.

An informative was added to the original permission advising the applicant of additional obligations that do not fall under the jurisdiction of planning. The informative stated: *"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. Structural approval for the existing retaining wall will be required."* The planning permission drawing shows the lane leading to the five houses are subject of the 16/04449/FUL permission to be brought up to an adoptable standard with shared surface. The variation drawing shows this as remaining a private access.

There are no physical changes to the materials or dimensions of the lane from those granted planning permission when compared to this request to vary. The only change relates to the omission of the text on the drawing stating that the access would be brought up to an adoptable standard. The decision as to whether the access is completed to an adoptable standard is a matter for the Council as Roads Authority under the Road Construction Consent process. This change does not raise any new traffic or road safety considerations when the approved drawings are compared to those of this request to vary.

In respect of the informative, this is advice only and it is immaterial whether or not it is changed. It has been concluded by Transport in conjunction with Legal Services, that the lane does not require to be a road under the statutory definition of the Roads (Scotland) Act 1984.

The applicant will require to consider the impacts of this change in relation to the Building (Scotland) Act 2003 and the associated Building Regulations, including reference to emergency access purposes. and an informative is included to this effect.

The proposed changes to the designation of the lane are not a planning matter and are not therefore not a material change to the planning permission.

The deletion of the bin stores in favour of the future occupiers using the communal refuse bin, has been arrived at in agreement with Waste Services. This change to the waste collection strategy is not within the remit of planning and therefore not a material change to the planning application.

The proposals represent very minor alterations to the original scheme of development and are not material.

b) Equalities and Human Rights

No material impacts on equalities or human rights are identified. An Equalities and Human Rights Assessment has been completed.

c) Public Comments

Material comments with respect to this request to vary a previous planning permission relate to whether the proposed changes are material. These include traffic and road safety and waste management. The matter of public safety and emergency access (also raised) are more appropriately dealt with under the remit of Building Standards. These issues are addressed in section 3.3.a) above.

Non-material Objections

Non material objections relate to:

- principle of the development;
- ownership of the land; and
- lighting.

Community Council Comments

Material comments by the Trinity Community Council relate to whether the proposed changes are material, traffic and road safety and refuse collection. This is addressed in section 3.3.a). Non material comments relate to:

- quality of information; and
- emergency access.

Conclusion

The proposed alterations are within the extent of the original grant of planning permission, are sufficiently minor and are non-material to the original grant of planning permission.

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

3.4 Conditions/reasons/informatives

Informatives

It should be noted that:

1. Notwithstanding this decision to vary the original express grant of planning permission, the applicant/agent should avail themselves of any requirements under the Building (Scotland) Act 2003.
2. Conditions, directions and informatives of the planning permission to which this request for variation relates remain and are not altered by this decision.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

There have been 19 letters of objection from neighbours and the Trinity Community Council. Thirteen letters make material comments. One of these letters of objection was withdrawn.

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**

None.

Date registered

27 October 2017

Drawing numbers/Scheme

01,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Barbara Stuart, Senior Planning Officer

E-mail: barbara.stuart@edinburgh.gov.uk Tel: 0131 529 3927**Links - Policies**

Development Management Sub Committee

Wednesday 21 March 2018

Report for forthcoming application by

West Craigs Limited. for Proposal of Application Notice

18/00277/PAN

**At Forrester High School And St Augustines RC High School, 208 Broomhouse Road, Edinburgh
Erection of extension to existing Forrester High School and St Augustines RC High School.**

| | |
|----------------------|----------------------|
| Item number | 9.1 |
| Report number | |
| Wards | B03 - Drum Brae/Gyle |

Summary

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for planning permission in principle for extensions to St Forrester High School and St Augustines RC High School, on the school campus site.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997 as amended, the applicant submitted a Proposal of Application Notice 18/00277/PAN on 21 January 2018.

Links

Coalition pledges

Council outcomes

Single Outcome Agreement

Recommendations

- 1.1 It is recommended that the Committee notes the key issues at this stage and advises of any other issues.

Background

2.1 Site description

The application site is a dual campus for the secondary schools St Augustines and Forresters High Schools at South Gyle. The site measures approximately 15 hectares and is relatively flat, laid out with low level school buildings and school pitches.

South Gyle Access Road lies to the west, Broomhouse Road lies to the east, Bankhead Drive lies to the south and new housing is being built out to the north. The Tram route runs along the south of the site and the train route to the north. The site is surrounded by 2m high perimeter fencing with an established line of trees along the western boundary down South Gyle Access Road.

The main access to the site is from Broomhouse Road, the service road accesses off the roundabout on South Gyle Wynd. Each school has separate pedestrian points. Forresters School sits on the south of the campus and is linked to St Augustines in the north by a combined sport and community building. The buildings are linked by an enclosed walkway.

2.2 Site History

26 March 2007- Planning permission granted for the erection of 2 new 900 pupil high schools with associated sports/community facility, erection of new Forrester Rugby Club, demolition of existing schools and construction of sports pitches, (application number 06/02338/FUL).

26 February 2008 - Planning permission granted to amend the plans approved under application 06/02338/FUL (application number 08/00714/FUL).

24 January 2010 - Request for minor variation ref; 08/00714/VAR for changes to site layout.

6 October 2010 - Deletion of St Augustine's Grass Pitch and MUGA, replaced with two all weather sports pitches, and associated hard and soft landscaping, including floodlighting and fencing (application number 10/00465/FUL).

Main report

3.1 Description Of The Proposal

The application has been submitted on behalf of West Craigs Ltd for Planning Permission in Principle for the erection of extensions to the existing St Augustines RC High School and Forrester High School. No details have been submitted with the application.

3.2 Key Issues

The key considerations against which the eventual application will be assessed include whether:

a) The principle of the proposed uses on this site is acceptable;

The site is within the urban area as defined in the Edinburgh Local Development Plan.

b) The design and scale of the proposed development are acceptable and comply with Edinburgh Design Guidance;

No details have been submitted to date. A design and access statement will be required in support of the application.

c) There would be a detrimental impact on the environment as a result of the proposal;

Detailed consultation on environmental matters will be required.

d) The proposal would adversely affect residential amenity or road safety;

A full assessment will be made through the process of the planning application. In order to support the application the following documents will be submitted:

- Pre- application consultation report;
- Planning Statement;
- Design and Access Statement;
- Archaeology report;
- Transport Information;
- Landscape and Visual Impact Assessment;
- Flood Risk Assessment and Surface Water Management Plan;
- Air Quality Impact Assessment;
- Noise Impact Assessment;
- Tree Survey; and
- Phase 1 Habitat and Protected Species survey.

3.3 Assessment

This report highlights the main issues that are likely to arise in relation to the various key considerations. This list is not exhaustive and further matters may arise when the new application is received, and consultees and the public have the opportunity to comment.

Financial impact

4.1 The forthcoming application may be subject to a legal agreement.

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 This is a pre-application report. When a planning application is submitted it will be assessed in terms of equalities and human rights.

Sustainability impact

7.1 A sustainability statement will need to be submitted with the application.

Consultation and engagement

8.1 Pre-Application Process

The Proposal of Application Notice (reference 18/00277/PAN) outlined a public exhibition. This is expected to be held on a revised date of Wednesday 28 March 2018 2pm-7pm at Marriott Hotel Glasgow Road, Edinburgh. The applicant will notify Corstorphine Community Council, Sighthill Broomhouse and Parkhead Community Council and local councillors of this revised date.

8.2 Publicity summary of representations and Community Council comments

The results of the community consultation will be submitted with the application as part of the Pre-application Consultation Report.

Background reading/external references

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

David R. Leslie

Chief Planning Officer

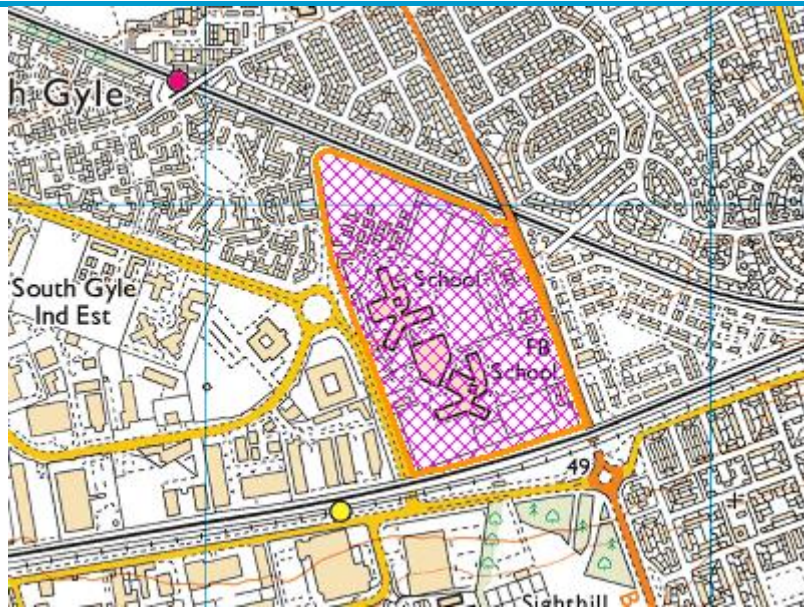
PLACE

The City of Edinburgh Council

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Location Plan



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